

A Culture of **LIFE** and the Penalty of **DEATH**

U.S. bishops, **defending life**, launch a campaign to end the death penalty

BY ANTOINETTE BOSCO

Delegates to the 124th Supreme Convention in Orlando, Fla., last August passed a pro-life resolution called "Honoring the Gift of Life." It stated, in part, "that we will continue to speak out to our elected representatives about our continued opposition to the death penalty." At the same meeting, Supreme Knight Carl A. Anderson noted in his State of the Order address that "with the support of the Catholic Church and the Knights of Columbus, both houses of the Philippine government adopted legislation ending the use of the death penalty." The legislation was signed by President Gloria Macapagal-Arroyo.

These initiatives follow actions taken by the U.S. Conference of Catholic Bishops (USCCB). At their November 2005 meeting, the bishops approved a major, detailed statement calling on Catholics to work together to end the use of capital punishment in the United States.

Explaining why the bishops were taking this action, Cardinal Theodore E. McCarrick, the recently retired head of the Archdiocese of Washington, said: "This brings greater urgency and unity, increased energy and advocacy, and a renewed call to our people and to our leaders to end the use of the death penalty in our nation." He emphasized: "We cannot teach killing is wrong by killing. We cannot defend life by taking life." Cardinal McCarrick is a member of Immaculate Conception Shrine Council 4944 in Washington.



During a June 26 meeting at the Vatican, Philippine President Gloria Macapagal-Arroyo smiles as Pope Benedict XVI holds a copy of a law she signed abolishing the death penalty in the Philippines.

PROS AND CONS DEBATED

I am the mother of murder victims, and I am opposed to the death penalty. I was honored to be invited to address the bishops, as was Kirk Bloodsworth, a former death row inmate who was released from confinement after being found innocent. The bishops also showed consideration for the families of murderers who are indeed guilty by inviting David Kaczynski to speak. He is the brother of Theodore Kaczynski, the convicted "Unabomber."

Archbishop Michael J. Sheehan of Santa Fe, N.M., a member of Albuquerque (N.M.) Council 641, set the tone for my remarks by explaining that the feelings of victims and families must not be neglected. "We must show compassion, support and pastoral care" even as we emphasize that "an execution would not bring back a loved one," he said.

I know that truth from firsthand experience. My son John and his wife, Nancy, were killed in cold blood 12 years ago as they slept in their newly purchased home in Montana. We found out four months later that the killer was Joseph "Shadow" Clark, the 18-year-old son of the home's previous owners. He faced the death penalty because Montana was one of 38 states that re-established capital punishment after the 1976 U.S. Supreme Court ruling that again allowed its use.

But already my five children who were then living, including my late son Sterling, a Fourth Degree Knight, and I had made our choice — no more killing, not even of the murderer of our loved ones.

My children and I wrote to the judge, asking him to spare this young man's life, and the judge accepted a plea bargain from Clark, sentencing him to life in prison with eligibility for parole when he is 60. Over the past 12 years, my children and I have worked to underscore mercy and forgiveness even in the face of terrible injustice and evil. We have been further honored by the U.S. bishops in their brochure, "A Culture of Life and the Penalty of Death." (To download a copy of the 20-page brochure, visit www.usccbpublishing.org.)

The following excerpt was written by my daughter, Mary Bosco VanValkenburg: "No one in our family ever wanted to see the killer of our brother and his wife put to death. We felt instinctively that vengeance wouldn't alleviate our grief. We wanted this murderer in prison so he could never hurt another person. But wishing he would suffer and die would only have diminished us and shriveled our own souls. Hatred doesn't heal. Every time the state kills a person, human society moves in the direction of its lowest, most base urges. We don't have to make that choice. Our lawmakers have the capacity to help us abolish the death penalty and along with it, the fantasy that it will make the pain go away."

MERCY LEADS TO JUSTICE
Tremendous understanding was shown to me by Archbishop Charles J. Chaput, OFM Cap, of Denver, a member of Denver Council

"We cannot teach killing is wrong by killing. We cannot defend life by taking life."



CARDINAL THEODORE E. MCCARRICK

"Jesus showed... the only true road to justice passes through mercy."



ARCHBISHOP CHARLES J. CHAPUT, OFM CAP

539. "We cannot presume to understand the deep and bitter personal wounds suffered by those who lose their loved ones through murder," Archbishop Chaput said. The guilty must be brought to justice, he insisted. He also pointed out that "Jesus showed again and again by his words and in his actions, the only true road to justice passes through mercy." He added, wisely, that only forgiveness can "release the murder victim's loved ones from their sorrow."

I have tried to spread this message in my book *Choosing Mercy* (Orbis). The Lord works in strange ways. After 12 years of praying for young Joseph Clark, this killer of my children somehow found my address and wrote to me, expressing his sorrow for the pain he caused us. In his letter, he asked "if you can find it within your heart, please forgive me."

After checking his letter with the victim's advocate in Montana, and learning it was legitimate, we responded. We told him we had forgiven him long ago, and prayed that he would never stop reaching out to God for forgiveness.

RE-EVALUATING A FLAWED SYSTEM

Kirk Bloodsworth, an innocent man who might have been unjustly executed, also addressed the bishops. He had been wrongly convicted for the rape and murder of a 9-year-old girl in 1984 and spent nearly nine years on death row before DNA evidence proved him innocent. He told

us: "The Catholic Church provided me with essential support in my time of need, and I converted to Catholicism in 1989 while I was serving time behind bars."

His story highlighted the flaws in the criminal justice system, which was one of the problems addressed by the bishops. In a study of 86 criminal cases in which DNA evidence later exonerated the person convicted, it was found there were forensic errors in 63 percent of them. In 19 percent of the cases, the defense attorney was incompetent. But the most common cause of erroneous conviction was eyewitness misidentification. This is what happened in Bloodsworth's case, when he was twice convicted because of faulty eyewitness testimony.

"Every bit of my story," he told the bishops, "exemplifies the problems in the death penalty system. The same systemic flaws that led to my wrongful conviction, such as mistaken identification, inadequate representation, prosecutorial misconduct and basic human error, plague the cases of innocent people in prison and on death row."

To date, 124 death row prisoners have been found innocent and released.

FATHER MCGIVNEY AND 'CHIP' SMITH

In a perhaps heavenly designed "coincidence," just as the bishops' anti-death penalty campaign was getting off the ground, a long-awaited book appeared telling the story of the founder of the Knights of Columbus. *Parish Priest: Father Michael McGivney and American Catholicism* (William Morrow), by noted historians Douglas Brinkley and Julie M. Fenster, is the story of this compassionate priest from Connecticut who worked tirelessly to help the people he was called to serve.

The authors recount an episode that underscores Father McGivney's reverence for life and his heroic sanctity. In an era in U.S. history when the death penalty was widely used, Father McGivney ministered to a young man sentenced to be hanged.

An unemployed 21-year-old named James "Chip" Smith was out

drinking and carousing one night. He was showing off by shooting a pistol near a saloon, and was apprehended by a New Haven policeman named Dan Hayes. When the officer, also holding a gun, tried to wrestle Smith's gun away from him, one of the guns went off, hitting the officer, who died a few hours later. At trial, Smith was convicted of murder in the first degree and sentenced to be executed.

In addition to his pastoral ministry at St. Mary's Church, Father McGivney was a regular visitor to the New Haven jail, giving spiritual support to the prisoners. He visited and counseled Smith often. When it

This is "not a liberal issue, but a life issue."



BISHOP NICHOLAS A. DIMARZIO

became evident that the young man would not get a stay of execution, Father McGivney took the news very hard. He called this "the most trying ordeal of my life," and he asked the faithful at Mass for their prayers. A reporter noted that at Mass, on the Sunday before the hanging, Father McGivney was "broken with emotion." Clearly, as a priest who had seen too much death — burying overworked breadwinners, people with illnesses that had no cure, his own father and several of his younger siblings — Father McGivney must have been devastated.

Unquestionably, both Father

McGivney and the U.S. bishops have given Knights, and all Catholics, a great challenge to be pro-life, without exceptions. At the bishops' Washington meeting, Bishop Nicholas A. DiMarzio of Brooklyn, N.Y., a member of Holy Child Council 3531 in Runnemede, N.J., noted that support for the death penalty is dropping among both Catholics and the general public. "This is a time for us bishops to seize this moment and build upon this momentum by joining in a common effort to teach clearly, speak strongly, encourage reflection and act together to help bring an end to the use of the death penalty." This is "not a liberal issue, but a life issue," he said. ■

Antoinette Bosco, a syndicated columnist for Catholic News Service in Washington, D.C., is the author of 14 books, including *Choosing Mercy: A Mother of Murder Victims Pleads to End the Death Penalty* (Orbis Books).