

**House Corrections and Juvenile Justice Committee
300 SW 10th St.
Topeka, KS 66612**

**Written Testimony to End the Death Penalty in Kansas, HB 2167
Feb. 13, 2017**

Respectfully Submitted By

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(representing 56 congregations, 36 in Kansas, with 7851 members)**

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Summary Statement

From our Anabaptist origins in the sixteenth century, Mennonites have believed that God is love, that God is incarnate in Jesus Christ, and that Jesus' teaching and example witnessed against the killing of human life. Our spiritual ancestors in Europe as well as in America were persecuted for their opposition to killing.

We seek to be followers of Jesus. Jesus specifically taught against the retribution of "an eye for an eye and a tooth for a tooth." (Matt. 5: 38) Faced with the exercise of the death penalty against a woman caught in adultery, Jesus released the woman from imminent death. (John 8) The Apostle Paul taught against retaliation: "Beloved, never avenge yourselves, but leave it to the wrath of God." (Romans 12:19)

The teaching of our church has consistently opposed the death penalty. Attached is a recent statement adopted in 2009 by the Western District Conference, Mennonite Church USA. Our denominational assembly, Mennonite Church USA, passed its most recent resolution calling for the abolition of the death penalty in 2001.

We believe that government has a responsibility to guard and protect the sacredness of all human life, even the criminal who remains a person before God capable of repentance and transformation.

Though historically Christians have not agreed on whether all killing is wrong, we do have common ground in believing that there is a presumption for the preservation of life and against killing. To cross the line and kill a human being intentionally is a momentous act that can only be justified for compelling reasons.

There are NOT compelling reasons FOR capital punishment that could justify state sanctioned killing.

In addition to our theological and biblical convictions, we recognize that there are powerful pragmatic arguments against the death penalty.

- 1 An essential component of a well ordered society is public safety – the prevention of crime and the protection of our communities from those who have no respect for the sacredness of human life. Society must have laws to protect itself against dangerous criminals who endanger the lives of others. Public safety can be achieved in Kansas with a maximum sentence of life without the possibility of parole.
2. The argument that the death penalty protects public safety by deterring criminals from committing violent crime is not supported by scientific evidence.
- 3 The death penalty, intended to be an instrument of justice, has been applied unfairly and unjustly to minorities. Innocent persons have been executed, because the criminal justice process is not perfect.
4. In a time of tight budgets when governments are unable to meet budget commitments, the financial costs of death penalty litigation should be taken into account. The death penalty is unnecessary to protect the public, and it is very expensive to administer.

Statement on the Death Penalty - Mennonite Western District Conference, August 8, 2009

From our Anabaptist origins in the sixteenth century, Mennonites have believed that God is love, that God was incarnate in Jesus Christ, and that Jesus' teaching and example witnessed against the killing of human life. Our spiritual ancestors in Europe as well as in America were persecuted for their opposition to killing. We seek to be followers of Jesus. The teaching of our church has consistently opposed the death penalty. The Western District Conference adopted resolutions against the death penalty in 1961, 1976, and 1991. Today, at a time when the death penalty is being reconsidered in our state legislatures, we renew our opposition to capital punishment.

We believe that God created the world in love and peace. Humanity chose ways of unrighteousness and violence, yet the original vision of peace and justice remained alive in the developing drama of salvation. God's prophets and other messengers called the people of Israel to trust in God rather than in weapons and military force.

We are committed to follow Jesus. Jesus specifically taught against the retribution of "an eye for an eye and a tooth for a tooth." (Matt. 5: 38) Faced with the exercise of the death penalty against a woman caught in adultery, Jesus released the woman from imminent death. (John 8) The Apostle Paul taught against retaliation: "Beloved, never avenge yourselves, but leave it to the wrath of God." (Romans 12: 19)

We accept the authority of the Bible. We recognize that the Old Testament calls for the death penalty for offenses that our own society would not consider to be capital crimes—such as breaking Sabbath rules (Ex. 31: 14), cursing or striking a parent (Ex. 21:15, 17; Lev. 20:9; Deut. 21:18-21), or having sex during a woman's menstrual period (Ex. 22:19; Deut. 22:21, 24, 25; Lev. 20: 10-14; 21:18). But the trajectory of Scripture moves toward limiting excessive punishment in ways that make the death penalty increasingly rare. The Bible is morally serious about disobedience and injustice, but it is committed to human life and to mercy. The commitment to mercy came to flower in the New Testament and was fully manifested in the life and teachings of Jesus, who himself became a victim of the death penalty.

We believe that all human life is sacred, even the criminal who remains a person before God capable of repentance and transformation. Though historically Christians have not agreed on whether all killing is wrong, we do have common ground in believing that there is a presumption for the preservation of life and against killing. To cross the line and kill a human being intentionally is a momentous act that can only be justified for compelling reasons. There are no compelling reasons for capital punishment that could justify state sanctioned killing.

In addition to our theological and biblical convictions, we recognize that there are powerful pragmatic arguments against the death penalty. The argument that the death penalty protects public safety by deterring criminals from committing violent crime is not supported by scientific evidence. The death penalty, intended to be an instrument of justice, has been applied unfairly and unjustly to minorities. Innocent persons have been executed, because the criminal justice process is not perfect. In a time of economic recession when governments are unable to meet budget commitments, the financial costs of death penalty litigation should be taken into account. The death penalty is unnecessary to protect the public, and it is very expensive to administer.

We call upon the congregations of the Western District Conference to support efforts to change public policy toward the elimination of the death penalty.