



## Central States Synod

Evangelical Lutheran Church in America

God's work. Our hands.

Death Penalty Informational Hearing on March 15, 2012  
Before the House Corrections and Juvenile Justice Committee  
Representative Pat Colloton, Chairperson

Testimony by the Rev. John D. Kreidler, Bishop's Associate  
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Representative Colloton and honorable members of the committee, thank you for this opportunity to provide testimony before this committee regarding the repeal of the death penalty in the state of Kansas. I come before you today representing more than 300 faith leaders of this state who have signed a letter calling for repeal of the death penalty, which I have been asked to provide to you today. Further, I come representing Bishop Gerald Mansholt and the people of the Central States Synod of the Evangelical Lutheran Church in America which includes 121 Kansas congregations. But, I also come before you as a person who has personally struggled with this question during the 23 years that I served as a prison chaplain. My duty assignments during these years included serving in correctional institutions with death row housing units and in capacities where I had input regarding the policies and procedures for both death row and executions.

In its social statement regarding the death penalty, the Evangelical Lutheran Church in America states that "The human community is saddened by violence, and angered by the injustice involved. We want to hold accountable those who violate life, who violate society. Our sadness and anger, however, make us vulnerable to feelings of revenge. Our frustration with the complex problems contributing to violence may make us long for simple solutions."<sup>1</sup>

Members of the Evangelical Lutheran Church in America, as well as other people of faith, have different points of view regarding the death penalty. It is important that we continue to look to the Word of God, bring our own reason to bear, and in various settings, including hearings such as this, bring a willingness to continue our deliberations regarding this topic so that we may not only listen to each other but hear each other as we strive to become more fully a society in which "justice for all" is more than an idea.

This church, and other communities of faith, recognize the responsibility of the state to protect its citizens, to maintain justice and to provide for public order. We also recognize that at times the state may need to take a life. Taking a life may be necessary, but is not necessarily required. Taking a life may be a right of the state, but not necessarily the best means for fostering justice or public order.

As Christians, we of the Evangelical Lutheran Church in America are compelled to look to Jesus in discerning the best response to expressions of human sinfulness in our society. "For the Evangelical Lutheran Church in America, following Jesus leads to a commitment to restorative

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<sup>1</sup>"A Social Statement on The Death Penalty" adopted by more than a two-thirds majority vote at the second biennial Churchwide Assembly of the Evangelical Lutheran Church in America, meeting in Orlando, Florida, August 28-September 4, 1991.

justice."<sup>2</sup> Restorative justice includes "addressing the hurt of each person whose life has been touched by violent crime."<sup>3</sup>

"It is because of the church's ministry with and to people affected by violent crime that we oppose the death penalty. Execution focuses on the convicted murderer, providing very little for the victim's family or anyone else whose life has been touched by crime. Capital punishment focuses on retribution, sometimes reflecting a spirit of vengeance. Executions do not restore broken society and can actually work counter to restoration."<sup>4</sup>

In faith, we look forward to the day when justice for all is the reality of our life together. In the meantime, where government is by the people, all of us are responsible for working towards this reality. "Violent crime in part is a reminder of human failure to ensure justice for all members of society. People often respond to violent crime as though it were exclusively a matter of the criminal's individual failure."<sup>5</sup>

"It is because of this church's commitment to justice that we oppose the death penalty."<sup>6</sup> The death penalty serves more as a distraction from, rather than a contribution to, the resolution of the root causes of violent crime.

Our criminal justice system is always under scrutiny, review, and change to ensure fairness. Unfortunately the system cannot be made perfect. As sinful human beings, even as we live as people of faith, we cannot fully rid ourselves of the biases, prejudices or chance that affect our criminal accusations, verdicts and sentences. Innocent people have been accused and convicted; overly harsh sentences have been imposed, and, in some cases, unconscionably long periods of time have gone by before unfairness and injustice have been corrected. In the case of the death penalty, once the sentence has been carried out, there is no means available to correct a mistake.

"It is because of this church's concern regarding the actual use of the death penalty that we oppose its imposition. The practice of the death penalty undermines any possible moral message we may wish to 'send.' It is not fair and fails to make society better or safer. The message conveyed by an execution, reflected in the attention it receives from the public, is one of brutality and violence."<sup>7</sup>

We as people living in society, whether we are people of faith or not, are best served when we consistently choose for what will provide us opportunities to be better than we are. The death penalty does not choose for anything, but only against the continued life of the criminal. We as people living in a society which is sometimes violent may on occasion be faced with a situation for which we have no choice but to take a human life. The death penalty is not such a case, there are other means of punishment available to us. Therefore, in this case, let us not choose death but life. And, not being distracted by an unfair, unjust, and ineffective solution, dedicate our time, energy, and resources to providing better means of healing for those touched by violent crime and for freeing our society from the causes of violent crime.

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<sup>2</sup> *Ibid.*

<sup>3</sup> *Ibid.*

<sup>4</sup> *Ibid.*

<sup>5</sup> *Ibid.*

<sup>6</sup> *Ibid.*

<sup>7</sup> *Ibid.*