



ARCHDIOCESE OF BALTIMORE + ARCHDIOCESE OF WASHINGTON + DIOCESE OF WILMINGTON

**Statement to the House Judiciary Committee
by
The Most Reverend Denis J. Madden
Auxiliary Bishop of the Archdiocese of Baltimore
March 15, 2011**

**Re: House Bill 1075 – Death Penalty Repeal and
House Bill 1074 – Exclusion from Participation in an Execution**

SUPPORT

Thank you for the opportunity to offer this testimony on behalf of the bishops serving Maryland from the Archdiocese of Baltimore, the Archdiocese of Washington, and the Diocese of Wilmington. I am pleased to join with so many other faith leaders today in urging for the repeal of the death penalty in our state, and for your support of House Bill 1075.

I urge your support as well for House Bill 1074, which would ensure that, until the day our state ceases the practice of capital punishment, no person would be required to participate in a state execution in violation of their moral or religious beliefs. This measure is consistent with other conscience protections in state law, and reflects similar provisions governing federal executions.

As a member of the Commission on Capital Punishment, I listened personally to hours of testimony – pro and con – on the practice of capital punishment in the state of Maryland. I wholeheartedly agree with my fellow commission members who, after lengthy, careful, and honest deliberations, recommended that the death penalty in Maryland be repealed.

The arguments put forth by the Commission are very compelling. But in our view as a faith community, arguments against the death penalty do not rest simply on questions regarding bias, deterrence, cost-effectiveness, and the possibility of error. Our Church's long-standing advocacy for death penalty repeal in Maryland rests upon our consistent advocacy for laws that respect all human life – even that of the convicted criminal.

As our U.S. Bishops have said, “We oppose capital punishment not just for what it does to those guilty of horrible crimes, but for what it does to all of us as a society. ... We cannot overcome crime by simply executing criminals, nor can we restore the lives of the innocent by ending the lives of those convicted of their murders. The death penalty offers the tragic illusion that we can defend life by taking life.”

The teachings of our Church tell us that when other punishment options are available to government that sufficiently protect the public’s safety, we should not resort to the death penalty, not even in the case of one who takes the life of another human being. Since 1987, those means have been available in Maryland in the form of life-without-parole sentences.

It is worth noting that Maryland was one of the first states to prohibit the execution of minors and the execution of those with intellectual disabilities. Those laws helped paved the way for the U.S. Supreme Court to rule that such executions violated the U.S. Constitution. We come before you today with fresh hope: it is time for Maryland to make the logical next move, and to join the increasing number of states that have abolished the death penalty.

The reasons for repealing the death penalty in our state, and we pray, throughout our country one day, transcend political, practical, and legal considerations. As a faith community, we appeal to you to weigh this issue in the light of fundamental principles of justice and the common good, and to listen truthfully to the voice of your moral conscience. The unjust taking of life is a reprehensible crime against all humanity, but it does not justify the destruction of a life in return.

Thank you for your consideration.