

# Bishop Madden testifies against death penalty

By George P. Matysek Jr.

[gmatysek@CatholicReview.org](mailto:gmatysek@CatholicReview.org)

ANNAPOLIS – In an unusual move that highlights the priority Maryland's bishops have placed on abolishing the death penalty, Bishop Denis J. Madden, urban vicar, testified in person during Feb. 21 committee hearings on a bill that would replace the death penalty with life sentences without parole.

Representatives of the Maryland Catholic Conference usually testify on behalf of the Maryland bishops, but Bishop Madden personally urged members of the Senate Judicial Proceedings and House Judiciary committees to pass the controversial legislation.

During his testimony in the Senate, Bishop Madden appeared to look often in the direction of Frederick County Republican Sen. Alex Mooney, a parishioner of St. John in Frederick and member of the deadlocked judiciary committee. Sen. Mooney holds the deciding vote on whether the legislation will make it to the floor of the Senate.

"The teachings of our church recognize the right of legitimate government to resort to capital punishment, but directly challenge the appropriateness of government's doing so in a society that is capable of defending the public order and ensuring the public's safety," said Bishop Madden.

If non-lethal means are sufficient to ensure the public's safety from an aggressor, "we believe that public authority should limit itself to such means because they are more in keeping with the concrete conditions of the common good and with the dignity of the human person," he said.

Bishop Madden spoke on the same day Gov. Martin J. O'Malley forcefully argued for a ban on the death penalty. The governor's appearance was also unusual in that

state executives do not often testify in support of a bill that was not part of their legislative agenda.

Gov. O'Malley, a parishioner of St. Francis of Assisi in Baltimore, called the death penalty "inherently unjust and without a deterrent value."

The Democratic governor said that in 2005 the murder rate was 46 percent higher in states that had the death penalty than in states without it, even though the rates had been about the same in 1990. While the murder rate has declined since 1990, the governor noted that it declined by 56 percent in states without the death penalty and only 38 percent in states that have it.

"It would appear that the death penalty is not a deterrent, but possibly an accelerant to murder," Gov. O'Malley said.

Since 1978, Maryland has spent about \$22.4 million more on death penalty cases than the costs of life imprisonment, he said.

"If, however, we were to replace the death penalty with life without parole, that \$22.4 million could pay for 500 additional police officers or provide drug treatment for 10,000 of our addicted neighbors," he asserted.

During the hearing, several senators raised concerns about protecting correctional officers. Without a death penalty, Sen. Nancy C. Jacobs, a Republican representing Cecil and Harford Counties, said nothing would stop a prisoner serving life in prison from trying to kill a corrections officer. They would "get a freebie," she said, and go "unpunished."

Sen. Mooney also raised the question with Kirk Bloodsworth, the first person in the United States on death row to be exonerated by DNA testing.

"One person's life is just as important as three or four," Mr. Bloodsworth responded. "One innocent person is worth every death row inmate in the country."

Addressing questions from Sen. Mooney and others, Bishop Madden said ending the death penalty is part of the church's broader prolife agenda.

"The Catholic Church has always been very prolife across the spectrum," said Bishop Madden, highlighting Pope John Paul II's international advocacy against

capital punishment.

As of Feb. 27, Sen. Mooney did not respond to five requests for an interview with The Catholic Review.

Sen. Lisa Gladden, a Baltimore City Democrat and sponsor of the legislation, told The Catholic Review it is unclear when a vote will be taken on the issue in the Senate or House committees.