

Catholic leaders optimistic despite defeat

Despite last week's defeat of a bill to ban the death penalty in Maryland, Catholic leaders are encouraged that the abolitionist cause appears to have gathered significant strength after many years of frustrated efforts.

Senate Bill 211, which would have replaced the death penalty with prison sentences of life without parole, was killed March 15 in the Senate Judicial Proceedings Committee on a 5-5 vote. The bill needed six votes to go the Senate floor.

"The progress we have made in the short time of the last year has been nothing short of astounding," said Richard J. Dowling, executive director of the Maryland Catholic Conference, a key bill supporter.

"I believe that we had sufficient votes in the House judiciary committee and on the floor of the House and Senate," he said. "I'm very upbeat about how far the church and other repeal advocates have come."

Mr. Dowling said the support of Gov. Martin J. O'Malley, a parishioner of St. Francis of Assisi in Baltimore, who forcefully testified in the bill's favor, has also breathed new life in the abolitionist cause. The Democratic governor promised to sign the measure into law if it reached his desk.

Sen. Alex X. Mooney, a Frederick County Republican and a parishioner of St. John the Evangelist in Frederick, cast the decisive vote against the bill on the deadlocked judiciary committee - equally divided between supporters and opponents.

Sen. Nancy Jacobs, a Republican representing Cecil and Harford counties, did not vote because of a family emergency. A strong death penalty supporter, her vote would not have affected the outcome.

Sen. Mooney had spent weeks publicly wrestling with his position on capital punishment leading up to the vote. Cardinal William H. Keeler called the senator to discuss the church's position on the issue, and Bishop Denis J. Madden, urban vicar,

took the unusual step of personally testifying in support of repeal during committee hearings.

Sen. Mooney introduced bill amendments that would have restricted capital punishment to those who commit murder while in prison, but they were voted down.

In a written statement sent to newspapers and read before he voted against the bill, Sen. Mooney said abolition is “not in the best interest for the common good of Maryland’s citizens.”

“It is my view that society has not only a right, but a duty to protect itself from those who find ways to continue to kill others even while in prison,” he said. “Neither correctional officers nor other inmates should have their lives in continual jeopardy by individuals’ intent on and able to murder others even while in jail.”

Mr. Dowling, who represents the state’s Catholic bishops in Annapolis, said the church did not support the senator’s amendments.

“Those of us who have been watching capital punishments here and around the country know full well one exception opens the door to a whole variety of future exceptions,” Mr. Dowling said.

Although there is another repeal bill under consideration in the House of Delegates, it is unlikely to be debated now that the effort has effectively failed in the Senate.

Jane Henderson, executive director of Maryland Citizens Against State Executions, said Marylanders favor repeal in increasing numbers. She pointed to a February poll commissioned by the Maryland Catholic Conference and conducted by Mason-Dixon Polling & Research Inc. that found 61 percent of Maryland voters believe life without parole is “an acceptable substitute for the death penalty.”

The Maryland Court of Appeals issued a temporary moratorium on the death penalty in December while lawmakers evaluate lethal injection protocols.

The following senators voted in favor of repealing the death penalty:

Sen. Jennie Forehand, Sen. Brian Frosh, Sen. Lisa Gladden, Sen. Anthony Muse and Sen. Jamie Raskin.

The following Senators vote against repealing the death penalty:

Sen. James Brochin, Sen. Larry Haines, Sen. Alex X. Mooney, Sen. Bryan Simonaire and Sen. Norman Stone.

Sen. Nancy Jacobs was not present.