



CAPITAL PUNISHMENT

Position Statement
Adopted 10/21/80

The Montana Association of Churches opposes capital punishment and calls upon the Montana Legislature to abolish the death penalty.

Supporting Statement
Revised 4/23/06

When a life is taken tragically and violently through homicide, such loss is beyond measure. The outrage and grief experienced by a victim's family members and the larger community are justified, and cause a heavy burden. We cannot deny or overlook the extreme pain and damage caused by such horrible acts. The community is right to seek justice for these crimes. Yet, we oppose the idea that execution is a means to achieve justice.

First, we look to the foundations of our faith and to the healing and reconciling message of our Lord Jesus Christ related in the Gospels.

In the Hebrew Scriptures, it is told that humans are created in the image of God. This forms the core of our opposition: because every human person is created in God's image, each possesses a dignity which cannot be denied. This is true of capital offenders, even though they have committed the most violent of crimes.

While many cite the Hebrew scriptures to support capital punishment, it can be said that the use of capital punishment was applied reluctantly and balanced with dignity and mercy. Even the

scripture, "eye for eye, tooth for tooth" (Leviticus 24: 19-20), was not intended to set exact punishment. Rather it provided for the maximum permissible punishment as a means to ensure that penalties were not excessive.

Jesus, however, rejected the desire for retribution and called his followers to live by an even greater standard. "Love your enemies, do good to those who hate you... Do not judge, and you will be forgiven" (Luke 6: 27, 37). In light of the teachings and acts of Jesus, who was himself unjustly executed, we believe we are called to seek a justice which is based in love, not on revenge.

Thus, in light of our faith, we seek a justice which honors the sacredness of all life. We call for a justice which prevents violent offenders from injuring others and, at the same time, recognizes the capacity of individuals to repent and reform. We aspire to a justice which stops violence and is healing.

There are sound social arguments against capital punishment as well. These, too, enter into our position. In these, we stand with many others who oppose capital punishment on the basis of human rights and principles of justice.

The act of taking a life as retribution for homicide actually feeds the cycle of violence, decreasing our respect for human life and making our communities more, not less, dangerous. In this larger picture, capital punishment has not proven to be effective as a deterrent. Statistics would indicate, in fact, that homicide rates are higher in states with the death penalty than they are in states where it is not allowed.ⁱ

The death penalty can sometimes be mistakenly applied. Because execution is irrevocable, there are no safeguards to guarantee against innocent people being killed. Since the death penalty was reinstated in the United States in 1976, more than 124 condemned prisoners have been released from death row.ⁱⁱ They were wrongfully convicted and

sentenced to die for crimes they did not commit. Legal recourse in capital cases has not always proven to be an adequate safeguard for those who are innocent. At least twenty-three people executed since 1900 were later found to have been innocent.ⁱⁱⁱ

The application of the death penalty is arbitrary and economically and racially biased. In 1996, the American Bar Association called for a suspension of the death penalty, because it was used disproportionately against the poor, against people of color and against those who were provided with inadequate or incompetent legal representation.

Executions, too, are far more expensive to carry out than life imprisonment. The costs associated with trying a capital case, maintaining a death row and performing executions are estimated to be two to six times higher than the cost of imprisoning an offender for life.^{iv}

We support every effort to enforce prompt and effective punishment, when applied impartially and through due process of law, to perpetrators of violent crimes. We support efforts to strengthen victims' rights to restitution and community restoration. We decry a culture that glorifies violence as entertainment; that casually presents murder and mayhem to even our youngest children without a thought or qualm of conscience.

The death penalty is not morally justified in our current criminal justice system. There are other means to protect citizens from the most dangerous criminals, and to ensure public safety. The public holds justifiable and genuine concern that convicted murderers may be back on the streets in just a few years. Yet it is now possible to sentence convicted murderers to life without the possibility of parole. In public surveys, when this is offered as an option, support for the death penalty drops significantly. As a result, we are confident the public increasingly supports the abolition of capital punishment.

ⁱ, ⁱⁱ, ^{iv}, All statistical information taken from the Death Penalty Information Center. www.deathpenaltyinfo.org. Accessed on 4/23/08.

ⁱⁱⁱ Radelet, Michael L., Hugo Adam Bedau, and Constance E. Putnam. *In Spite of Innocence*. Pp. 272-273. Northeastern University Press: Boston. 1992.