



TO: Judiciary Committee
FROM: Tom Venzor, Executive Director
Nebraska Catholic Conference
DATE: March 16, 2023
RE: LR17CA (Abolish Death Penalty) (Support)

The Nebraska Catholic Conference advocates for the public policy interests of the Catholic Church and advances the Gospel of Life through engaging, educating, and empowering public officials, Catholic laity, and the general public.

In 2018, Pope Francis issued an update in the section of the *Catechism of the Catholic Church* on the death penalty. Consistent with prior teaching, this update more vigorously calls for an end to the death penalty. It states:

2267. 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 human person,’ and she works with determination for its abolition worldwide.

This standard, rooted in the faith and tradition of the Catholic Church, is also a *reasonable* measure by which sound and justified public policy can be founded. The Nebraska Catholic Conference both invites and urges legislators and all Nebraskans to consider LR17CA within this framework.

For nearly three decades now the Catholic Bishops in Nebraska have called for a repeal of the death penalty. In addition to the fundamental principle noted above, this call for repeal is based on other public policy justifications, which I would like to summarize here (more information can be found in the addendum to my testimony): the death penalty threatens the innocent life of those wrongly convicted; the death penalty disproportionately affects people of color (particularly Black and Latino defendants), those living in poverty, and those with intellectual disabilities and/or severe mental illness, which leads to a failure by society to care for the least of these among us; the death penalty does not make society safer and costs significantly more than

comparable non-death penalty cases; and the death penalty does not necessarily bring healing to victims' families.

In our modern and technologically sophisticated age, means of punishments other than the death penalty are available and adequate for maintaining the public safety. Furthermore, in a culture that too frequently resorts to death and violence as a response to social problems (such we see with abortion and doctor-prescribed suicide), the use of the death penalty has the potential of contributing to the growing disrespect for the dignity and value of human life.

While many have valid and understandable concerns about the frequency of violence and heinous crimes in our communities, policymakers and society, as a whole, need to do all that can be done to deter and respond to the violence that undermines a stable society. The death penalty, however, ought not be used as a panacea—cure-all solution—for the systemic issues that we see throughout our communities.

Additionally, while many across the state desire to use the death penalty with a sound sense of retributive justice, it should be noted that there are also those who seek the use of the death penalty as a matter of revenge. Just retribution is a legitimate desire. However, actions taken under the veil of vengeance are its own form of violence, which must be avoided and condemned.

We urge the Judiciary Committee, all legislators, and Nebraskans across the state to respond to evil with a justice that is worthy of our best nature as people of faith and reasonable judgment.

For these reasons, we encourage the Judiciary Committee to advance LR17CA to General File.

Thank you for your time and consideration.