

TEXAS:

After 2-year study, Texas CLC calls for death penalty moratorium

The Texas Baptist Christian Life Commission has joined the call for a moratorium on the death penalty.

With one dissenting vote, the moral concerns and public policy agency of the Baptist General Convention of Texas asked for the moratorium on capital punishment Jan. 10.

At the same time, the commission agreed to support legislation that would allow Texas juries the sentencing option of life without parole as an alternative to the death penalty.

Buddy Helms, pastor of Bethel Baptist Church in Big Lake, explained that he voted against the motion because he thought support for expanded sentencing options should have been handled separately from the call for a moratorium.

"I think there are instances where the death penalty is necessary," he said.

The commission, underscoring that its role is to speak to Texas Baptists and not for Texas Baptists on moral and ethical issues, also approved an extensive report examining the issue of capital punishment from biblical, historical and social justice perspectives. All but 2 of the commission members present voted to approve the report.

The report was favored by 10 commissioners who were either present or had submitted proxy votes due to schedule conflicts. The commission's 5 other members were not present and did not submit a vote.

The commission's report concludes that "in the final analysis, biblical teaching does not support capital punishment as it is practiced in contemporary society."

Further, the report states: "The practice of capital punishment in our nation and state is an affront to biblical justice, both in terms of its impact on the marginalized in society and in terms of simple fairness. How can we perpetuate a system which is clearly so unfair and so broken?"

According to the commission, the Bible emphasizes two principles that must be considered when examining the death penalty--the critical importance of obeying God's commands and the demand for profound respect for human life.

Scripture not only places limits on revenge, as reflected in "an eye for an eye and a tooth for a tooth," but also moves beyond retribution to "transforming initiatives," the report states. "Shunning the vicious cycles of even limited retaliation, Jesus calls us to creative confrontation and constructive community-building."

The way Texas applies the death penalty is unjust in terms of its impact on racial minorities, the poor, juvenile offenders and inmates who mistakenly are convicted, according to the report.

"Racism in sentencing is not a relic of the past," the report asserts, noting studies that show the race of the victim and the defendant have a direct bearing on sentencing.

For example, a Texan who murders a white person is 5 times more likely to be sentenced to death than a Texan who murders an African-American, the report states. And white Texans rarely receive the death penalty for killing black people.

"Statistically, race is more likely to affect death sentencing than smoking affects the likelihood of dying from heart disease," the report adds. "While the latter evidence has produced significant legal and societal changes, racism continues to be a dominant factor in the administration of the death penalty."

The commission also points to discrimination based on economic class, explaining, "A defendant's poverty, lack of firm social standing in the community and inadequate legal representation at trial or on appeal are all common factors among death-row populations."

The report further notes:

- * The United States is the only western democracy currently using the death penalty. Globally, the U.S. ranks 3rd in the total number of executions since 1998, behind China and the Democratic Republic of the Congo.

- * Since 1976, Texas has carried out about one-third of the executions in the nation. Last year, 33 of the 71 executions in the country were performed in Texas.

- * Texas accounts for 61 % of the juvenile executions in the United States since 1976 (13 of 21). And Texas leads the nation in the number of juvenile offenders on death row (29).

- * African-Americans comprise 12 % of the Texas population but account for

42 % of the state's death-row population. More than 2/3 of the people on Texas death row are non-Anglo.

Cy Fletcher of Baytown supported the commission's call for a moratorium but voted against adopting the report on capital punishment. He agreed the way the death penalty is applied needs review in order to make sure justice is done. But Fletcher said he favored "retaining the possibility of capital punishment" as a matter of law, and the report essentially presented the argument for abolition of the death penalty.

"It can logically and meaningfully be argued in fairness that no one has the right to murder someone for his own purposes without thereby placing his own life in jeopardy of proportional risk," he said.

Fletcher also cited concerns about how the principles presented in the position paper would be applied logically to the use of deadly force by police officers or prison guards.

"I support the option of life without parole," he said. "Yet that raises a question. How do we hold people for life against their will without the threat and use of deadly force? In the future, are we going to hear protests that the impersonal shock of an electrical fence is murder by proxy and the split-second decisions of a prison guard should be viewed the same way?"

Bobby Broyles of Earth noted that a statement by Menno Simons cited in the historical portion of the report summarized his views on capital punishment. The 16th century Anabaptist leader argued that if a murderer genuinely repents and turns to God, then that person is a new creation and a brother in Christ. If the murderer does not repent, then executing him would rob him of future opportunities to repent and be spared from punishment in hell.

"Sending somebody into eternity without Jesus is a grave thing to consider," Broyles said.

Charles Kemble of Universal City spoke in favor of the moratorium and the position paper, saying, "The death penalty as it is now is an immoral situation."

Kemble cited his belief in the transforming power of God's love on even the most abused and abusive person.

"Whereas electricity and chemicals can kill people, love can change people," he said.