

IOWA'S DEATH PENALTY

- 0 people currently on death row
- 0 executions since 1976
- 45 executions before 1976
- Jury decides the sentence
- Life without parole is a sentencing option
- 0 people released from death row based on evidence of innocence
- 0 people have been granted clemency

Iowa's History

Iowa carried out 46 executions between 1834 and 1965. All of those executed were men; 43 were executed for murder and 3 were executed for rape.

Iowa's claim of Innocence

On July 15th, 1845, Mormon brothers **William and Steven Hodges** were hanged together for murder. Both brothers died proclaiming their innocence, blaming the verdicts on anti-Mormon prejudice.

Death Penalty Abolition

In 1872, Governor Cyrus Carpenter, influenced by anti-death penalty Quakers and Unitarians, signed the first legislation to abolishing the death penalty. Soon after abolition, crime waves caused some vigilante citizens to commit lynchings, which were justified by the absence of a death penalty. In 1878, capital punishment was reinstated by the Iowa legislature in order to bring an end to lynchings and to attempt to deter crime.

In 1964, Democrats won the most successful elections in Iowa's history. In 1965, Governor Harold Hughes signed the bill that abolished Iowa's death penalty a second time. Since then, numerous attempts have been made at reinstatement. The most serious of these reinstatement efforts came in the wake of the kidnapping, sexual assault, and murder of nine-year old Anna Marie Emry in 1994. Although Governor Terry Branstad made reinstatement of the death penalty central to his 1994 reelection campaign, none of the proposed measures passed both houses of Iowa's state legislature.

Iowa's Bishops Stand Against Capital Punishment

In 1998, the Bishops of Iowa came out in a joint statement regarding a bill which sought to reinstate the death penalty in Iowa. A part of the statement says, "The Catholic Bishops of Iowa speak out in opposition to the death penalty and its possible reinstatement in the state of Iowa. We challenge the people of Iowa, especially our own Catholic faithful, to examine the issue of capital punishment in the light of basic moral and religious values. After further review and in light of current discussions and initiatives, we speak more strongly than ever against the death penalty. We dare to take this position and we raise this challenge because of our commitment to a consistent ethic of life, by which we wish to give unambiguous witness to the sacredness of every human life from conception through natural death. We proclaim the good news that no person is beyond the redemptive mercy of God. We oppose reinstatement of the death penalty to send a message that we can break the cycle of violence, that we need not take life for life. We urge our brothers and sisters in Christ, as well as all people of good will, to remember the teachings of Jesus, who called us to be reconciled with those who have injured us (Mt. 5:43-45) and to pray for forgiveness for our sins "as we forgive those who have sinned against us" (Mt. 6:12). We call on you to contemplate the crucified Christ who sent us the supreme example of forgiveness and of the triumph of compassionate love."

THE CHURCH AND STATES SPEAK

The Church Speaks

Evangelium Vitae

Pope St. John Paul II's encyclical on human dignity, challenges us to be "unconditionally pro-life." "The dignity of human life must never be taken away, even in the case of someone who has done great evil. Modern society has the means of protecting itself, without definitively denying criminals the chance to reform." (*Evangelium Vitae*, 27)

Catechism of the Catholic Church

"If...non-lethal means are sufficient to defend and protect people's safety from the aggressor, authority will limit itself to such means, as these are more in keeping with the concrete conditions of the common good and more in conformity to the dignity of the person." (CCC #2267)

United States Conference of Catholic Bishops

"Its [the death penalty] application is deeply flawed and can be irreversibly wrong, is prone to errors and is biased by factors such as race, the quality of legal representation and where the crime was committed." (*A Culture of Life and the Penalty of Death, USCCB, 2005*)

Words of the Popes

Pope Francis: "'Rendering justice' does not mean seeking punishment for its own sake, but ensuring that the basic purpose of all punishment is the rehabilitation of the offender." *World Congress Against the Death Penalty, June 22, 2016*

Pope Emeritus Benedict XVI: "Society's leaders should make every effort to eliminate the death penalty and to reform the penal system in a way that ensures respect for the prisoners' human dignity." *Benin, Africa, Nov. 19, 2011*

The States Speak

Innocence

- Over 155 people have been exonerated from death row
- For every nine executions carried out in the United States, one person has been found to be innocent.

Racial Bias

- 76% of death row defendants have been executed for killing white victims, even though African-Americans make up about half of all homicide victims.
- African-Americans are overrepresented on death row. They make up 13% of the US population but constitute 42% of death row.

Criminalization of Mental Illness and Intellectual Disabilities

- A study in the *Hastings Law Journal* of recent executions found that "over half of the last one hundred executed offenders have been diagnosed with or displayed symptoms of mental illness."
- The Supreme Court banned the execution of those with intellectual disabilities but states have significantly deviated from accepted clinical methods for determining intellectual disability.

Representing the Poor

- The majority of individuals on death row could not afford their own attorney. In many cases, the appointed attorneys are overworked, underpaid, or lacking the trial experience required for death penalty cases.

Costly Public Policy

- The death penalty is more expensive than life without parole. Multiple studies have shown the cost of trial, sentencing, appeals and imprisonment to be much higher in capital cases versus life in prison without parole.

Geographic Bias

- 2% of all U.S. counties produce 56% of the U.S. death row population