

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 Legislative Action in 2019

A bill in Iowa's Senate, Senate File 296, has been proposed that would bring back the death penalty for murder in the first degree offenses involving kidnapping and sexual abuse offenses against the same victim who is a minor. The bill has passed the Senate Judiciary Committee.

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 some justified by noting the absence of a death penalty. In 1878, capital punishment was reinstated by the Iowa legislature.

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 part of his 1990 and 1994 reelection campaigns, none of the proposed measures during the 1990's passed both houses of Iowa's state legislature.

Iowa's Bishops Stand Against Capital Punishment

In 2018, the Bishops of Iowa came out with a joint statement regarding a bill which sought to reinstate the death penalty in Iowa. A part of the statement says, "It is a duty of the state to punish offenders and defend the common good. However, in a modern society where the death penalty is not needed to maintain public safety, punishment must 'correspond to the concrete conditions of the common good and [be] more in conformity to the dignity of the human person,' (Catechism of the Catholic Church, 2267). For example, in Iowa, a conviction of first-degree murder means life in prison without parole ...

"We oppose reinstatement of the death penalty in order to send the message that the cycle of violence can be broken without taking life. We ask the people of Iowa, and especially members of the Catholic Church, to join us in opposing capital punishment out of respect for our common human dignity and in light of the teachings of Jesus about vengeance."

THE CHURCH AND STATES SPEAK

The Church Speaks

Catechism of the Catholic Church

“Recourse to the death penalty on the part of legitimate authority, following a fair trial, was long considered an appropriate response to the gravity of certain crimes and an acceptable, albeit extreme, means of safeguarding the common good.

Today, however, there is an increasing awareness that the dignity of the person is not lost even after the commission of very serious crimes. In addition, a new understanding has emerged of the significance of penal sanctions imposed by the state. Lastly, more effective systems of detention have been developed, which ensure the due protection of citizens but, at the same time, do not definitively deprive the guilty of the possibility of redemption.

Consequently, the Church teaches, in the light of the Gospel, that “the death penalty is inadmissible because it is an attack on the inviolability and dignity of the person”, [1] and she works with determination for its abolition worldwide.” (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

SEND A MESSAGE TO YOUR STATE

LEGISLATOR AT:

www.votervoice.net/icc/home

The States Speak

Innocence

- Over 160 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 makeup 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 have produced 56% of the U.S. death row population