



To: Judiciary Committee
From: Marion Miner, Associate Director for Pro-Life & Family
Nebraska Catholic Conference
Subject: LB 44 (Repeal of Death Penalty) (Support)
Date: March 6, 2019

Chairman Lathrop and Members of the Judiciary Committee,

The Nebraska Catholic Conference advocates for the public policy interests of the Catholic Church by engaging, educating, and empowering public officials, Catholic laity, and the general public. I am here today to express support for LB 44 on behalf of the Conference.

The traditional teaching of the Catholic Church does not condemn the use of the death penalty in principle. The death penalty is not regarded as intrinsically immoral. Recourse to the death penalty is not excluded from the right and duty the state has to defend society from unjust aggressors. This teaching is rooted in both natural reason and Sacred Scripture and Tradition.

Nevertheless, Catholic teaching also applies an extremely important consideration for using the death penalty; namely, if non-lethal means are sufficient to defend the innocent and preserve public order and safety, then public authority should limit itself to such means, as they are more in keeping with the common good and more in conformity with the dignity of human life.¹ As Pope St. John Paul II articulated in his 1995 encyclical, *The Gospel of Life*: Is the death penalty absolutely necessary for the protection of public safety? Are there no other means by which to defend society from an unjust aggressor?²

More recently, Pope Francis has further applied the Church's traditional teaching and reached the conclusion that "the death penalty is inadmissible because it is an attack on the inviolability and dignity of the person" and that we should "work[] with determination for its abolition worldwide."³

In our own particular circumstances in Nebraska, the Nebraska Catholic Conference has strongly held that the death penalty is not absolutely necessary to maintain public order and public safety.

¹ *Catechism of the Catholic Church* 2267.

² *The Gospel of Life* 56.

³ "New Revision of Number 2267 of the *Catechism of the Catholic Church* on the Death Penalty," available at http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_20180801_catechismo-penadimorte_en.html.



In our modern and technologically sophisticated age, means of punishment other than the death penalty are available and adequate for maintaining public order and safety. Furthermore, in a culture that too frequently resorts to death and violence as a response to social problems (such as 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.

Many have valid and understandable concerns about the frequency of violence and heinous crimes in their 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 other systemic problems that occur in maintaining public safety.

We urge the Judiciary Committee, all legislators, and Nebraskans across the state to respond to evil with justice and mercy.

The Nebraska Catholic Conference urges your support for this important legislation.