



**STATEMENT ON  
CATHOLIC BISHOPS TO LEGISLATORS:  
SAY NO AT DEATH PENALTY SPECIAL SESSION**

**December 17, 1999**

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**Tallahassee** -- Archbishop John C. Favalora and the other Catholic bishops in Florida urged each member of the Florida legislature to oppose the proposed changes to the state's death penalty law which the Governor and legislative leaders seek to bring up at the January 5, 2000 Special Session. In separate letters to each Senator and Representative, the bishops outlined their objections to the three main proposals, while reiterating their long held stand against the death penalty itself.

On giving prisoners the option to choose lethal injection instead of the electric chair, they pointed out that this would still "serve to perpetuate the cycle of violence and promote a sense of vengeance in our culture. Lethal injection is a corruption and exploitation of medical technology."

The speeding up of the appeals process was attacked because the delays have allowed innocent persons to obtain release after many years on death row. They said, "It is a frightening prospect that we would wrongfully kill an innocent person because an expedited appeal precluded critical information from being considered." The letters quoted from a recent joint statement of the National Council of Synagogues and the National Conference of Catholic Bishops, *To End the Death Penalty*, "In biblical times, capital punishment was a search for justice when justice seemed impossible to reach. As the Rabbis did years ago when they considered the use of the death penalty, let us take time to ask ourselves some relevant questions. Is justice reached when we are taking a chance of killing an innocent person? Is justice reached when we are discriminating against our minorities in our death sentences? See that justice is done, the prophet Zechariah proclaims."

Pointing out the faults with the proposal to limit the role of the jury in these cases, the bishops urged "The role of the jury in representing the community must be preserved and strengthened, but not diminished."

The common text letter which appears below concludes with a reference to the new millennium, and a quotation from Pope John Paul II's statement of ten days ago: "The Great Jubilee is a privileged occasion to promote throughout the world increasingly mature forms of respect for life and for the dignity of every person. Therefore, I renew my call to all those responsible so that an international consensus will be reached in favor of the abolition of the death penalty."

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*The Common Text Letter From the Florida Bishops To Senators and Representatives begins below:*

December 17, 1999

**RE: *Special Session on Death Penalty, January 5-7, 2000***

Dear Senator/Representative:

It is unfortunate that I am writing to you about so serious a matter in this holy and otherwise joyful season. I join my brother Bishops in writing to each of our state representatives and senators about concerns related to the death penalty which will be addressed in the special session scheduled to commence on January 5, 2000.

Our Catholic position in opposition to the death penalty has been stated many times. Nations all over the world have been acting to put an end to the death penalty, including nearly all those in this western hemisphere and Europe. Even recently liberated countries in eastern Europe have abolished this practice. Amnesty International and the American Bar Association have called for a moratorium, along with other secular entities. The United Nations has called for abolition. It is our sincere hope that Florida will start moving in this direction. We have repeatedly affirmed the right and duty of the state to protect society and punish criminals; we now urge a consensus toward Florida's alternative to death, that of life imprisonment with no opportunity for parole.

**Lethal Injection** It is the killing of persons to which we object, thus the means by which it is done will not change our view. Just as there is no method of committing murder which may be sanctioned, there is no method of execution that does not serve to perpetuate the cycle of violence and promote a sense of vengeance in our culture. Lethal injection is a corruption and exploitation of medical technology. It involves a medical procedure, requires medical training in order to administer, and requires medical knowledge in order to prepare the drugs involved. Moreover, lethal injection is a violation of the Hippocratic Oath. It may be easier for some in our society to accept, but the taking of life, even if guilty, should not be acceptable. The sacredness of human life is not forfeited by human wrongdoing.

**Acceleration of Appeals** The proposal to speed up and impose time limits on post-conviction appeals is cause for grave concern. The Florida legislature has firsthand and recent experience with persons who have spent many years on death row, had death warrants issued, followed by court ordered stays, later to be found innocent and released. News accounts in Florida have surfaced in excess of 20 of these cases. Since 1976, there are reports of more than 80 death row reversals nationwide, some close to scheduled executions. In some Florida cases we have rightfully paid these former prisoners substantial sums for wrongful prosecution.

It is a frightening prospect that we would wrongfully kill an innocent person because an expedited appeal precluded critical information from being considered. Benjamin Franklin is credited with saying, "It is better a hundred persons should escape than one innocent person should suffer." In a state where as many as 60% of death sentences are reversed, how can we in good conscience insist on speeding up executions. On this basis alone, we would support a moratorium while this system, that all agree is in need of repair, be deliberately and carefully reviewed, something not otherwise possible. Our history suggests strongly that at least some of the 380 on death row may be innocent.

Earlier this month, after an exhaustive study of the "collective wisdom and moral insights" of Judaism and Catholicism, the National Council of Synagogues and the National Conference of Catholic Bishops issued a joint statement "To End the Death Penalty," a portion of which is particularly on point: "In biblical times, capital punishment was a search for justice when justice seemed impossible to reach. As the Rabbis did years ago when they considered the use of the death penalty, let us take time to ask ourselves some relevant questions. Is justice reached when we are taking a chance of killing an innocent person? Is justice reached when we are discriminating against our minorities in our death sentences? See that justice is done, the prophet Zechariah proclaims."

**Role of Juries** Most states require a unanimous vote of the jurors, rather than a simple majority, for a sentence of death. Florida requires neither. As long as the death penalty is to continue in our state, juries should be given a greater role in deciding sentences, not a lesser one. The jury override provision has proven problematic in instances when a jury has recommended life only to be overruled by a judge who sentences death. The role of the jury in representing the community must be preserved and strengthened, but not diminished.

Support for the death penalty is driven by fear of crime and the horror at so many lives lost through criminal violence. We anguish for those who are today suffering because of loss from these violent crimes, even

though we cannot fully know of their intensely difficult struggle and recurring pain. We agree that much more must be done, by our churches and communities, to give comfort and care to these grieving families. But we must help them also to resist the natural desire for revenge against those who have committed such terrible wrongs. Such revenge only feeds a climate of violence and mistakenly sees killing as a solution to this problem. Just as the teachings of the Church cannot accept abortion as a solution to unwanted or unplanned pregnancy, or assisted suicide as a solution to severe pain or depression, neither can we accept the death penalty as the solution to violence or murder.

Although, recent polls in Florida found that 50% of Floridians would support the death penalty if life without parole were a certainty, another 44% would favor abolition of the death penalty, with an additional 6% undecided. This shows clearly that support for capital punishment in our state is not nearly so great as one might suppose.

As we enter the new millennium and consider the future, we should work for a society that rejects the violence of the death penalty. Instead of increasing the numbers of death sentences and attempting to speed up executions, we urge a thoughtful consideration of Pope John Paul II's December 12, 1999 appeal wherein he encourages us: "The Great Jubilee is a privileged occasion to promote throughout the world increasingly mature forms of respect for life and for the dignity of every person. Therefore, I renew my call to all those responsible so that an international consensus will be reached in favor of the abolition of the death penalty."

Sincerely in the Lord,

**Archbishop John C. Favalora**  
*Archdiocese of Miami*

**Bishop John J. Snyder**  
*Diocese of St. Augustine*

**Bishop John J. Nevins**  
*Diocese of Venice*

**Bishop John H. Ricard, SSJ**  
*Diocese of Pensacola-Tallahassee*

**Bishop Robert N. Lynch**  
*Diocese of St. Petersburg*

**Bishop Norbert M. Dorsey, CP**  
*Diocese of Orlando*

**Bishop Anthony J. O'Connell**  
*Diocese of Palm Beach*

**Bishop Agustín A. Román**  
*Archdiocese of Miami*

**Bishop Gilberto Fernandez**  
*Archdiocese of Miami*

**Bishop Thomas G. Wenski**  
*Archdiocese of Miami*