

# Governor plays politics with death penalty, MCC leader says

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Gov. Martin J. O'Malley bowed to political pressure from pro-death penalty lawmakers when he directed the Secretary of Public Safety and Correctional Services to begin crafting rules for the use of lethal injections in state executions.

That was the assessment of Richard J. Dowling, executive director of the Maryland Catholic Conference, one day after the governor's May 22 order put Maryland on track to end a state moratorium on capital punishment.

"Given other areas of gubernatorial behavior, I think he's looking over his shoulder for possible opponents in the 2010 election," said Mr. Dowling, who represents Maryland's Catholic bishops in Annapolis.

The governor's decision comes in the wake of a U.S. Supreme Court ruling upholding the constitutionality of lethal injections. In Maryland, the Court of Appeals had imposed a moratorium on capital punishment Dec. 19, 2006 until protocols could be developed governing the use of lethal injections in Maryland.

In a May 22 statement, Gov. O'Malley said he remains "firmly convinced" that the death penalty is a "costly and ineffective deterrent to violent crime" and that the death penalty is "inconsistent with the deepest founding principles of our nation and the highest aspirations of our people."

"But until such time as this law can be repealed, I must discharge the duties of this office under the law as it exists, not as I wish it would be," he said.

Mr. Dowling said the development of the protocols might be slowed when they go to the Legislature for review. In the meantime, a commission to study the death penalty is expected to begin its work.

“It seems to me that the governor, like those of us who would like to see the repeal of the death penalty in Maryland, is hopeful that the commission will call for repeal and the protocols regarding lethal injection will prove unnecessary,” Mr. Dowling said.

Jane Henderson, executive director of Marylanders Against State Executions, said the governor’s move “isn’t really going to change anything.”

“How the state administers the death penalty is secondary to whether the state should administer the death penalty,” she said. “The real fundamental questions are going to be addressed in the commission.”

Maryland’s bishops pushed for a ban on capital punishment during the last several legislative sessions. They also supported the establishment of the death penalty commission.