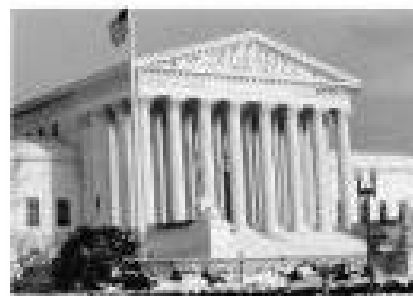


The Death Penalty: Which Way To Go?



Recently, the U. S. Supreme Court issued two decisions regarding the death penalty. In one decision, the Court excluded an entire class of people from execution, stating that it is unconstitutional to execute retarded persons. In the second, the Court declared that, for a death sentence to be constitutional, a jury, not a judge, must sentence the defendant.

"I can already hear the newspapers saying, 'This is the halfway step to outright abolition,' " said Robert Blecker, a death penalty supporter and professor at New York Law School. That, he added, is one way to view the Supreme Court's actions. After all, both of the recent decisions overturned pro-death penalty rulings from a dozen years ago, suggesting that the court might be fundamentally rethinking the matter.

"Another view," Blecker said, "is that this is a court animated by a greater understanding that the death penalty should be limited to the worst of the worst. It's not a halfway step to abolition, but a reform to make the death penalty more palatable."

June, 2002 Washington Post

Which Way To Go?

Choice 1

Murder Deserves the Death Penalty

A terrible crime like murder deserves the ultimate punishment, which is the death penalty. We need the death penalty, and have always used it, because it is justice for victims' families and protection for society.

Benefits

- ??Provides justice and closure to victims' families.
- ??Enforces the biblical teaching an "eye for an eye".
- ??Constitutes a deterrent to those who might kill.
- ??An executed killer cannot kill again.

Drawbacks

- ???It is in opposition to the teachings of Jesus in the Sermon on the Mount.
- ???We become like the killers.
- ???Murder victims' families who are against the death penalty suffer the added pain of another death.
- ???Evidence shows that executions actually have a brutalizing effect on society.*
- ???The death penalty has been proven to be considerably more costly as compared to a sentence of life without the possibility of parole, including the cost of incarceration.**

Likely Tradeoffs?

- ???The use of the death penalty teaches that some killing is OK.
- ???Some innocent people may be killed by mistake.***

What Can Be Done?

- ???Work to legislate a swifter appeals process.
- ???Work for legislation to make juveniles who murder be tried automatically as adults.
- ???Pass a victims' rights amendment to the U.S. Constitution.

* Please see footnote 1 A, B, and C on opposite side.
** Please see footnote 2 on opposite side.
***Please see footnote 3 on opposite side.

Choice 2

Declare A Death Penalty Moratorium

The more we learn about the death sentencing process, the more it seems we should have a full study of the death sentencing process and refrain from executions until that study is completed and acted upon.

Benefits

- ???The state will not execute innocent people by mistake.*
- ???As the state refrains from executions children perhaps will not learn that killing is the way to solve problems.
- ???There will be an opportunity to study the Kentucky death row population, now made up almost wholly of the very poor and mentally ill.**
- ???There will be an opportunity to study the adequacy of the counsel provided to murder defendants who cannot afford to hire a lawyer.

Drawbacks

- ???Those victims' families who favor the death penalty will have to wait longer for satisfaction.
- ???on how the study should be conducted and who can do it fairly.
- ???Some citizens will never be satisfied with the results.

What Can Be Done?

- ???Form a coalition derived from Kentucky's state universities to perform an impartial study.
- ???Enlist the help of public television and radio in holding a series of forums hosted around the state to educate and gather input from the state.

* Please see footnote 3 on opposite side.
** Please see footnote 4 A and B on opposite side.

Choice 3

End the Death Penalty in Kentucky

Killing is wrong, whether done by a murderer or by the state. Today most religious congregations call for abolition of the death penalty. We cannot right one wrong by committing another. The sentence of life without the possibility of parole satisfies society's need for justice and security.

Benefits

- ???Evidence from other states suggests that Kentucky will be a less violent state without the death penalty.*
- ???We cannot give life back to an innocent person who has been wrongfully executed.
- ???The death penalty makes each of us an executioner.
- ???Shows respect for the commandment, "Thou Shalt Not Kill", and the Sermon on the Mount.
- ???Victims' families who are against the death penalty will not have to suffer the added pain of another death.

Drawbacks

- ???We will not send a strong enough signal to potential killers.
- ???Victims' families have the right to expect an eye for an eye if they want it.

Likely Tradeoffs?

- ???Killers will sometimes kill again, even in prison.
- ???Sends a mixed message to potential killers.

What Can Be Done?

- ???Let state legislators know the majority of their constituents want the death penalty ended in Kentucky.
- ???Lobby for an abolition bill in the 2003 General Assembly Session.

* Please see footnote 5 A and B on opposite side.