

Testimony of Bishop Scott J. Jones before the Judiciary Committee of the Kansas Senate  
Regarding Capital Punishment and Senate Bills 208 and 375

Leadership in any community or organization frequently involves deciding how we can make progress by taking important steps at the right time. For moral, practical and economic reasons, I believe that now is the right time to abolish capital punishment in the state of Kansas. Why is it the right time? DNA technological advances have changed the practical evidence in favor of abolishing the death penalty, and our state's economic crisis means we simply cannot afford to pay for revenge any more. Decisions we make with our money have a moral dimension and we ought to craft our budget to help our state be the best it can be. No longer funding capital punishment is an excellent step forward.

One moral argument is based on how our government teaches respect for the sanctity of human life. The Social Principles of The United Methodist Church represent our best effort to apply biblical principles to contemporary reality. We support justice and we know that punishment is often deserved. But our teaching on this issue begins, "We believe the death penalty denies the power of Christ to redeem, restore and transform all human beings. . . . We believe all human life is sacred and created by God and therefore, we must see all human life as significant and valuable." We believe a pro-life position requires an end to judicial executions.

A second moral argument is about structural unfairness in our legal system. Wealthy persons get the best legal representation and the fairest trials. Poor persons relying on court-appointed attorneys are often poorly represented. The poor are much more likely to be convicted of capital crimes even when all other factors are weighed. I believe our American legal system is the best in the world. But I have heard from prosecutors, judges, defense lawyers and law-school professors that all too often there are factors other than justice that strongly influence the outcome of important cases.

Turning to practical arguments, recent developments in DNA technology have shown that many persons on death row were wrongly convicted. John Grisham's *The Innocent Man: Murder and Injustice in a Small Town* is a powerful true story about how police misconduct and jury bias made a mistake that only a federal judge could correct. Ron Williamson was innocent, but sentenced to death anyway. Killing a convicted person forever removes the possibility of fixing such a mistake. The uncertainty of even our best evidence ought to stop us from delivering an irreversible judgment.

Another practical argument says that life in prison without parole is an adequate and possibly harsher punishment for the most serious crimes. A lifetime behind bars is both punishment and an opportunity for repentance. It is a punishment because the person lives every day with the wasted realities of his past and the drastic limitations of his present. It is an opportunity because they have time to make their peace with God. From my point of view, conversion to Christ and an opportunity to live a faithful life behind bars is the best possible outcome for many convicts.

The people I know who engage in prison ministry have shared with me eloquent stories of how people in prison do occasionally turn their lives around. A friend of mine recently shared with me a story about how one man serving a life sentence without parole spends his days working in the prison hospital ministering to other inmates as they are dying. He will never leave prison, but after conversion he chooses to allow God to use him to ease the suffering of others. He is guilty of murder and could have been executed. Instead, he is spending his days caring for

others. While such conversions may be rare, I hope our state gives the maximum opportunity for such life-changes to happen.

The economic argument at this time in our state's history is powerful. Death penalty cases and their associated appeals are incredibly expensive. They consume state money and court time when our state budget is already suffering from an economic downturn. Our state budget is reducing the amount of money for senior citizen care, for K-12 schools, for highways and for economic development. To continue spending money for capital punishment is to misplace our priorities.

I know that the decisions faced by senators and representatives are complex. Each of you wants to do the morally right thing. Each of you wants to represent your constituents and their views. Each of you must balance economic realities. Political realities come into play as well. I suggest that this year is in fact a time when all of those factors make it the right time to take this step forward and help make Kansas a better state.

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