

# Candidates' death-penalty differences clear

Patricia Zapor/CNS

WASHINGTON — Should Sen. John F. Kerry be elected in November, the United States would have as president its strongest opponent of the death penalty in at least the last half-century, capital punishment opponents believe.

Between the Massachusetts Democrat and his Republican opponent, President George W. Bush, there are clear distinctions when it comes to capital punishment. The topic is among a series of issues addressed by the U.S. Catholic bishops in their election-year publication, "Faithful Citizenship: A Catholic Call to Political Responsibility."

As governor of Texas, Bush signed off on 152 executions. As president, he has maintained his support for the death penalty. Three men have been executed under federal law while he has been in office.

Bush also has expanded use of the death penalty through new terrorism-related provisions and he is seeking further broadening of the Patriot Act to allow capital punishment in more cases. Attorney General John Ashcroft also has encouraged federal prosecutors to evaluate more crimes for possible capital

prosecution under federal laws, especially in states that do not have state-level capital punishment laws.

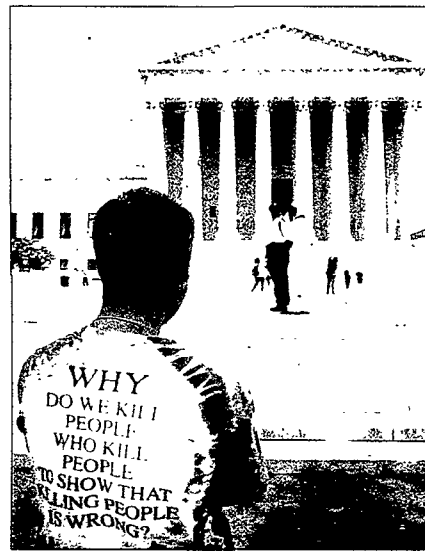
Kerry has said he opposes capital punishment except in cases involving terrorism. While he may have voted in favor of some omnibus crime bills that included expansions of capital punishment, on stand-alone legislation Kerry has opposed the death penalty in a variety of ways.

He was one of just five cosponsors of a 2001 bill calling for a nationwide moratorium on executions while a study is conducted of how the death penalty is applied.

He opposed bills that would have reestablished the death penalty in the District of Columbia and battled efforts to make certain drug offenses capital crimes. Kerry also has supported bills to prohibit capital punishment for juveniles and the Innocence Protection Act, which would open up the use of DNA evidence.

Frank McNeirney, director of Catholics Against Capital Punishment, said that as far as the death penalty is concerned Kerry represents a refreshing change of pace among presidential candidates.

He noted that this year the Democratic platform even dropped a ref-



Bob Roller/CNS

**Marianist Brother Brian Halderman demonstrates against capital punishment in front of the Supreme Court building in early July.**

erence to supporting capital punishment, which it had included for at least the previous three campaign cycles. The Republican platform says the party supports "courts having the option to impose the death penalty in capital murder cases."

"One reason why death-penalty opponents would welcome a Kerry

victory is that it would undoubtedly result in the appointment of a U.S. attorney general who either opposes capital punishment or, at the least, would be far less aggressive in seeking death sentences for crimes covered by federal law than ... Ashcroft," McNeirney said.

He described Ashcroft's "passion for seeking the death penalty" as unprecedented, and noted that the attorney general frequently overrides the advice of local U.S. attorneys to decide in favor of prosecuting more cases under death penalty laws.

The president might also create a commission to evaluate the application of the death penalty nationwide, as has been done by some states, he added.

The Kerry campaign did not respond to requests from Catholic News Service for comment about how he might approach those issues.

"Faithful Citizenship" summarizes the church's position by saying, "Society has a right and duty to defend itself against violent crime and a duty to reach out to victims of crime. Yet our nation's increasing reliance on the death penalty cannot be justified. We do not teach that killing is wrong by killing those who kill others."

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