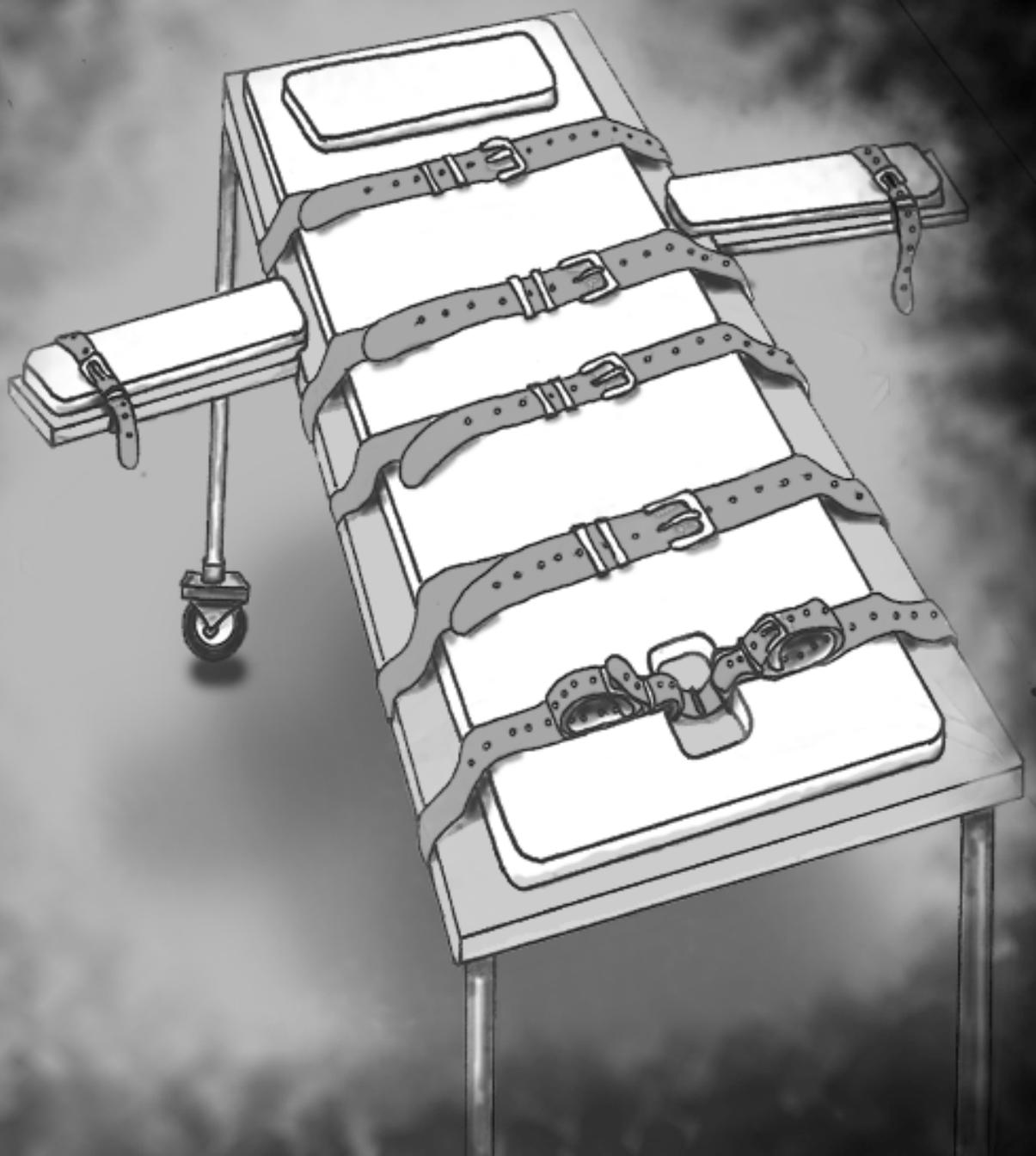


# A Death Penalty Curriculum: Lesson Plans

By Jeffrey Spencer





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## Message to the Class Leader

Thank you for taking the responsibility of leading an adult class on the death penalty at your church. I hope you will find this resource helpful. In addition to printing a copy of these session outlines for your use, please provide a copy of *A Death Penalty Curriculum: Reader* for each class member. I encourage you to “bind” the Reader in some way – in a notebook or something more substantial. It is copyrighted, like any bound book you might purchase at a bookstore, so it would be helpful if your copies of it were treated like that.

I think it is important that you know up front that I am opposed to the death penalty. I have attempted to create a curriculum that is balanced, that recognizes that people of good will and moral conscience may disagree about the death penalty. Please keep that overarching goal in mind as you use this curriculum.

As the leader of the class, please take the time to prepare. You will see that each lesson plan is divided into three sections: Goals, Preparation, and Class Outline.

Keep the goals in mind as you prepare for and lead the sessions.

Because facts and figures are changing and because (as you’ll see in the second essay in the *Reader*) death penalty details vary from state to state, you’ll need to do some preparation research. Some of that preparation should be done days (or even weeks) ahead. I’ve tried to provide helps and hints in each lesson plan to make that easier for you. Also, there are some audio visual decisions you’ll need to make prior to certain sessions. It may be worthwhile to read through the whole set of session outlines before you begin. See page 3 for a summary of the research and decisions you’ll need make as you prepare to lead this class.

Each class outline has times associated with each activity. These are estimates based on testing the curriculum, but your experience will vary depending on your class size, how talkative your class is, and what ends up interesting them. I’ve assumed 90 minutes for each class, though recommendations for dividing the classes into 45-50 minutes session are included.

Each class session always begins and ends with prayer. If you divide sessions because your class time is shorter than 90 minutes, still begin and end each gathering with prayer. Because this is an emotional and volatile issue, because this is literally a matter of life and death, the members of your class will probably have strong feels and opinions. As your class begins, ground your group in the loving presence of God so that all may truly hear what each person has to say. And as each session concludes, thank God for the sharing and growth that occurs during the session.

I encourage you to take a moment after each session to evaluate how it went. What works well with your class participants? What doesn’t? How can

you take what you've learned about them, how they discuss, what engages them, and use that in future session.

Finally, throughout this process, I ask that you pray. Sit with God so you can experience God's love for you. Hold your students and all those affected by the death penalty in prayer before God: prisoners, their families, prison employees, victims, and victims' families. You are doing an important ministry when you teach. Thank you for doing it.

Rev. Jeffrey S. Spencer

### **Biographical information on the Rev. Jeffrey S. Spencer**

The Rev. Jeffrey S. Spencer is an ordained minister in the United Church of Christ. He went to Macalester College (in St. Paul, MN), where he majored in Mathematics and Theatre and received a secondary education teacher's license. His call to ordained ministry was reaffirmed during his junior year at college, so instead of finding a teaching job, Jeff entered Pacific School of Religion (in Berkeley, CA). His Master of Divinity degree program included a full-time internship in Portland, Oregon.

Jeff was ordained to a call as Associate Chaplain at the Contra Costa County Juvenile Hall (detention center) in Martinez, CA. He has served churches in Spokane, Richland, and Carnation, Washington. He now serves as pastor and teacher at Niles Congregational Church, United Church of Christ, in Fremont, California.

He is a certified "Specialist in Church Education" by the United Church of Christ and has had training as a spiritual director.

## Special Preparation Summary

Session 1: none

Session 2: Requires you to do some research to prepare a handout for class – see preparation “d” on page 7.

Session 3: Requires you to do some research to later share in class – see preparation “d” on page 13.  
This session also has a video segment, so you’ll need to arrange to show this from the curriculum DVD.

Session 4: none.

Session 5: none.

Session 6: I recommend that you use one of two audio segments that are only available over the internet. Please preview the recommended choices. You will need to figure out how you will share in the class the segment you choose – see preparation “d” on page 25.  
Also, this session requires you to do some research to share in class and to prepare a handout – see preparation “c” and “f” on page 25.

Session 7: I recommend that you use either an audio presentation (available over the internet and on a CD you can purchase) to a video presentation (that is on the curriculum DVD). I recommend previewing both of them now and deciding which you will use. If you decide to use the audio presentation, it might be easier if you purchase the CD, which I recommend doing now to make sure it arrives when you need it. See preparation “a” on page 28 for details.  
Also, this session requires you to do some research to prepare a handout – see preparation “e” on page 28.

Session 8: You may need to do some research to prepare a hand out – see preparation “c” on page 31.

Session 9: none.

## Session 1 – Introductions, Stories, and Basic Information

### Goals

In this session, participants will: (1) get to know each other more deeply; (2) share and hear each other's stories of their experiences with the criminal justice system; and (3) learn some basic information about the history and use of the death penalty in the United States and your state (or neighboring state, if you choose).

### Preparation

- a. If possible, set up your room so the participants can see each other.
- b. Provide nametags.
- c. Consider what personal experiences you will share during the class.
- d. Familiarize yourself with the content of each session you will include in your study so you can freely share this with the group. Make notes if necessary.
- e. Prepare and post a list of the names of the sessions your group will study on newsprint or a whiteboard to share during the class. You may also want to include the dates and times you will meet.
- f. Have whiteboard or newsprint and markers for writing responses during brainstorming.
- g. Have enough copies of *A Death Penalty Curriculum Reader* for all students and ask them to bring them with them to class each time you meet.

### Class Outline

#### 1. Opening Prayer (5 minutes)

Invite your group to silence and once everyone is centered, offer this or a similar prayer:

Holy, loving God, we gather as your people to discuss an important, emotional issue. Help us to know what we are feeling. Help us to share honestly and to listen compassionately. Help us to dwell in your love and be guided by your Spirit. We pray in the name of Jesus. Amen.

#### 2. Introductions (10 minutes)

Go around the room and share names and something that is personal but not threatening (like what types of pets they have).

#### 3. Course overview (10 minutes)

Spend some time establishing some class rules (e.g., we will be respectful of each other, we will share discussion time, we will treat what is shared here confidentially, we will start and finish on time, we will speak from our own experiences and opinions using "I" statements, etc.)

Explain how the class will proceed. Explain what else they are going to do today. Then, calling attention to the list of session names you prepared and posted, give a simple overview of what will be discussed during the rest of this curriculum.

#### 4. Sharing experiences (40 minutes)

Start by sharing your own experiences with crime, the criminal justice system, and the death penalty. Share what led you to lead this class.

Ask class members to share their experiences with **crime**. Encourage people to share what happened *and* how it made them feel. You need not go around the circle, but make sure everyone has an opportunity to share.

Once this sharing is complete, ask them to share their experience with the **criminal justice system** – both what happened and how it made them feel.

There may be people in your group who are connected professionally (lawyers, judges, police officers, probation officers, prison guards, etc.). Others may have experienced arrest, trial, or incarceration. Some have served on juries and others may be been pulled over for speeding. Again, encourage people to share both what happened *and* how it made them feel.

Remember, the larger your group is, the shorter the responses will need to be. You might challenge your group to share their experiences in two sentences. For example, for the first sharing: “I was once threatened by a groups of young men, one of whom was carrying a 5 foot long 2x4. I felt scared and somehow excited by the rush of adrenaline.” For example, for the second sharing: “I was once called to jury duty. It was boring sitting around all day.”

#### 5. History of the Death Penalty in the United States (5 minutes)

Hand out the *Readers*.

Read or have someone read aloud “A Quick History of the Death Penalty in the United States” from *A Death Penalty Curriculum Reader*. Invite class members to read along.

#### 6. Brainstorming a list of reasons for having the death penalty (15 minutes)

Ask the members of your group to brainstorm a list of reasons that they have heard for having the death penalty. What you will probably hear is: It’s a deterrent, it’s cheaper than jailing someone for their life, it protects the rest of us from a murderer, it gives the victim’s family justice or closure, an eye for an eye, it keeps a murderer from murdering again, executions are the appropriate punishment for certain criminals committing specific crimes, etc. As these reasons are called out, write (or have someone write) them on your whiteboard or newsprint.

Once the brainstorming is completed, point out which of the ideas will be addressed in upcoming classes. Say that next time the group meets, you will be looking at issues of deterrence, money, and a beginning look at justice and what that means.

#### 7. Homework (2 minutes)

Ask your class members to read, “Death Penalty Law Primer” and “Why the Death Penalty is More Expensive than Life Imprisonment” from the *Reader* between now and the next time you gather.

Remind people that they may want to do some research and/or thinking about the topics of deterrence, cost, and justice as they relate to the death penalty.

8. Closing Prayer (3 minutes)

Invite your group to silence and once everyone is centered, offer this or a similar prayer:

Holy, loving God, thank you for being with us as we shared our stories with each other and with you. Thank you for giving those around us kind hearts and caring spirits to gently share. As we go from this gathering, help us to dwell in your love and be guided by your Spirit. We pray in the name of Jesus. Amen.

**45-50 Minutes alternative lesson plans**

Session 1A: Do activities 1, 2, 3, 4, & 8

Session 1B: Do activities 1, 5, 6, 7, & 8

## Session 2 – More Information, Deterrence, and Money

### Goals

In this session, participants will: (1) learn more about each other's feelings and positions on the death penalty as they enter this study; (2) learn some basic information about the death penalty in your state (or a neighboring state if your state does not have the death penalty); (3) explore some arguments for and against the death penalty around deterrence and cost; and (4) be introduced to their own visions of "justice."

### Preparation

- a. If possible, set up your room so the participants can see each other.
- b. Provide nametags.
- c. Do some basic research about the death penalty in your state and prepare to share that with your group. There is some basic information provided in Appendix A of these lesson plans.
- d. Find out the answers to the questions on "The Death Penalty in Your State and the United States," pages 11-12. Complete the questionnaire and make copies to hand out to the group. You can find some information for your state (or, if your state doesn't have the death penalty, a neighboring state) and about the nation at [www.deathpenaltyinfo.org/state/](http://www.deathpenaltyinfo.org/state/), [www.census.gov](http://www.census.gov) and [factfinder.census.gov](http://factfinder.census.gov).
- e. Depending on how you decide to do "Where We Stand on the Death Penalty," either:  
Make three posters: "Strongly Support," "Unsure," and "Strongly Oppose."  
Post these along one long wall ("Strongly Support" at one end; "Unsure" at the middle of the room; "Strongly Oppose" at the other end.) Save these for Session 9. *or*  
Make sure you have slips of paper and pencils for "ballots."
- f. To learn more about legal info, see [www.law.cornell.edu/wex/index.php/Death\\_penalty](http://www.law.cornell.edu/wex/index.php/Death_penalty).

### Class Outline

#### 1. Opening Prayer (5 minutes)

Invite your group to silence and once everyone is centered, offer this or a similar prayer:

Wise and compassionate God, as we gather today to talk once again about the death penalty, help us to listen carefully to the information we hear today so we can learn. But more importantly, help us to listen to each other in the same way you listen: with a heart of compassion. Help us to grow in this time together. We pray in the name of Jesus the Christ. Amen.

#### 2. Death Penalty State Specifics (10 minutes)

Share the information you learned from your research about the death penalty in your state; pass out copies of your completed "The Death Penalty in Your State and the United States."

### 3. Where We Stand On The Death Penalty (20 minutes)

#### *Option 1*

Call attention to the “Strongly Support,” “Unsure,” and “Strongly Oppose” posters on the wall. Ask the members to physically position themselves along the continuum regarding how they feel about the Death Penalty as they begin this study. State that you hope that they are all entering into this study with an open mind and a willingness to change their opinions as they learn more, but that right now where we are represents our current opinions.

Invite the members of the group to be aware of the spread (or lack of spread) in your group.

Invite the members of the group who wish to, to share why they are where they are on the continuum. You could ask those toward either end to share their most important reason for supporting or opposing the death penalty. You could invite the people in the middle (the “unsure” folk) to share what questions they have regarding the death penalty or in some other way express why they positioned themselves there on the continuum.

Make sure everyone who wants to share gets a chance. This may mean calling on some people directly. If your group is small enough, invite everyone to share.

Invite everyone to sit back down.

#### *Option 2*

Pass out slip of paper and pencils. Ask people to write down in a single sentence where they stand on the death penalty right now as you enter this study. You can give them examples like, “I strongly support/oppose the death penalty,” “I have mixed feelings about the death penalty,” and “My head and my heart are conflicted on the death penalty.” Let them know that you are going to collect the sentences and read them aloud so everyone can get a sense about how divergent (or not) the opinions in the class are as you begin the study. Invite discussion. You might want to post a tally of “Support,” “Undecided,” and “Oppose” on the whiteboard. Remind the class participants that you hope they are all entering into this study with open minds and a willingness to change their opinions as they learn more.

### 4. Does the Death Penalty “Save Money”?<sup>1</sup> (10 minutes)

Invite comments about the essay, “Why the Death Penalty is More Expensive than Life Imprisonment.”

Ask the class, “When we are talking about an issue of justice, morality, life, and death, how concerned should we be about the cost anyway?”

### 5. Is the Death Penalty a Deterrent? (20 minutes)

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<sup>1</sup> An analysis of the cost of execution versus incarceration by Dudley Sharp, can be found online – section D, “The Cost Of Life Without Parole Vs The Death Penalty,” of *Death Penalty And Sentencing Information in the United States 10/1/97*, found at [www.prodeathpenalty.com/DP.html](http://www.prodeathpenalty.com/DP.html). In my opinion it is a flawed analysis. Appendix B of this curriculum is an essay I wrote in 2001 explaining why then numbers don’t compute. Please feel free to share this with your class, especially if someone points to this website to argue that the death penalty is less expensive than life imprisonment.

Ask everyone in the group to think during a few moments of quiet about how deterrence has worked in their lives ... when they were children, when they were students, as employees, as spouses. Ask them to think about when it did/does work and when it didn't/doesn't work ... and why. Give them time to think about this.

Ask them, when they did/do break the rules/law, did/do they expect to get caught?

Ask for two volunteers, one to read the “Pro-Deterrence” and one to read the “Anti-Deterrence” sections of “Is the Death Penalty a Deterrent?” in the *Reader*. Invite anyone who did research on deterrence to share their findings.

Begin discussion with some open-ended questions like:

- What did you find most surprising?
- What do you think was left out of these opening statements?
- What did you feel as these statements were read?
- Did either of the statements make you rethink your position? How?
- Is there anything from the statements that you want to respond to?

## 6. Justice (20 minutes)

Read the following to the class:

The only way to decrease the costs associated with the death penalty is to decrease the safeguards that are in place to reduce the risk of wrongly convicting and executing an innocent person. As it is, even with the costly safeguards required by the United States judicial systems, miscarriages of justice do occur. Each year, innocent people have their convictions overturned and are released from death row. We can assume that each year innocent people are convicted of capital crimes in the United States.

This brings us to our next topic: Justice.

Think in this moment of quiet about what “justice” means to you. What does justice look like, when you think of yourself as:

- a victim of a crime,
- a taxpayer and citizen of the United States,
- a family member of someone who has been murdered,
- someone who is wrongly accused of murder,
- someone who is rightly accused of murder,
- a Christian?

Invite people to share their insights. Again, remember to invite comment from everyone. To get discussion going, you might want to ask how their image of “justice” changed as they thought of themselves in each role.

Once everyone has shared ask an open-ended question like one (or both) of the following:

- How do we balance our society’s need for order, a crime victim’s need for recompense, and the accused’s need for fairness?
- Given all these different views of what “justice” looks like, what is the most just way to deal with someone who has committed a murder?

## 7. Homework (2 minutes)

Tell them that next time the group will continue their discussion of justice, looking at the issue of innocence. Invite them to do any research they may want to do on this subject. Ask class participants to read “Innocence and the Death Penalty” from the *Reader* before you next gather.

Invite those who want to do more research on costs associated with the death penalty or deterrence to check out various sections of [www.deathpenaltyinfo.org](http://www.deathpenaltyinfo.org).

#### 8. Closing Prayer (3 minutes)

Invite your group to silence and once everyone is centered, offer this or a similar prayer:

Wise and compassionate God, we have been here in your care, gathered in Christ’s name. As we go forth, may we carry with us in tender hearts, the feelings and thoughts shared today. And as we consider what we have learned, help us to hear your voice, to know your wisdom. We pray in the name of Jesus the Christ. Amen.

#### **45-50 Minutes alternative lesson plans**

Session 2A: Do activities 1, 2, 3, 4, & 8

Session 2B: Do activities 1, 5, 6, 7, & 8

## The Death Penalty in Your State and the United States

### State information for \_\_\_\_\_:

1. What are the current capital offenses in this state? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
2. What is the racial make-up of this state (by percentage)? White? \_\_\_\_\_  
Black? \_\_\_\_\_ Latino/a? \_\_\_\_\_ Asian? \_\_\_\_\_ Native American? \_\_\_\_\_ Other? \_\_\_\_\_  
[Note: The census bureau does not consider Hispanic heritage to be a racial/ethnic group.]
3. How many people have been executed in this state since 1976? \_\_\_\_\_
4. How many people are there on death row in this state? \_\_\_\_\_
  - a. How many are men (and what percent)? \_\_\_\_\_  
How many are women (and what percent)? \_\_\_\_\_
  - b. How many (and what percent) are White? \_\_\_\_\_ Black? \_\_\_\_\_  
Hispanic? \_\_\_\_\_ Asian? \_\_\_\_\_ Native American? \_\_\_\_\_  
Other/unknown? \_\_\_\_\_
5. What is/are the methods of execution used in this state? \_\_\_\_\_  
\_\_\_\_\_
6. Does this state have the option of life without parole? \_\_\_\_\_
7. What is the clemency process in this state? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### National information:

1. There are over 40 different categories of federal offences that are punishable by the death penalty in the United States. These range from murder for hire, to murder involved in a racketeering offense, to willful wrecking of a train resulting in death, to murder related to carjacking. There are several non-homicide crimes

that can also receive the death penalty, including espionage, treason, and trafficking in large quantities of drugs.<sup>2</sup>

2. The racial make-up of the United States (by percentage) is: White \_\_\_\_  
Black \_\_\_\_ Hispanic \_\_\_\_ Asian \_\_\_\_ Native American \_\_\_\_ Other \_\_\_\_
3. How many people have been executed in the United States since 1976? \_\_\_\_
4. How many people are there on death row in the United States? \_\_\_\_
  - a. How many are men (and what percent)? \_\_\_\_\_  
How many are women (and what percent)? \_\_\_\_\_
  - b. How many (and what percent) are White? \_\_\_\_\_ Black? \_\_\_\_\_  
Hispanic? \_\_\_\_\_ Asian? \_\_\_\_\_ Native American? \_\_\_\_\_  
Other/unknown? \_\_\_\_\_
5. Under the 1994 law, the manner of execution will be that employed by the state in which the federal sentence is handed down. If that state does not allow the death penalty, the judge may choose another state for the carrying out of the execution. The federal Bureau of Prisons has converted an old cell block in Terre Haute, Indiana, into a new facility for condemned federal prisoners.<sup>3</sup>
6. The United States has the option of life without parole to the death penalty.
7. For Federal Death Row inmates, the President alone has pardon power. Federal guidelines require that an inmate be given 120 days notice of an execution date and allowing 30 days to file a clemency petition once the execution date has been set.

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<sup>2</sup> From <http://www.deathpenaltyinfo.org/article.php?scid=29&did=192> (20 July 2006).

<sup>3</sup> From <http://www.deathpenaltyinfo.org/article.php?did=245&scid=8#gov> (20 July 2006).

## Session 3 – Innocence and the Death Penalty

### Goals

In this session, participants will: (1) learn some information about innocent people being convicted; (2) consider if the death penalty is giving us justice now and (if not) what it would take to bring us justice; and (3) listen to one another's opinions about what this means.

### Preparation

- a. Set up your TV/DVD and make sure it's working before class begins.
- b. If possible, set up your room so the participants can easily move between seeing each other and the TV/DVD set up.
- c. Provide nametags.
- d. Do some research to find out if people have been convicted and sentenced to death in your state (or a neighboring state) who were later exonerated. Check out [www.deathpenaltyinfo.org/article.php?did=412&scid=6](http://www.deathpenaltyinfo.org/article.php?did=412&scid=6) and its links for more information. You can also check out your local death penalty abolition group for more information (see "Resources for Organizational Involvement" toward the end of the *Reader* for a list of a few abolition groups).

### Class Outline

#### 1. Opening Prayer (5 minutes)

Invite your group to silence and once everyone is centered, offer this or a similar prayer:

Just and gracious God, your prophet told us how to please you: to do justice, to love kindness, and to walk humbly with you. As we gather in the name of the crucified and risen Savior, help us to be loving and kind toward one another, to have humility as we seek insight, and to be challenged to be makers and doers of justice in the building of your Realm. We pray in the name of Jesus. Amen.

#### 2. Introduction of Today's Topics (10 minutes)

Read the following to the group:

"I shall ask for the abolition of the punishment of death until I have the infallibility of human judgement demonstrated to me." – Marquis de Lafayette<sup>4</sup>

Death sentences may be unfairly imposed in numerous ways. People who are actually innocent may receive death sentences. Racial prejudice, legal errors, inadequate defense, or insufficient investigation of mitigating circumstances may all lead to a sentence of death in cases that otherwise would have resulted in non-lethal punishment (or acquittal).

Invite the group to remember their various images of justice when they thought of themselves as:

- a victim of a crime,
- a taxpayer and citizen of the United States,
- a family member of someone who has been murdered,

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<sup>4</sup> Quoted by Amnesty International USA on their website <http://www.aiusa.org/abolish/factsinnocence.html> as posted on August 17, 2000.

- someone who is wrongly accused of murder,
- someone who is rightly accused of murder,
- a Christian.

Invite comments from anyone who wants to make them in light of the introduction you made and their images of justice, particularly as we prepare to examine the issue of innocence and the death penalty.

### 3. Innocence and the Death Penalty (20 minutes)

Share information from your own research about innocent people receiving a death sentence in your state (or neighboring state).

Read the following to the group:

Proponents of the death penalty often claim that the death penalty saves innocent lives, the lives of people who would be murdered if a murderer is released, and that the risk of executing an innocent person is so small it need not be considered. Opponents of the death penalty often argue that the risk of executing an innocent defendant is much higher than we might think, that in fact innocent people have been executed, and that the execution of one innocent person is too many.

Ask the members of your group to respond to what they have heard and what they read in “Innocence and the Death Penalty.” Ask them, “As citizens and as Christians, what does this information mean to you? How many executions of actually innocent (as opposed to legally innocent) people are tolerable?”

### 4. One Innocent Man’s Story (40 minutes)

Read the following introduction:

Ray Krone was raised in Dover, Pa., where friends of his were members of Heidelberg United Church of Christ in nearby York. In 1992, when he was convicted of murder in Arizona and sentenced to death, these friends stood by him. They shared his story with the congregation and put his name on the prayer list. In 2002, Krone was released from prison, the 100th death row inmate in the United States since 1973 to be released after he was found to be innocent of the crime that put him there. The tape we are about to see is from an address he gave to the UCC Coalition to Abolish the Death Penalty in November 2002.

Watch the DVD of Ray Krone and invite comments. Use open ended questions to encourage discussion, such as:

- What were your feelings as you watched this video?
- Ray’s story touched on many topics besides innocence. What ones did you notice? How does his story impact your understanding of those topics?
- Ray’s anger toward the prosecutor is evident. What is your reaction to his anger?
- Think about Ray’s description of life on death row. What do you remember him saying? What is your reaction to that description?
- How does Ray’s conviction, despite his actual innocence, impact your thinking about the death penalty.

### 5. Conclusion of Today’s Topic (10 minutes)

Invite the group to remember their various images of justice when the thought of themselves as:

- a victim of a crime,
- a taxpayer and citizen of the United States,
- a family member of someone who has been murdered,
- someone who is wrongly accused of murder,
- someone who is rightly accused of murder,
- a Christian.

Invite discussion with these questions:

- Is our current use of the death penalty “just”?
- What would it take/is it possible to make it just?
- Based on what we have discussed today, have your views on the death penalty changed?
- Do you have any final comments you want to make?

#### 6. Homework (2 minutes)

Tell the class that next time they will be doing a Bible Study on the Death Penalty, focusing on the Hebrew Scriptures. Invite them to do any research they may want to do on the subject. Ask them to read “An Eye For An Eye” in the *Reader* and to bring their Bibles to class.

Also, those who wish to learn more about innocence and the death penalty may want to check out various “issues” links on [www.deathpenaltyinfo.org](http://www.deathpenaltyinfo.org). And those who want to learn more about “fairness” (and the lack of it) in trials may want to check out [www.aclu.org](http://www.aclu.org) and other civil rights organizations.

#### 7. Closing Prayer (3 minutes)

Invite your group to silence and once everyone is centered, offer this or a similar prayer:

Just and gracious God, we want to be just as you are just. We know that we fall short of that desire. What are we to do? Are there ways we should change? Are there things we should do? Give us answers so we may be better disciples of the one in whose name we pray. Amen.

### **45-50 Minutes alternative lesson plans**

Session 3A: Do activities 1, 4, & 7

Session 3B: Do activities 1, 2, 3, 5, 6, & 7

## Session 4 – Hebrew Scriptures and the Death Penalty

### Goals

In this session, participants will: (1) learn that many murderers in the Bible did not receive the death penalty; (2) examine capital offences in the Torah to see if they think they should still be capital offences; and (3) consider the relevance of the *lex talionis* (“an eye for an eye ...”) for today.

### Preparation

- a. If possible, set up your room so the participants can see each other.
- b. Provide nametags.
- c. Have a whiteboard or newsprint (and markers) for the brainstorming exercises.
- d. Have a Bible for people who forget to bring them. Having multiple translations can be helpful.
- e. Make copies of “The Torah and the Death Penalty,” pages 20-21.
- f. You may want to make up slips of paper with scripture citations from “The Torah and the Death Penalty” (see Class Outline for how you might use these).

### Class Outline

#### 1. Opening Prayer (5 minutes)

Invite your group to silence and once everyone is centered, offer this or a similar prayer:

Righteous and Holy God, we pray that as we learn today we will give you honor and glory. We pray that as we share our thoughts we will reveal your righteousness. We pray that as we seek to apply the story of your covenant and salvation to our lives we will praise and glorify you. Amen.

#### 2. Brainstorming – Murders in the Bible (15 minutes)

Ask the group to brainstorm a list of murders/murderers from the Bible. Write these on the white board/newsprint. Once people have run out of ideas, check their list against this list, and add any that are missing:

- Cain killing Abel – Genesis 4:1-16
- Sarah and Abraham sending Hagar off into the desert to die – Genesis 21:8-21
- Moses killing the Egyptian taskmaster – Exodus 2:11-15
- David ordering the death of Uriah – 2 Samuel 11:14-25
- The Levite who allowed his concubine to be raped to death and then cut her body into 12 pieces – Judges 19:22-30
- Elijah killing 10,000 of Jezebel's priests – 1 Kings 18:40
- Stoning of Stephen with Paul consenting – Acts 7:54 – 8:1a
- Perhaps the crucifixion of Jesus

Now ask the group what happened to the biblical characters who were responsible for the murders.

- Cain received a mark from God to protect him from being killed.

- Moses is called by God to face Pharaoh and lead the Hebrews out of slavery to the “promised land.”
- God keeps the covenant made with Abraham and Sarah through Isaac’s son, Jacob.
- David’s first son with Bathsheba died, and David became/continued to be the greatest king of Israel.
- Nothing happened to the Levite.
- Elijah continued to be a favored prophet of God.
- Paul was converted on the road to Damascus and became the church’s first great evangelist.
- Jesus forgave them.

Ask your group, What, if anything, does this say to you about murder, God, and the Bible?

### 3. Capital Offenses in the Torah (15 minutes)

Ask the group to brainstorm a list of offenses/people that/who, according to the Torah (the first five books of the Hebrew Scriptures), are deserving of capital punishment. Write these on the white board/newsprint. Once people have run out of ideas, pass out copies of “The Torah and the Death Penalty.” Check your group’s list against this list to see how many of them they identified.

Alternately, you can prepare pieces of paper with the scripture citations from “The Torah and the Death Penalty,” pass them out to class members, and ask them to look up the offenses/people that/who, according to the Torah, are deserving of capital punishment. Have them share what they find.

Ask the group some discussion questions like:

- Are you surprised that anything is or isn’t on the list?
- Does the death penalty for any of the offenses on this list seem extreme to you?
- As you read this list, can you draw any conclusions?
- Try lumping these offenses into a few categories. What labels do you come up with for these categories? Why might God find offenses in these categories deserving of the ultimate punishment for the Hebrew people as they were becoming a nation? (The categories that I came up with are: killing and kidnapping, offenses against parents, offenses of a sexual nature, and offenses against God [first and second commandment offenses].)
- How is the U.S. today different from Israel back when it was first becoming a nation? Given these differences, does it make sense for God to continue to find offenses in these Hebrew Scriptures categories deserving of the ultimate punishment for us in the United States today?

Read this to the class:

According to Mennonite theologian Howard Zehr, “the Old Testament and later rabbinic tradition placed so many restrictions on the use of the death penalty (see Deuteronomy 17 and 19) that by the second century it was, in practice, virtually abolished in favor of some sort of restitution for most offenses.” He also said that in “the story of Cain and Abel (Genesis 4:1-16), the provision of cities of refuge for some killers (Exodus 21, Numbers 35, Deuteronomy 4 & 19, Joshua 20), and the love command in

Leviticus 19:18 illustrate the frequent theme of mercy for offenders, even those who kill.”<sup>5</sup>

#### 4. Genesis 4:8-16 and 9:6 (20 minutes)

Invite someone in the group to retell the Noah story. Elements that should be included are: God decided to “make an end of all flesh;” having found Noah to be blameless, God ordered Noah to build an ark and to load it with two of every animal and bird and his family (wife, sons, and daughters-in-law); God caused a great flood that destroyed everything that wasn’t in the ark; when the flood waters subsided, all the animals and Noah’s family got out of the ark; God made a covenant with Noah, his descendants (who, according to the story are all of us), and all of creation, that never again would God cause a flood to destroy the earth.

Ask the members of the group to turn to Genesis 9. Read verses 1-11 aloud. Read the following to the group:

Hebrew culture believed that life was contained in the blood of animals and people. When sacrifices were made in the temple, the blood was drained from the animal and this blood was offered to God. People were not supposed to eat meat with blood in it because of its special nature as the life-giving force. Today, animals must have the blood drained out of them (among other details) for their meat to be considered Kosher in the Jewish community. It is in this context that we read verse 6, “Whoever sheds the blood of a human, by a human shall that person’s blood be shed; for in his image God made humankind.” Because blood contains life and human life is in the image of God, its sanctity must be protected.

Now ask the group to keep all this in mind and to turn in their Bibles to Genesis 4 and read verses 8-16 aloud. Ask the members of the group what this story says about the death penalty to them. The thing that is of importance for this discussion is that instead of allowing Cain to be put to death for the murder of Able, God chooses to protect him.

Invite the group to discuss these passages using these (or similar) questions:

- Can you reconcile the seeming difference concerning the death penalty? Or do these passages reflect competing understandings of the death penalty in the Hebrew Scriptures?
- Both sides of the capital punishment debate appeal to the sanctity of life to support their position – that the death penalty violates this sanctity; that only the death penalty can express our abhorrence at murderers who violate this sanctity. Which argument is more persuasive to you? Which argument is more biblical to you?

#### 5. An Eye for an Eye (20 minutes)

Review the three scriptures cited in “An Eye For An Eye” in the *Reader*: Exodus 21:23-25, Leviticus 24:19-20, and Deuteronomy 19:21.

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<sup>5</sup> Harmon Wray’s interpretation of Zehr’s *Death as Penalty* (Mennonite Central Committee Office of Criminal Justice), in the chapter “Execution, State Laws, and Christian Concern,” in *Christian Perspectives on Social Issues, Volume Two: Life and Death*, (Nashville: Cokesbury, 1992), p. 67.

Invite the group to discuss the essay and the scriptures with questions like:

- Based on what you now know about how the death penalty is administered in the United States, do you think it helps bring the justice and fairness for all that the *lex talionis* calls for?
- Does the death penalty in the United States honor God, as the *lex talionis* calls for?
- Does the death penalty in the United States help keep innocent people from being falsely accused and convicted as the *lex talionis* calls for in Leviticus?
- Gandhi once said, “If we really enforced ‘an eye for an eye and a tooth for the tooth’ there would be a great number of sightless, toothless people.” Yet the *lex talionis* also codifies a commitment to proportionality of punishment. If we don’t want to take “a hand for a hand” literally, why should we take “a life for a life” literally?

Finally, if no one else has brought it up yet, share one more thought (without further comment) on the *lex talionis*:

“You have heard that it was said, ‘An eye for an eye and a tooth for a tooth.’ But I say to you, Do not resist an evil doer. But if anyone strikes you on the right cheek, turn the other also; and if anyone wants to sue you and take your coat, give your cloak as well; and if anyone forces you to go one mile, go also the second mile.” (Jesus in Matthew 5:38-41)

Let this comment speak for itself. If someone wants to engage it, ask them to come to the next session when we will focus on Christian Scriptures.

#### 6. Homework (2 minutes)

Tell the class that next time they will be doing a Bible Study on the Death Penalty, focusing on the Christian Scriptures. Invite them to do any research they may want to do on the subject. Ask the class members to bring their Bibles.

#### 7. Closing Prayer (3 minutes)

Invite your group to silence and once everyone is centered, offer this or a similar prayer:

Righteous and Holy God, give us eyes to see and mouths to speak your glory. Give us ears to hear and hearts to feel the cries of those who suffer. Give us hands and feet to do the work of your righteousness. In Jesus’ name we pray. Amen.

### **45-50 Minutes alternative lesson plans**

Session 4A: Do activities 1, 2, 3, & 7

Session 4B: Do activities 1, 4, 5, 6, & 7

## The Torah and the Death Penalty

The following are acts (and sometimes people) that, according to the Torah, are punishable by death. Note: I am using (and sometimes quoting) the New Revised Standard Version of the Bible. In some cases, I note the method of execution spelled out in the Torah. Also, I have not included acts that *God* punishes with death (see, for instance, Exodus 22:21-24), only those that the Torah says the Israelites are to punish with death. Also, this is probably not an exhaustive list, but it may come close. – Jeffrey Spencer

- Willfully attacking and killing another person (Ex 21:14; Deut 19:11-13); killing another person (Ex 24:17 & 21; Lev 24:17)
- Kidnapping (Ex 21:16)
- Striking your mother or father (Ex 21:15)
- Cursing your mother or father (Ex 21:17)
- Being a stubborn and rebellious son who does not heed your parents' discipline, by stoning (Deut 21:18-21)
- A slave owner hitting and (immediately) killing his slave (Ex 21:20)
- Allowing your ox, known to you to gore people, to gore and kill someone (Ex 21:28-29)
- "Whoever lies with an animal shall be put to death" (Ex 22:19); both men and women having "sexual relations" with an animal (Lev 20:15-16)
- "Whoever sacrifices to any god, other than the LORD alone, shall be devoted to destruction." (Ex 22:20)
- Working on the Sabbath; profaning the Sabbath (Ex 31:14-15; 35:2)
- Giving your children to Molech (a deity to whom children were sacrificed), by stoning to death (Lev 20:2)
- Adulterers and adulteresses (Lev 20:10); a man caught lying with the wife of another man, both the non-husband and the woman are to be put to death (Deut 22:22)
- When a man who, in the city, "lies with" a woman who is engaged, both shall be stoned (Deut 22:23-24)
- A man who, in the country, "seizes" and "lies with" a woman who is engaged, only the man is killed (Deut 22:25-27)
- A woman who appears not to be a virgin when she is married, by stoning (Deut 22:13-21)
- A man who "lies with" his father's wife, both the man and his mother/step-mother are to be put to death (Lev 20:11)
- A man who "lies with" his daughter-in-law, both the man and daughter-in-law are to be put to death (Lev 20:12)
- "A man who lies with a male as with a woman,... they shall be put to death" (Lev 20:13)
- A man who "takes a wife and her mother also," all three shall be burned to death (Lev 20:14)
- "Female sorcerers" shall not be allowed to live (Ex 22:18)

- “A man or a woman who is a medium or a wizard shall be put to death,” by stoning (Lev 20:27)
- Blasphemers are to be stoned (Lev 24:14-16)
- Serving and worshipping other gods in the city given to the God’s people in Israel (Deut 17:2-7)
- Anyone who disobeys the priest or judge appointed by the LORD to decide legal disputes (Deut 17:12-13)
- Touching Mount Sinai (Ex 19:12)
- Approaching the Altar of God (Numbers 18:7)

## Session 5 – The Christian Scriptures and the Death Penalty

### Goals

In this session, participants will: (1) struggle with some of Jesus' difficult words in the Sermon on the Mount; (2) examine two passages from the Christian Scriptures that are typically used in the death penalty debates; and (3) imagine what Jesus might have done in a specific situation and what Jesus might say about the death penalty in the United States today.

### Preparation

- a. If possible, set up your room so the participants can see each other.
- b. Provide nametags.
- c. Have Bibles for people who forget to bring them. Having multiple translations can be helpful.

### Class Outline

#### 1. Opening Prayer (5 minutes)

Invite your group to silence and once everyone is centered, offer this or a similar prayer:

Challenging God, we gather to explore not just your scriptures, but also your Word, our Savior Jesus the Christ. Help us to hear his voice in the scriptures and in the thoughts and feelings that we share today. Help us to accept his challenge to be his disciples so that in all we do and say and are, your love and grace may shine forth. In his name we pray. Amen.

#### 2. Contrasting Voices<sup>6</sup> (20 minutes)

Invite four people in your group each to look up one of the following scriptures: Exodus 20:13; Matthew 5:21-24; Leviticus 24:13-24; Matthew 5:38-48.<sup>7</sup> Have them read the passages in the order listed. If you think you will have

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<sup>6</sup> This exercise is based in part on "Execution, State Laws, and Christian Concern," by Harmon Wray in *Christian Perspectives on Social Issues, Volume Two: Life and Death*, Cokesbury, Nashville, 1992, pp. 67-68.

<sup>7</sup> I want to acknowledge more than one interpretation of these scriptures from Matthew. In a pro death penalty article on a Probe Ministry website, Kerby Anderson writes, "In the Sermon on the Mount, Jesus is not arguing against the principle of a life for a life. Rather He is speaking to the issue of our personal desire for vengeance. He is not denying the power and responsibility of the government. In the Sermon on the Mount, Jesus is speaking to individual Christians. He is telling Christians that they should not try to replace the power of the government. Jesus does not deny the power and authority of government, but rather He calls individual Christians to love their enemies and turn the other cheek." [From "Capital Punishment" by Kerby Anderson, as posted at <http://www.leaderu.com/orgs/probe/docs/cap-pun.html> on August 23, 2000. Used by permission.]

However, this argument rings hollow to me. Yes, Jesus was speaking to us (probably more individually, but also corporately) in the Sermon on the Mount. However, the contention that he was in any way supporting the authority of the government baffles me. In no way did Jesus support that authority of Herod's or Rome's governments – the political system that eventually killed him. He constantly placed God's kingdom as the alternative to the political kingdoms of this world. See the writings of Walter Wink for examples of how "turning the other cheek" was, in fact, an act of opposition to the government's authority in Jesus' day.

the time, it may be helpful to have each scripture read from two translations. Invite discussion using these or similar questions:

- How can we even hope to get through the day if we take seriously the values, attitudes, and way of life Jesus is preaching?
- What do you think about the idea that being angry at someone is as bad as killing that person?
- What does it mean not to resist one who is evil and to “turn the other cheek”?
- How can we “love our enemies”?
- How can we survive if we don’t protect our interests, with force if necessary, from those who want to take what is ours?
- What does it mean to “be perfect”?
- How do you reconcile these passages of the Hebrew Scriptures and the Christian Scriptures?

### 3. Looking at Some Specific Passages (30 minutes)

For this exercise you will need three volunteer readers: one to read the scripture passages, one to read the “pro” statements, and one to read the “con” statements. The “pro” and “con” statements are printed in “Pro and Con on two Christian Scriptures” in the *Reader*.

After the Bible passage is read, invite comments about what people in the class hear this passage saying about the death penalty. Then have the “pro” and “con” statements read. Invite further comments.

- a. John 8:1-11
- b. Romans 13:1-7

### 4. An Experiment<sup>8</sup> (20 minutes)

Have someone in your group read aloud Matthew 27:15-26. Have someone else read aloud Luke 23:13-43. Invite the members of the group to sit comfortably and close their eyes. Ask them to breathe deeply and relax. Once people are settled, read the following, giving your group time to create images in their minds.

Imagine a time two thousand years ago, in Jerusalem. Envision Jesus before Pontius Pilate. [pause] Imagine that things had gone a little differently and that Pilate

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Another interpretation of the Sermon on the Mount leads to an anti-death penalty conclusion: “Jesus puts the death penalty in a radically different context than the severity of the crime and its proportional punishment. He says that, according to the divine judgment, each of us deserves death – and that, by God’s grace, forgiveness and a new, transformed life are offered to all. In the Sermon on the Mount, Jesus says, ‘You have heard that it was said to men of old, “You shall not kill; and whoever kills shall be liable to judgment.” But I say to you that everyone who is angry with his brother shall be liable to judgment; whoever insults his brother shall be liable to the council; whoever says, “You fool!” shall be liable to the hell of fire’ (Matthew 5:21-22). None of us can escape such a judgment. Jesus raises the stakes, changing the context from acts of crime and their corresponding punishment to the human condition of brokenness and sin and the need for healing and forgiveness.” [From “The Capital Punishment Debate,” published by the Office of Church in Society, The American Lutheran Church (now part of the Evangelical Lutheran Church in America), in 1985. Used by permission.]

<sup>8</sup> Adapted from Harmon Wray, *op. cit.*, p. 70.

had decided to execute Barabbas and let Jesus off. This is, after all, what Pilate wanted to do before the political pressure got to him and he crumbled.

Imagine Pilate saying, “OK, Jesus, you can go free – on one condition. You must be the executioner of Barabbas. He is a killer, and that is the law. Here are the hammer and nails; there is the cross. Go do it.” [pause]

What does Jesus do? [Allow time for people to imagine what happens next.]

Invite people to gently open their eyes and once everyone is ready, ask your group to comment on their experience.

Ask people to discuss these questions:

- Does Jesus’ ethic of love and forgiveness disallow capital punishment?
- What message does the Christian Gospel bring to our criminal justice system, specifically capital punishment? What do you think Jesus would say about our criminal justice system today?
- What is the death penalty teaching our children?

#### 5. What Would Jesus Say (10 minutes)

Ask the group what they think Jesus would say about the death penalty in the United States today.

#### 6. Homework (2 minutes)

Tell the class that next time the topic will be “Who is on death row (and how they got there)”. Ask your class members to read, before the next class, the “Death Row Biographies” (thinking about how their life experiences are similar to and different from the stories they read), “Racial Discrimination and the Death Penalty in the United States,” and “The Death Penalty is Arbitrary and Unfair” from the *Reader*.

#### 7. Closing Prayer (3 minutes)

Invite your group to silence and once everyone is centered, offer this or a similar prayer:

Jesus, nails were hammered through your hands and feet and You were killed. Risen Christ, as we seek to be your disciples, be present to us. As our crucified and risen savior, guide us, nurture us, show us your way. We pray as you taught us: Our Father ...

### **45-50 Minutes alternative lesson plans**

Session 5A: Do activities 1, 2, 3a & 7

Session 5B: Do activities 1, 3b, 4, 5, 6, & 7

## Session 6 – Who’s on Death Row (And How They Got There)

### Goals

In this session, participants will: (1) put a human face on those who are on death row; (2) better understand the execution process; and (3) explore the issues of racism and fairness in the death penalty.

### Preparation

- a. If possible, set up your room so the participants can see each other.
- b. Provide nametags.
- c. Research how executions are carried out in your state (or neighboring state) by checking [www.deathpenaltyinfo.org/state/](http://www.deathpenaltyinfo.org/state/). In addition to finding out the method(s) used, try to find out where, when, and more detailed information on how they are carried out. You will probably need to check with your state department of corrections to find this out.
- d. Go to [soundportraits.org/on-air/execution\\_tapes/](http://soundportraits.org/on-air/execution_tapes/) and listen to “the execution tapes,” a public radio program, and decide what portion of it (I recommend 9:38-21:21) is appropriate to use in your class. If you decide to use this, you’ll need to figure out how to play it to you class.  
You can also go to [www.npr.org/programs/atc/witness/](http://www.npr.org/programs/atc/witness/) and save “the *tie-down* team” to use in your class. If you decide to use this, you’ll need to figure out how to play it to you class.
- e. Set-up and check sound system.
- f. Create a handout about race and the death penalty in your state (or neighboring state). See the Excel file or PDF file titled “Race” on your curriculum CD for a nation-wide sample handout (which you might also like to use) and a California sample. The sources used in the California sample will help you create the handout for your state.

### Class Outline

#### 1. Opening Prayer (5 minutes)

Invite your group to silence and once everyone is centered, offer this or a similar prayer:

God, what was it like when Jesus died? We know his mother grieved. We know his disciples were scared for their own lives. God, what was it like for You to watch Jesus die? Just as a pebble dropped in a lake causes ripples to erode the shore, every action has effects. Help us to see and to know and to respond. In the name of our crucified and risen Savior we pray. Amen.

#### 2. Who is on Death Row? (10 minutes)

Ask how the members of your group feel/think they are like and unlike the people on death row whose biographies they read.

Invite them to share their feelings – feelings that came as they read the biographies, feelings that they are having now as you talk about the people.

Invite them to share what questions they have about these people on death row (even though we will probably not get answers to these questions).

### 3. Race/Racism and the Death Penalty (20 minutes)

Share your handout(s) on race and the death penalty. Statistics can be hard to understand and it will be worth your time to invite people to explain what they notice in the handout(s). Give people time to digest them.

Ask the group to reflect on the essay, “Racial Discrimination and the Death Penalty in the United States” from the *Reader*.

Ask them, “As citizens and as Christians, what does this information mean to you?” Encourage discussion.

### 4. “Fairness” and the Death Penalty (20 minutes)

Read the following statement to your group:

“Twenty years have passed since this Court declared that the death penalty must be imposed fairly, and with reasonable consistency, or not at all, and, despite the effort of the states and courts to devise legal formulas and procedural rules to meet this daunting challenge, the death penalty remains fraught with arbitrariness, discrimination, caprice, and mistake.” – Supreme Court Justice Harry A. Blackmun, February 22, 1994.<sup>9</sup>

Ask the group to think about our courts and the concepts they hold about “fairness.” Remind them of their thought about justice discussed in Session 2. Seek responses to a question like, “What needs to be true about our courts for them to be ‘fair’?”

Invite discussion, asking the group to respond to “The Death Penalty is Arbitrary and Unfair.” Ask a question like, “Is it possible for capital cases to be carried out ‘fairly’? and if so, what would it take to make it that way?”

Here are some responses, in case they are helpful:

- Only guilty people are executed.
- Everyone guilty of a similar crime gets the same sentence.
- There is no evidence in the system of racism, sexism, or other prejudice or bigotry (e.g., based on religion, physical or mental ability, age, sexual orientation).
- Both sides get good legal representation.
- The method of execution maximizes physical pain.
- The method of execution minimizes physical pain.
- No juveniles are executed.
- No mentally retarded people are executed.
- No mentally ill people are executed.
- Death sentences are carried out quickly, even at the risk of innocent people being executed.
- No one is executed.

### 5. The Execution Process (30 minutes)

Share how executions are carried out in your state (or neighboring state) – the method(s) as well as where and when they are carried out.

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<sup>9</sup> Quoted by <http://www.deathpenaltyinfo.org/race.html> (17 August 2000).

Listen to your selection from “The Execution Tapes” (and “the *tie-down* team,” if you decide to include it).

Invite people to share how listening to this made them feel.

6. Homework (2 minutes)

Tell the class that next time they will discuss “the human cost of the death penalty.” Ask your class members to read “A Son on Death Row,” “Mercy, Compassion, and Forgiveness,” and “Darkness Cannot Extinguish Light” from the *Reader* before the next class.

7. Closing Prayer (3 minutes)

Invite your group to silence and once everyone is centered, offer this or a similar prayer:

God of healing and reconciliation, give us wholeness as individuals, as a study group, as a church, and as a society. Strengthen us to care for each other in all the traumas we face. Give us the wisdom to find ways to end injustice and to be vehicles of your healing and reconciliation. We pray in the name of the great reconciler, Jesus the Christ. Amen.

**45-50 Minutes alternative lesson plans**

Session 6A: Do activities 1, 3, 4, & 7

Session 6B: Do activities 1, 2, 5, 6, & 7

## Session 7 – The Human Cost of the Death Penalty

### Goals

In this session, participants will: (1) consider the wider human toll caused by the death penalty – the cost to family members of victims and defendants, prison workers, and society as a whole.

### Preparation

- a. Preview *Witness to an Execution* (online at [www.soundportraits.org/on-air/witness-to-an-execution/](http://www.soundportraits.org/on-air/witness-to-an-execution/)). Also, preview *Interview with an Executioner* on the curriculum DVD. Decide which you think will work better in this class for your group. If you decide to go with *Witness to an Execution*, figure out how you're going to play it in the class: from the internet or from a CD that is available through [soundportraits.org/store/](http://soundportraits.org/store/).
- b. Set up sound system or TV/DVD and make sure it's working before the class begins.
- c. If possible, set up your room so the participants can see each other, and so that they can hear the CD or watch the DVD.
- d. Provide nametags.
- e. Go to [www.deathpenaltyinfo.org/article.php?scid=8&did=478](http://www.deathpenaltyinfo.org/article.php?scid=8&did=478), "Some Examples of Post-Furman Botched Executions." Select and copy about 8 of these examples for members of your class to share. If there are examples from your state, please include those. If not, select examples that use the same method(s) of execution as is/are used in your state.

### Class Outline

#### 1. Opening Prayer (5 minutes)

Invite your group to silence and once everyone is centered, offer this or a similar prayer:

God, what was it like when Jesus died? Was it just a job for the Roman soldiers? What was it like for Pilate and Herod and the members of the Sanhedrin? What was it like for others in Roman prisons, awaiting crucifixion? God, what was it like for You to watch these people as they watched Jesus die? Just as a pebble dropped in a lake causes ripples to erode the shore, every action has effects. Help us to see and to know and to respond. In the name of our crucified and risen Savior we pray. Amen.

#### 2. The Wider Human Toll (25 minutes)

Ask your group to consider the wider human toll. What do they imagine the cost is to family members of victims and defendants, prison workers, and society as a whole?

Ask six people in the group to each read aloud a section from "The Human Experience of Capital Punishment" in the *Reader*. Invite comment and discussion.

Ask people to share their responses to "A Son on Death Row," "Mercy, Compassion, and Forgiveness," and "Darkness Cannot Extinguish Light" from the *Reader*.

Here are some sample questions to get discussion going:

- What is *your* experience with the death penalty process? What is your reaction upon hearing of an execution? of a stay of execution?
- In your perception, does the death penalty intensify the cycle of violence in this country? Or is it an important step in reducing violence, sending a message that violence will not be tolerated?

### 3. Witness to an Execution (40 minutes)

#### *Option 1*

Read the following introduction:

We are about to listen to *Witness to an Execution*. This major radio documentary produced by Sound Portraits Productions examines the effects that executing inmates has on the men and women of the Texas Department of Criminal Justice. It premiered on October 12, 2000, National Public Radio's *All Things Considered*. It lasts a little over 20 minutes, but it is worth listening to the whole thing. As you listen, please feel free to make note of what you are feeling, what impacts you, and what surprises you. We will invite you to share these after we listen to the program.

Play the CD (or download) of *Witness to an Execution*.

Please invite them to share what impacted them and what surprised them.

#### *Option 2*

Read the following introduction:

We are about to watch a 2003 interview of a former Mississippi prison warden who was responsible for overseeing executions in that state while he held that office. It is produced by Amnesty International, an organization that opposes the death penalty. One of the central issues that comes up for Mr. Cabana is the possible innocence of Edward Earl Johnson, an issue we have already examined. So, as you watch and listen, pay attention of the impact of carrying out executions has on him – and pay attention to what you are feeling, what impacts you, and what surprises you. We will invite you to share these after we listen to the program.

Play the CD (or download) of *Witness to an Execution*.

Invite please to share what impacted them and what surprised them.

### 4. Botched Executions (15 minutes)

Pass out the copies of the stories you made from the “Post-Furman Botched Executions” website and have them read aloud without comment. Once all of them are read, invite comments. How does it make members of your group feel? What does it make them think?

### 5. Homework (2 minutes)

Tell the class that next time they will look at a statement made by your denomination on the death penalty. Ask them to read “The Death Penalty and Restorative Justice: Equipping the Faithful When Innocence Isn’t the Issue” from the *Reader*. Invite them to research what other denominations have said if they want to.

6. Closing Prayer (3 minutes)

Invite your group to silence and once everyone is centered, offer this or a similar prayer:

God of healing and reconciliation, give us wholeness as individuals, as a study group, as a church, and as a society. Strengthen us to care for each other in all the traumas we face. Give us the wisdom to find ways to end violence and to be vehicles of your healing and reconciliation. We pray in the name of the great reconciler, Jesus the Christ. Amen.

**45-50 Minutes alternative lesson plans**

Session 7A: Do activities 1, 3, & 6

Session 7B: Do activities 1, 2, 4, 5, & 6

## Session 8 – Christians Respond to the Death Penalty

### Goals

In this session, participants will: (1) be introduced to the concept of “restorative justice;” (2) discuss how well a statement on the death penalty made by your denomination speaks for them; and (3) consider what sort of statement God may be calling them to make.

### Preparation

- a. If possible, set up your room so the participants can see each other.
- b. Provide nametags.
- c. Print up copies of a statement from your denomination on the death penalty. Many statements have been compiled in “Religious Statements on the Death Penalty,” included on your curriculum CD. If statement from your isn’t there, you’ll need to do some research to find one.
- d. Have blank paper and pens/pencils for drafting your own resolution.

### Class Outline

#### 1. Opening Prayer (5 minutes)

Invite your group to silence and once everyone is centered, offer this or a similar prayer:

Holy God, your prophets heard your voice and spoke your words. Your disciples heard your call and followed you. Speak to us. Bless us with the movement of your Spirit that we may know how you want us to respond to this important, emotional, moral issue. Help us to know what we are feeling. Help us to share honestly and to listen compassionately. Help us to dwell in your love. We pray in the name of Jesus. Amen.

#### 2. Restorative Justice (15 minutes)

Read the following definition of “restorative justice”:<sup>10</sup>

Restorative justice defines crime as a violation of people and relationships. Justice, a basic human need that attempts to assure reparation of injuries sustained, is concerned about all parties – when one part of our society’s body and spirit is hurting, the whole suffers. Crime must be addressed by meeting needs of wounded parties without creating more violence.

Restorative justice challenges the criminal justice system to make things right for and between people. It compassionately asks from the outset, “What do victims and survivors of violent crime need from the justice process?” It demonstrates genuine concern for the needs of the offender rather than simply focusing on the punishment for harm caused. It re-members the community at-large, that is, brings back into membership those among us who have been alienated and disenfranchised because of poverty, race, age or mental infirmity.

Invite people to respond to the concept of restorative justice and the essay, “The Death Penalty and Restorative Justice.”

Let the group members know that there are many resources on restorative justice available and that a “google” search on the world wide web will bring up

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<sup>10</sup> Quoted from <http://www.restorativejusticecenter.org> (11 April 2003).

hundreds of sites, include at least one United States Department of Justice site: [www.ojp.usdoj.gov/nij/publications/rest-just/](http://www.ojp.usdoj.gov/nij/publications/rest-just/) (25 August 2007).

### 3. Polity Points (5 minutes)

Do a quick overview of the polity of your denomination, focusing particularly on the authority the national bodies have to speak for the denomination as a whole.

[For instance, in my denomination, the United Church of Christ, I would mention the covenantal relationships within the United Church of Christ (local congregations covenant together to form Associations and Conferences; the Conferences covenant together to form the national church; in covenant, Conferences send delegates to General Synods every two years to focus the ministry and mission of the United Church of Christ's organizations in national settings and to elect boards and officers of the church; etc.); part of the work of the General Synod (our national body) includes speaking prophetically to the nation and world and to (not for) Conferences and local congregations, as each General Synod feels called by God.]

### 4. Your Denomination's Statement (25 minutes)

Read aloud (or have someone read aloud) the resolution you made copies of. You may need to think of a way to read it aloud that keeps the energy up.

Invite your group to discuss the statement. What phrases or sentences (if any) do you think are inaccurate or misleading? What phrases or sentences do you think are particularly important/persuasive? What other phrases or sentences do you think should have been included?

### 5. Draft Your Own Resolution (35 minutes)

Ask the group to discuss what prophetic witness they might want to make. Is there a statement that God is calling them to make to the rest of their church community? to people in their state? to government leaders? to the nation as a whole? to the wider church?

What will their statement say? Encourage them to write something. Or, if there is nothing close to consensus in your group, spend some time talking about that – what it means to be church when there is not consensus on an important, emotional, moral issue like capital punishment.

### 6. Homework (2 minutes)

Tell the class that next time they will be talking about “Conclusions and Beginnings.” Invite them to think about how they might respond personally to what they have learned about this issue, themselves, and God.

Those wanting to do more research on the national settings of your denomination may want to check out your denominational website.

### 7. Closing Prayer (3 minutes)

Invite your group to silence and once everyone is centered, offer this or a similar prayer:

Holy God, you are here. You are our maker, our redeemer, and our sustainer. Thank you for making us in your image and calling us to serve you and your creation. Give us wisdom in the pursuit of your will. Give us courage in the struggle for justice and peace. Give us humility as we seek your truth. In the name of Jesus the Christ we pray. Amen.

**45-50 Minutes alternative lesson plans**

Session 8A: Do activities 1, 2, 3, 4, & 7

Session 8B: Do activities 1, 4, 5, 6, & 7

OR

Simply do this as one session where the homework is for individuals to write their own statements.

## Session 9 – Conclusions and Beginnings

### Goals

In this session, participants will: (1) consider what they have learned about the death penalty, themselves, and God; (2) create a personal plan of action; and (3) consider if the group wants to make a plan of action.

### Preparation

- a. If possible, set up your room so the participants can see each other.
- b. Provide nametags.
- c. Depending on how you decide to do “Where We Stand on the Death Penalty Now,” either:  
Pull out the three posters you used in Session 2: “Strongly Support,” “Unsure,” and “Strongly Oppose.” Post these along one long wall (“Strongly Support” at one end; “Unsure” at the middle of the room; “Strongly Oppose” at the other end.); *or*  
Make sure you have slips of paper and pencils for “ballots.”
- d. Make copies of the “Death Penalty True/False Quiz,” pages 36-37. Provide pens/pencils.
- e. On a whiteboard or a piece of newsprint write the words “Death Penalty,” “You,” and “God.” Post this so the class can see it.

### Class Outline

#### 1. Opening Prayer (5 minutes)

Invite your group to silence and once everyone is centered, offer this or a similar prayer:

Holy, loving God, we gather as your people to discuss an important, emotional issue. Help us to know what we are feeling. Help us to share honestly and to listen compassionately. Help us to dwell in your love and be guided by your Spirit. We pray in the name of Jesus. Amen.

#### 2. Where We Stand On The Death Penalty Now (15 minutes)

##### *Option 1*

Call attention to the “Strongly Support,” “Unsure,” and “Strongly Oppose” posters on the wall. Ask the members to physically position themselves along the continuum regarding how they feel about the Death Penalty as they conclude this study.

Invite the members of the group to be aware of the spread (or lack of spread) in your group.

Invite the members of the group who wish to, to share why they are where they are on the continuum. You could ask those toward either end to share their most important reason for supporting or opposing the death penalty. You could invite the people in the middle (the “unsure” folk) to share what questions they have regarding the death penalty or in some other way express why they positioned themselves there on the continuum. Invite discussion about how minds and hearts have changed (or not).

Make sure everyone who wants to share gets a chance. This may mean calling on some people directly. If your group is small enough, invite everyone to share.

Invite everyone to sit back down.

#### *Option 2*

Pass out slip of paper and pencils. Ask people to write down in a single sentence where they stand on the death penalty right now as you conclude this time of study. You can give them examples like, "I strongly support/oppose the death penalty," "I have mixed feelings about the death penalty," and "My head and my heart are conflicted on the death penalty." Let them know that you are going to collect them and read them aloud so everyone can get a sense about how divergent (or not) the opinions in the class are as you conclude the study.

Invite discussion about how minds and hearts have changed (or not).

#### 3. Death Penalty Quiz (10 minutes)

Pass out the "Death Penalty True/False Quiz" and ask everyone to complete it. Take some time to go over the answers and invite people who disagree with any "correct" answer to express why.

#### 4. What Have We Learned? (25 minutes)

Point people's attention to where you have written "Death Penalty," "You," and "God." Ask people to take a few moments to quietly consider what they have learned about the death penalty, about themselves, and about God during this study.

Once everyone has had a chance to think about their responses, ask them to share whatever they would like to.

#### 5. Personal Response (20 minutes)

Invite people to look over "Resources for Further Study," "Resources for Organizational Involvement," and "Things You Can Do to Stop the Death Penalty" in the *Reader*. Then ask, Based on what you have learned about the death penalty, yourself, and God, what is one thing you can commit to doing in the next two months?

Invite people to share their responses.

#### 6. Group Response (10 minutes)

Ask your group if they are interested in making a group response. If they are, let them go with that. If not, that's OK.

#### 7. Closing Prayer (5 minutes)

Invite your group to silence and once everyone is centered, offer this or a similar prayer:

Thank you, God, for this time to be together as a group, for this time to learn and grow as your children and as partners in ministry. Keep us mindful of the personal commitments we have made today [and the response we have said we will make as a

group]. Empower our ministry that we may be children of your light. In Christ's name we pray. Amen.

**45-50 Minutes alternative lesson plans**

Session 9A: Do activities 1, 2, 4, & 7

Session 9B: Do activities 1, 3, 5, 6, & 7

OR

Simply do this as one session doing activities 1, 2, 4, 6, & 7

# Death Penalty True/False Quiz

Adapted from: [www.deathpenaltyinfo.org/article.php?did=179&scid=53](http://www.deathpenaltyinfo.org/article.php?did=179&scid=53),  
as posted on March 28, 2003. Used by permission.

\_\_\_\_\_ Q.1. The death penalty saves taxpayers money because it is cheaper to execute people than to keep them in prison for the rest of their life.

\_\_\_\_\_ Q.2. Since the death penalty was reinstated in 1976, more black people have been executed than white people.

\_\_\_\_\_ Q.3 After the Supreme Court allowed the death penalty to resume in 1976, the first person to be executed was Gary Gilmore in Utah. He was executed by a firing squad.

\_\_\_\_\_ Q.4 Since the death penalty was reinstated in the U.S., between 5 and 10 people have been released from death row because they were innocent.

\_\_\_\_\_ Q.5. In most states with the death penalty, you can be executed even if you suffer from mental illness.

\_\_\_\_\_ Q.6. If you commit a crime in certain states like Massachusetts or Wisconsin, you cannot receive the death penalty.

\_\_\_\_\_ Q.7. Hanging has not been used as a method of execution in the United States for over 30 years.

\_\_\_\_\_ Q.8. When the police chiefs of the U.S. were polled on their views about ways to lower the crime rate, only 1% named the death penalty as their top priority in reducing violent crime.

\_\_\_\_\_ Q.9. No woman has been executed in the U.S. for over 25 years.

*Answers on the other side*

1. False. Although it is certainly cheaper to inject someone with deadly chemicals than to incarcerate them for 30 or 40 years, the best studies on the cost of the death penalty indicate that it costs about \$2 million more per execution in a state with capital punishment than for a system which imposes a life sentence, including the cost of incarceration. Moreover, about 70% of the costs occur at trial with only a minority of the costs for the appeal.
2. False. Through the end of February 2006, 583 white people have been executed and 344 black people. However, racism in the use of the death penalty is shown when one looks at the race of the *victims* in the underlying crime which resulted in sending the inmate to death row. You are much more likely to receive the death penalty if the person you murder is white than if the person you murdered is black.
3. True. Gilmore refused to appeal his conviction or sentence and was executed only three months after his trial. Another person was executed by firing squad in 1996, also in Utah. Like Gilmore, John Taylor waived his appeal and asked to be shot.
4. False. There have now been over 120 people released from death row after they were exonerated. In all of these cases, there was a re-trial ending in acquittal, the state dropped all charges after the conviction was thrown out by a higher court, or an absolute pardon was granted on the basis of innocence. Thus, for every 8 executions carried out, we have been finding another person on death row who is innocent.
5. False. While the Supreme Court ruled in *Atkins v. Virginia* that it is unconstitutional to execute the mentally retarded, almost all states allow the execution of those with mental illness.
6. False. The statement is false because no matter what state you commit a crime in you could still receive the federal death penalty, providing you have broken one of the laws for which that federal penalty applies. For example, certain acts of kidnapping in which a death occurs could merit the death penalty, regardless of what state the crime occurs in.
7. False. Delaware hanged one man in 1996 and the state of Washington has conducted 2 hangings in the 1990s.
8. True. According to a Peter Hart Research Poll conducted in 1995 of police chiefs around the country, the chiefs named such measures as reducing drug abuse, better economy, and controlling guns as more important than the death penalty in reducing violent crime.
9. False. Velma Barfield was executed by lethal injection in North Carolina in 1984, Karla Faye Tucker was executed in Texas in 1998, Judy Buenano was executed in Florida in 1998, Betty Lou Beets was executed in Texas in 2000, and Christina Rigges was executed in Arkansas in 2000. Between the execution of Barfield and the writing of this curriculum, eleven women have been executed in six states. There are about 50 other women on death row today awaiting execution.

## Appendix A – Sharp’s Figures Don’t Add Up

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An argument sometimes offered in support of the death penalty is that the death penalty should save money. There is no doubt about it: incarcerating someone costs money. In 1994, *Time* magazine<sup>11</sup> did some research and found that nationwide, the average cost per inmate was \$23,500 per year. They also found that the average cost for inmates in maximum-security was \$74,862 per year.

According to Dudley Sharp,<sup>12</sup> a life sentence without parole would cost more than an execution. However, he makes some interesting (and in my opinion questionable) assumptions. Though he cites the *Time* article, he assumes that the starting annual cell cost for someone serving life without parole will be some \$10,700 per year *more* than the national average (or \$34,200 per year). Second, he assumes a 3% annual cost increase. Third, he assumes that someone living the remainder of his/her life in prison will live another 50 years, a number he claims is based on vital statistics. Adding \$75,000 for court costs, this brings his total cost of life without parole to \$4.04 million per defendant.

Sharp compares this to an assumed cost of housing a death row inmate beginning at \$60,000 per year. Death row inmates are almost always housed in maximum security cells, so the annual starting cost should be \$74,862. He also assumes that it will only take six years to move from first conviction, through all the appeals (assuring that no innocent people are being put to death), to execution (even though, for the 56 executed in 1995, the average time on death row was 11 years, 2 months;<sup>13</sup> and for the 98 executed in 1999, the average time on death row was 11 years, 11 months<sup>14</sup>). Adding \$1.5 million for trial and appeals, his total cost to execute someone is \$1.89 million, substantially less than his estimated cost for life without parole.

But as I have pointed out, Sharp makes what I consider to be erroneous assumptions. Using the starting cost starting at \$23,500 per year to imprison someone serving life without parole (for 44 years<sup>15</sup>) and \$74,862 per year to imprison someone awaiting their execution (for 11 years), plus Sharp’s 3% inflation rate, plus Sharp’s court costs (for argument’s sake), life without parole costs \$2.17 million and death costs \$2.46 million. This analysis suggests that executing someone is more expensive than imprisoning that person for life.

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<sup>11</sup> Jill Smolowe, “... And Throw Away the Key,” *Time*, February 7, 1994, v143, n6, p54(5).

<sup>12</sup> Dudley Sharp, section D, “The Cost Of Life Without Parole Vs The Death Penalty” of *Death Penalty And Sentencing Information in the United States 10/1/97*, found at <http://www.prodeathpenalty.com/dp.html> (6 July 2001).

<sup>13</sup> Ibid, section E, “Death Penalty Procedures.”

<sup>14</sup> From a Department of Justice publication found at <http://www.ojp.usdoj.gov/bjs/pub/pdf/cp99.pdf> (6 July 2001).

<sup>15</sup> According to the Department of Justice (<http://www.ojp.usdoj.gov/bjs/pub/pdf/cpus9707.pdf> (6 July 2001)), the median age of those sentenced to death in 1997 was 29. According to the Center for Disease Control (<http://www.cdc.gov/nchs/fastats/lifexpec.htm> (6 July 2001)) the life expectancy of all males, at birth, in 1977 was 73.6 years. 73-29=44.

I don't know that my assumptions are necessarily better than Sharp's. Are either of our starting costs per inmate accurate? Will costs per inmate rise at 3% per year?<sup>16</sup> Is life expectancy of a 29 year old imprisoned for life 50 more years, 44 more years, or perhaps even something less? Are the court costs accurate? Will the time prisoners spend on death row climb, stay static, or fall? These questions are impossible to answer. But we can point to real costs we know about now.

According to Amnesty International USA,<sup>17</sup> the cost of executing a person in the U.S. is far higher than the cost of imprisoning him or her for life. "In California, capital trials are six times more costly than other murder trials. ...

"A 1982 in-depth study of death penalty costs in New York placed the cost of executing a prisoner at over \$1.8 million. This figure is three times the cost of imprisoning a person for life, and it includes only three stages of judicial proceedings. It does not include additional court, security, and counsel fees, nor does it include estimated millions of dollars associated with state and federal post-conviction reviews and with the execution itself.

"California spends an extra \$90 million per year on capital punishment. In Florida, each execution costs the state \$3.2 million (six times more than incarcerating a prisoner for life). Texas, with the highest execution rate and one of the highest murder rates in the country, spends an estimated \$2.3 million per capital case. This is roughly three times the cost of keeping someone in prison for 40 years. A study in Kansas, which recently reinstated the death penalty, showed that a capital trial costs \$116,700 more than an ordinary murder trial."

It is clear that Sharp's figures don't add up. And even if they did, even if the death penalty were less expensive than life imprisonment, we need to ask ourselves a deeper question: when we are talking about an issue of justice, morality, life, and death, how concerned should we be about the cost anyway?

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<sup>16</sup> According to a 1999 Bureau of Justice Statistics study of 1996 state prison expenditures (Bureau of Justice Statistics, "State Prison Expenditures, 1996," as posted at <http://www.ojp.usdoj.gov/bjs/pub/pdf/spe96.pdf> (7 July 2001)) states averaged \$20,100 per inmate per year in operating expenditures, suggesting that *Time* magazine's estimate was high. This study also suggested that state costs per inmate between 1990 and 1996 increased at less than 2% per year (not Sharp's 3%), though federal costs per inmate rose at over 5% per year.

<sup>17</sup> From Amnesty International USA's website <http://www.aiusa.org/abolish/cost.html> (17 August 2000).