



GREAT PLAINS ANNUAL CONFERENCE
of The United Methodist Church

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Hearing on HB 2282 to Repeal the Death Penalty in Kansas

House Corrections and Juvenile Justice Committee

February 15, 2019

Testimony in support of HB 2282 submitted by Bishop Ruben Saenz Jr.

Dear Chairman Jennings and Committee members:

I am testifying today to request that you vote in favor of HB 2282 to repeal the death penalty in Kansas and replace it with the penalty of life imprisonment without possibility of parole. I believe this position follows the teaching of the Savior of all, Jesus the Christ, who calls us to set aside vengeance and show grace to those who have hurt us and the community.

As the episcopal leader of approximately 215,000 members of the United Methodist Church in Kansas and Nebraska – with nearly two-thirds of that total calling Kansas “home” – I take seriously the words Christ shared about mercy found in Matthew 5:38-39. Our denomination, with more than 8 million people in the United States, has developed a stance over time on this important issue. It is found in our Book of Discipline, our book of governance and polity, and it describes our collective belief plainly and eloquently:

“We believe the death penalty denies the power of Christ to redeem, restore and transform all human beings. The United Methodist Church is deeply concerned about crime throughout the world and the value of any life taken by a murder or homicide. We believe all human life is sacred and created by God and therefore, we must see all human life as significant and valuable. When governments implement the death penalty (capital punishment), then the life of the convicted person is devalued and all possibility of change in that person’s life ends. We believe in the resurrection of Jesus Christ and that the possibility of reconciliation with Christ comes through repentance. This gift of reconciliation is offered to all individuals without exception and gives all life new dignity and sacredness. For this reason, we oppose the death penalty (capital punishment) and urge its elimination from all criminal codes.” (Paragraph 164, G)

Please understand that as Christians, we believe in accepting responsibility for actions. Criminal activity results in consequences that must be paid by the person convicted. Abolishment of the death penalty is not a casting aside of justice. Life in prison without parole ensures the convicted person pays for his or her crime while still leaving open the possibility of the person’s repentance, taking full ownership of what has happened to result in this outcome and to express remorse for the crime that resulted in such a harsh punishment.

This committee will hear many arguments against the death penalty. Research shows the death penalty is a sentence unevenly administered to non-Caucasians. Data from the 2010 census determined that 3,306 per 100,000 blacks are currently incarcerated in Kansas. By contrast, 873 per 100,000 Hispanics, 1,197 per 100,000 are American Indian or Alaskan natives, and 418 per 100,000 whites are in prisons.

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Even though blacks make up 6 percent of the state's population, they form 31 percent of the state's prison population. Whites make up 78 percent of the state of Kansas, and only half of the prison population. Unfortunately, statistics show that all too often our social and justice systems, at least when it comes to incarceration and the death penalty, is broken.

Since 1973, more than 150 people sentenced to death nationwide have been exonerated. Please pause a moment to let that number sink in. As a follower of a loving God, the Creator of all, I am not willing to say the nearly wrongful deaths of 150-plus people is "good enough." The desire for justice in these cases nearly meant killing innocent people. This is a chance we simply cannot continue to take as a society.

A municipality in another part of the Great Plains Conference is dealing with the financial ramifications of a wrongful conviction of six persons in a death penalty case. In what has become known as the "Beatrice 6" case in Gage County, Nebraska, six people won a \$28.1 million lawsuit after being exonerated in 2008 of a 1985 rape and murder. These six people had been spared the death penalty, but only because of a plea bargain. In effect, the government used the death penalty as a means of obtaining confessions decades ago from people who feared for their lives. Former prosecutor Randall Ritnour, said the "Beatrice 6" case made him a reluctant opponent of the death penalty. In an Omaha World-Herald article dated July 9, 2016, Ritnour says, "Our ability to execute all the murderers we can is not worth the death of one innocent individual at the hands of the state."

Now, Gage County has no way to pay for the civil judgment and has had to ask the Nebraska Unicameral for assistance. Could people facing similar circumstances be sitting in one of our Kansas prisons? I pray that is not the case, but nationwide statistics indicate the likelihood is high that the death penalty either has been used to coerce someone into admitting to a crime he or she didn't commit, or a person has been wrongly convicted and could be killed by the state despite being innocent of the crime.

As a civil Western society, we can do better and must do better. As civic leaders we are called upon to serve the public good of the people by ensuring their peace and safety. The possibility of one innocent life wrongfully convicted and executed does not serve the public good.

In closing, I turn back to Jesus. The Savior I believe in was an innocent man who endured a wrongful trial, conviction and a wrongful death penalty for you and for me. Our justice system in the 21st century may be far superior to the one used by the Romans in the first century AD, but our system is still flawed.

Please side with the preservation of life. Please support the justice that comes with life in prison without parole. I pray you will follow the words of Christ that go beyond an eye for eye but instead show mercy. Please vote in favor of HB 2282 to abolish the death penalty in Kansas.

I thank the committee for this opportunity to share my reflections with you. God bless you as you do the work of the people of the great state of Kansas.

A handwritten signature in blue ink, appearing to read "Ruben Saenz, Jr.", with a stylized, cursive script.

Ruben Saenz, Jr.
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