The Biblical Truth About America’s Death Penalty
Presented by Dale Recinella, 3/14/16

Well good evening everybody and welcome to the end of the second day, really, of daylight savings time. We are really delighted to welcome many folks to the UP campus who have not been here before. Welcome, welcome, welcome, delighted to have members of our student Voice for Life group and just people all over who care deeply about things that matter.

My name is Karen Eifler and together with Father Charlie Gordon, I direct the Garaventa Center for Catholic Intellectual Life and American culture. Our favorite verb is collaborate, and this program is a collaboration between our office and Oregonians Against the Death Penalty. And I told Dale that I was going to keep my introduction really, really short, because we want to get to the stories and we want to get to the interaction.

I was really moved, as I’m sure lots of you were. Just an enduring image from the movie Dead Man Walking, the line from Sister Helen Prejean looking into the eyes of Sean Penn's character Matthew and saying, I want the last face that you see on Earth to be the face of love.

And that is what Dale Recinella has spent his life doing is being the face of love to people who, probably a lot of people would say are unlovable. But Dale has taken the charge to love one another and love your brothers and sisters as you love yourself and as you love God, to heart.

And he’s made that the focus of his work, he’s channeled his capacious, intellectual energies and accomplishments into that work. And, I’m just going to get out of the way and invite you to join me in welcoming Dale Recinella. [APPLAUSE]

[BLANK_AUDIO] Thank you Dr. Eifler. See, you’re gonna have to listen to me after all. [LAUGH] Good evening. Good evening. And it’s wonderful to be here and if you think the time change is fun try adding an additional three hours time change to it, the day before you’re gonna give four talks.

[LAUGH] [LAUGH] [LAUGH] But all is good, I woke up three AM this morning wide awake and I’m still rolling. The coffee helps. [LAUGH] It is wonderful to be here. And I can’t say that enough. This has been just an incredible day. And the University of Portland, we actually, we were here this morning at the radio station recording a show.

And this just a beautiful place, I have never been to Portland before and this is a beautiful place. You have seen Florida, we have beaches. And beaches, and beaches. And, just about 45 minutes west of the state capital, Tallahassee. Which is where I live, on Highway 90. There is a huge granite monument that says Mount Pleasant, highest point in Florida, 320 feet above sea level.

[LAUGH] So to been seen today as we were going back and forth and around -- the beautiful elevations, and the trees, and it’s just magnificent, it’s inspiring. When the scenery inspires you, you know you’re in a very good and holy place, so I’m very happy to be here. And the Center for Catholic intellectual life and American Culture.

I just know intuitively sometimes those don’t collaborate real well, but a lot of times they do. As I’m gonna share with you in just one minute, it is catholic intellectual life and our culture in the best way
that changed my mind on the death penalty many many years ago, long before I ever knew I was gonna be coming to prison let alone to death row.

Important things to keep alive. And of course I have to love being anywhere where it’s the congregation of Holy Cross, because I went to law school at Notre Dame. And we all know that when you're at Notre Dame at the Grotto and you pray, that's the best place in the world for God to hear you, right?

And the Holy Cross Order has done magnificent work not just there but all over the world and I really really respect the work and the commitment that they have shown. And then of course there is always the fact that the University of Portland is one of the top colleges in the United States, I believe in the top 25 and top ten regional colleges and has more Fulbright Scholars than any other Master's college in the country. This is a pretty heavy place. Lots of strong thinking here. Lots of good thinking and we don’t wanna leave out the sports, believe it or not, I used to be in sports. And I understand that we've had two NCAA division one soccer championships at this university for the women's team, wonderful.

So this is a great place to come. And I'm glad to be here. And actually when you hear the places I'm gonna describe to you, where I usually spend a lot of time, you're gonna understand whether it’s raining or not, whether it's cold or warm inside or not. Whether, it's anything or not when you've been spending 18 or 20 years walking a halls of Florida's two highest security prisons where you have to go through ten steel barred gates to get in.

And then those same ten steel barred gates to get out. And when you go on a corridor, it's like on a nuclear sub weapons room, because to go from the main hall, and remember you've already gone through nine steel bar gates, but when you go from the main hall into the death row wing.

The door is locked from both sides and an officer on the outside and an officer on the inside, both have to turn their keys to open that door so you can go on a wing. Of course the logic for that, the logic for everything in a high security prison is security.

But the logic for that is that if the inmates on the wing were able to overpower the staff and kill them and take their keys, they still can't get off the wing. So and that where you spend most of your waking time and you came to a place like this you wanna go, Hallelujah, I’m in heaven.

[LAUGH] And what I do is I go back and I tell the guys as I make my rounds where I've been, so that for them they can see the places I've been to that they can't go to. In both death row and solitary, a guy says to me, do you realize it’s been 40 years since I saw a tree? Do you know we're not allowed to be outside before it's light or after it's dusk? It's been 40 years since I saw a sunrise or a sunset.

And so when I can go back and share with them, the stories of the places I've been, to tell people about them, they feel like, at least for those couple minutes, they leave that small space and they come here to beautiful places like this. So I thank you very much for the opportunity to be here, and our subject tonight is the death penalty. The death penalty. A carryover from the pre-bronze age.

Who would have imagined? That in the 21st century, on the most technologically advanced society in the world, a society that put people on the moon, four, five decades ago, longer, six decades ago. At one time, I had somebody stand up and say, they didn't really do that, it was fake.
[LAUGH] Okay. But at least we knew how to fake it. [LAUGH] Who would have imagined that a society like that would still be utilizing the wonderful techniques, from five millenia ago, as an answer to violent crime.

I have to tell you that, I used to be a supporter of the death penalty. I didn't know thing about it. By the way, I believe that's the only way you can support the death penalty is to not know anything about it. Because if you know anything about the death penalty, your support becomes qualified. Well, I don't support the execution of the innocent, I don't support botched executions.

I don't support inhumane incarceration until we kill them. Well, what you're supporting is our death penalty, you're supporting a myth that doesn't exist. But see, I didn't know that, I didn't know anything. I thought that by sitting in my penthouse office in the financial district of Miami, where I was a partner in a major law firm and supervising a floor of lawyers, handling project finance on Wall Street and in the international capital markets, you know, aircraft, sea vessels like oil tankers, telecommunication satellites and support systems. Football stadiums, I handled the financing for Dolphins stadium, now it's obsolete, it's time to retire. [LAUGH] I sat there and would put my fist in the air and say, I support the death penalty, it's the least we can do for the poor family of the victim.

It actually made me feel good about myself, I felt like I had done something. I had no idea that it was absolutely the least we could do for the families of murder victims, because I also had never met the family of a murder victim. The more you know about the death penalty, the less you like it.

And the more you know about the death penalty we've got in reality, the more you understand that it has nothing to do with the stuff that's in the Bible about death penalty. We're gonna get to that in a minute.

I was in Franciscan Minor Seminary in Cincinnati. But discontinued after graduation, went to Catholic College in Northern Kentucky. Hot issue on the table was, should we legalize abortion, that was the raging question in '69 and '70. And Dr. Willke, who was in a lot of ways a founder of the Catholic Pro-life movement, was right there in Cincinnati.

As a student, I was trained by Dr. Willke and his wife, who was an RN, to speak on that subject at high schools and colleges. Before the National Right to Life was formed, I actually spoke to a plenary session of the gathering of state pro-life organizations in Minnesota at Macalester College, and we got funding for the first grant ever provided to organize students on the issue of pro-life, to organize college students, and that supported the death penalty. To my mind, life issues were life issues and the death penalty was about criminal justice, and besides it says life for life in the Bible, right?

Intellectual change came, courtesy of the Florida bishops. They asked me to do the first draft of an amicus brief, friend of the court brief, that the Florida bishops wanted to file in a death penalty case at the Florida supreme court. The bishops had never filed a brief in the death penalty case before, they wanted to file an amicus brief.

I told the bishop’s representative, you understand I haven't been in a criminal law case since law school, I do deals. Why do you want me to do it? And the response of the representative was a typically Catholic response. So, shall I tell the Archbishop of Miami that you said to tell him, no?
I processed that for about ten seconds and decided I had no idea what the eternal consequences of telling the Archbishop, no, was. [LAUGH] But I certainly didn't wanna find out, and so, I agreed to do it. I asked for a year, they gave me 90 days. I literally dropped everything else I was doing and for 90 days immersed myself at University of Florida Law School and FSU Law School and at the Florida Bar office in the death penalty.

What a horror show. I could not have imagined, as a practicing lawyer, I could not have imagined, that the legal structure where a democratic government takes the life of a citizen would be anything less than surgically precise. Absolutely pristine, clear guaranteed outcomes that only the worst of the worst, only those who truly without any doubt had to be guilty without any circumstances that might mitigate their culpability. There had to be no bias. We're talking about a western democratic society where the government's gonna kill one of the people. I was horrified. The reality of what a Rube Goldberg type contraption the American death penalty system really is literally horrified me.

I realized by the end of those 90 days that, as a lawyer, a sworn officer of the court, I could not, in any way, shape or form support this legal monstrosity. But then, there's also the change of heart, and the change of heart came from, how come I didn't know this and has my church said anything about it?

This was in the mid-1980s, I was shocked to find out the bishops of the United States, the Catholic bishops, had been calling us to abandon this, for years! That they had actually launched a formal campaign in 1980! For Catholics to turn their back on the death penalty, because it violates everything we believe about the value of human life, why hadn't I heard of this? I don't know, I started asking myself, why hadn't I heard this? Where am I getting my information? I had no idea I was gonna be coming to death row more than a decade later, or to prison ministry almost a decade later.

Our family's journey to death row ministry from the power neighborhood in the state capital, where my wife and I had designed our McMansion, as they call them, that we moved in to and where our bedroom was the size of three size habitat homes, is a long story, and that's the book, Now I Walk in Death Row. The book starts with the closing of Dolphin Stadium financing, but basically what happened is, I died. I contracted a fatal flesh eating bacteria from a bad oyster, a bacteria that's more than 85% fatal if you get it on your exterior skin. I got it inside. And over a period of six weeks it became clear the bacteria was winning. My body was losing, and ultimately I was at the Regional Medical Hospital when the doctors came in, told my wife to sit down, and said you're finished. You will not see tomorrow. It's done, your liver has stopped functioning, your other major organs are all shut down. Nothing we have tried has touched it. At that time, they didn't even know what the name of it was, it's vibrio natriegens. If you're water skiing and you get in the grimy waters in a southern state and you fall in, and you shaved your legs that morning, you don't have to cut your legs, all you had to do was shave them. If you shave your legs that morning and you fall into the briny water and you get that bacteria, you're dead in 72 hours. They warn people in Jacksonville that ski on the St. John's River, stay in the center.

That was a long night, was a long night for my wife. I remember kissing her goodbye. It was a long night for our pastor who came and gave me the last rites. Most reporters and other people that wanna hear about it, they say Oh That's an NDE, near death experience. Did you get the lights and the music? I say no, I got the lecture.

I detailed it in the book, but basically I found myself standing before Christ and he wanted to know what the heck I was doing with his gifts? And I knew what I was doing. I was making piles of money. And he tore down every one of my defenses by quoting himself from the gospel.
And then, he asked a question. What about my people who are suffering? Every time Pope Francis says we have cultivated a localization of apathy and indifference to human suffering, I go yeah, I helped. I helped with that. When he asked me that question I experienced for the first time how selfish, how self-centered and narcissistic my life was.

I had also had a good reason. It was for the kids, it was for my wife. It was even for the church. The more money I made the more I can give tithes to the church. It was for everybody but me. And standing there in front of Christ when he asked that question, my selfishness became so overwhelming to me that I couldn’t bear it and I looked at him and I pointed, yes I pointed, I said yes I promise you, give me another chance and I will do it different.

That's it, I don't remember anything else from the night. My wife says it was 6:45 in the morning when I opened my eyes. She was sitting next to my bed all night. We had never heard the term "death watch." Which is now what I do with guys in the death house who are gonna be executed, but Susan was on death watch for me. I opened my eyes and I looked at her and I said, I'm I'm not dead I'm I? [LAUGH] And my wife who has an extremely ironic Irish English sense of humor looked at me and said obviously not you're still talking. [LAUGH] We made the mistake of sharing that with the kids. I still hear that.

Now what? Now what do we do? We didn't go to death row we went to a soup kitchen and started helping serve meals for the homeless. Which lead to getting to know the homeless. Which lead to realizing that a huge percentage of them are severely mentally ill. Which meant getting into working with them as mentally ill people. Which meant finding out that an awful lot of them were also veterans. And because it was 1989, the scourge of the homeless in the State Capital of Florida, at that time the fourth largest state in the United States, was AIDS. And there were no drugs that were working. Anything that, at that time they thought, might be able to help with the symptoms had horrendous side effects, physically deforming side effects. And people were literally coming to the soup kitchen for lunch, sitting down on the back porch and dying while they waited for lunch.

So we were trying to respond what was in front of us. My wife and I took the State Training to work with people dying of AIDS. I worked to become certified, to be a buddy to people dying of AIDS. Which meant hi, I introduce myself, I'm here to get to know you, and the part that's left unsaid and everybody knows what it is, is I'm here to go through your death with you.

My wife took the training to work with their families, their caregivers, their moms. We never imagined that God would use this 15 years later for us as a couple ministering on death row, with me, ministering to the man being killed by the state and my wife, Susan, ministering to his family during the execution. But that's what God does. Because of what we were doing on the streets of Tallahassee, I got a phone call from a prison chaplain, a Southern Baptist prison chaplain, who's originally from Alabama, and he's he's calling a Catholic. [LAUGH] He said, Brother Dale -- everybody calls me Brother Dale. I am not a religious brother, I tried to explain to people who had never met a Catholic before they met me what a religious brother is. They couldn't understand it. They said stop it, just leave us alone.

You're Brother Dale. Okay, I'm Brother Dale. Secretary of Corrections calls my house. The Secretary of Corrections, the Department of Corrections from Tallahassee, calls my house and says I need to speak to Brother Dale. [LAUGH] I gave up. My e-mail is brotherdale@comcast.net [LAUGH]
This wonderful man. So Brother Dale, I've heard about the things you're doing in the streets of Tallahassee. And then tomorrow, what God has given you to do, and I've got 2,000 men in my prison. 2,000. He wasn't doing it special, it's just the way we talked down there. [LAUGH] And the staff has told me that 30 to 45% of the inmates are HIV positive.

And I've got men going into end stage of AIDS and I can't get any Christians to come and administer to them, cuz they're all scared. But you're not scared. Will you come to my prison and take care of my inmates that are dying of AIDS? I did the Christian punt, in the SEC, we call it the Christian punt, fourth and long. Oh, Chuck. I cannot tell you how overwhelmed and honored I am that you would think God could call me to this. I will put it before the Lord and pray about it. And I hung up and I turned to my wife and I said, absolutely not, there is no way God would ever ask me to go into a prison. I have trouble being in an elevator when the door closes.

Be careful what you teach your children. [LAUGH] I came home a few days later and all of my children were sitting on the table with my wife. And they all have their Bibles open to Matthew 25. [LAUGH]

My ninth grader started in first. Dad, you're the one who's always saying Jesus meant what he said. Well, listen to what he said. When you visit the least of my brothers in prison, you visit me. And our daughter, who was in the sixth grade at that time, never to be outshone by her sister in high school, said yeah, and listen to what he said is gonna happen if you don't do it. [LAUGH] When you didn't visit the least of my brothers in prison, you didn't visit me. Go off to the eternal fire prepared for you since the foundation of the world. Now, this is not the Last Judgement you're gonna hear about on TV or the Last Judgement you're gonna see in the Left Behind series movies. This is Jesus' description of the Last Judgement.

I went to prison. And I can't get out. After five years in prison ministry in the panhandle with men, mostly lifers, the church looked at my wife and I and said, the priest who had been handling Florida's death row by himself for 10 years, 15 years. I'm sorry, 15 years. His health has collapsed, cuz it also comes with two-and-a-half-thousand long-term solitary confinement cells. They're all there, the 400 death row cells. The two-and-a-half-thousand long-term confinement cells, they're all right there, that's the job. So we need a layman who make a long-term commitment to go cell to cell. So that we can have a priest come for mass, confession and last rites. Will you and your wife commit to that? And oh, by the way, there's no money to pay you. You'll have to do it as a full-time volunteer.

Family meetings can get you in a lot of trouble. At this point, we were down to two kids still at home and we had a family meeting. And basically, the unanimous decision was, how can we not? It looks like God prepared us for this. And so that's what brought us to death row in Florida. What did we find?

I'm gonna leave solitary confinement aside, cuz that's a whole another animal. Long-term solitary. But all the cells, solitary or death row are 6' wide and 9' deep. Death row has bars with a mesh welded over the front, so you can see the person, you can stand there and talk you can even give them communion through the diamond shaped holes in grille of the cell.

Don't try and do that with the ashes though for ash Wednesday you get them all over the place. For Ash Wednesday we have to have the officers open the food flap hole in the door so we can actually put it on their forehead via we kneel on the concrete, they kneel on the concrete.
That's also how we do any of the sacraments other than just communion. Solitary, the door is solid steel with a little plexiglass window and there's a food hole. Six foot, most of the guys I see on death row are standing in the middle of their cell and touch both walls.

There is a stainless steel toilet in the corner, at the top of the toilet, where we would have a tank as a sink, it's got hot and cold water. The cold water works during the winter and the hot water works during the summer. Nobody has figured out how that happens.

[LAUGH] There is a bunk, if you want to call it that. It is a stainless steel shelf, that has a mattress on it that is about that thick. That's for security. If a man has somehow been able to get whatever he needed to make a weapon that he can kill someone with, like the staff or the volunteer catholic chaplain, where they gonna hide it? Under the mattress and so, the officers need to be able to see if there's anything under the mattress looking at it from outside the cell. So let's call it a mattress just for the sake of discussion.

And there's a little metal box with their legal papers, their Bible, and some spiritual stuff. That's it, that's it. There's no air conditioning. Has anybody been in North Central Florida in July or August or September? There's a reason why they call it University of Florida, The Swamp.

There is no air conditioning in solitary or death row. The thermal indexes hit a 130 or higher during the day as the buildings soak up the sun. And then the buildings release all of that heat all night long and then the next morning we start over again.

I cannot describe. I worked in a hot and cold steel stamping plant. As part of putting myself through college and law school. I thought that was an inferno. This is much hotter and it's hotter all day long.

But there's a problem that we don't know how to deal with. And no other Western democracy in the world has to deal with this question. Only us, because we're the only Western democracy in the world that has the death penalty. What's our standard of care for human beings that we're holding in little cages until we kill them. What is our standard of care?

What is our duty as human beings, from one human being to another, in taking care of human beings that we're holding in little cages until we kill them. Nobody knows how to deal with that question and no other western democracy in the world is dealing with that question because you only have to deal with it, if you have the death penalty and we're the only ones that do.

The courts don't know how to deal with it. I testified in the lawsuit by the inmates against the state of Florida because of the heat. I testified. Somebody had to testify who goes back there. The judge basically said, what are we supposed to do with them? We're holding them there till we kill them. No relief. Really. What if it was somebody in your family in one of those cells?

I never expected to do more than just go cell to cell. To everybody by the way, all 400 men on death row, the bishops were absolutely clear. You're not just going to Catholics, if you are, we don't want you. You go to every single cell and make sure that every man in those cells knows that the church values their life as a gift from God, no matter what they believe or don't believe. I never expected to do more than that and then I got a call at the house from the warden.
Brother Dale! You know so-and-so, his warrant was just signed this afternoon by the Governor. He's scheduled to be executed two weeks before Christmas. He's asked for you as his spiritual advisor. Are you willing to do it? I said absolutely, then I had to drive to the prison and find out what I had agreed to do.

He's going to have five to six weeks in the death house. He's already been pulled. As soon as that death warrant is signed he's pulled from death row and put in the death house. He's in a death row cell in the death house literally ten feet from the room where he's going to be killed.

And during that five to six weeks, the spiritual advisor is supposed to get him ready, to be on the receiving end of a homicide. The death certificate after an execution says, cause of death, homicide. Which in medical lingo is the killing of a human being by another human being, but it's a legal homicide so we act like it's not a homicide, it's a homicide.

Hi I'm brother Dale thanks for asking for me, I'm here to help you get ready to be homicided. And, oh by the way Brother Dale, his 79-year-old mom was in [UNKNOWN], his brothers and sisters and nieces and nephews and his two children who were in their twenties all need to be informed, here is the list, please call them. In your worst nightmare, you don't wanna dream about making those calls. Can you imagine receiving them?

I said okay well I understand all this, with him in the death house and during the execution I'm there for him, so he can look at me. What about his family during the execution? Oh, major security risk, the most critical time for families to do crazy escape attempts like hijacking a helicopter from Saint Augustine that gives tours and holding the copter pilot at gunpoint and landing in the yard outside the death house, yes, it's happened. Hijacking a semi and driving it through the three electrified fences to rescue your loved one who's gonna be killed by the state that night. Yes, it's happened. For killing somebody's child. And telling them they shouldn't feel bad about it because it's God's will. It's in the Bible. The worst time security wise, for a harebrained crazy escape attempt is the day the state's gonna kill somebody's loved one.

So they get to say goodbye in the morning. While being watched by very heavily staffed death squad, which is the name for the officers on duty in the death house during death watch. How did I think it was pro-life and support this? The word death is in every word that describes it.

They get to say goodbye in the morning and then they have to leave. And there is a SWAT team from the state troopers at the entrance to the prison grounds off the highway. To make sure they don't try and come back. Lord, where do they go? Well Dale, that's not our job. They're not our responsibility. Our job is to make sure that they're off the prison grounds by 12 noon. We found out that there'd never been anybody taking care of the families of the condemned. There was nobody to do it. Nobody wanted to be identified as being against the crime victims by being compassionate to the family of the offender.

My wife stepped forward and said to the bishops, if the church will accept it, she would make her volunteer ministry taking care of the families of the condemned during the execution. We had already been ministering to murder victims for ten years. She felt this was just another step.

There's a whole lot I would love to share with you about the death house during the week of an execution. The issues are a mountain. Mental illness. During one of 12 executions in Florida, since I've been there doing this, seven of 12 executed inmates were medically diagnosed as severely mentally ill.
Veterans, finally, finally it's being spoken about. 10% of the people on death row in the United States are men and women who served in the armed forces and came back severely traumatized and with PTSD. 10%, I'm spiritual advisor to a vet who's a highly decorated Air Force ground crew in Vietnam and had his leg shot out from under him, had one good leg.

And the rest of the men in his group were lying on the ground writhing in pain and they'd all been taken down by snipers. And he found his gun and with one hand used his weapon to keep the snipers away while crawling back and forth eight times and saving the lives of every other man in his crew.

When he was found guilty of a murder which he says he didn't commit. But let's assume he did. The prosecutor used the description of his valor in battle to convince the jury that a man, who was this fearless, was too dangerous to have in open society. And he needed to be sentenced to death.

Finally, three retired generals, for some reason, people don't speak the truth until they're retired. Three retired generals came out on Veteran's Day this year and call on Congress to investigate why prosecutors in death penalty states are using the service records and hero medals of our veterans to get death sentences for them?

Innocence. I had an agent orange Vietnam vet whose real crime was that he was from the worse side of town. And the lady who obviously did the murder was from a well connected family, all in the pan handle of Florida. The prosecutor and the judge and his defense attorney were all kin.

He was sentenced to death. In the morning, one by one, each of his daughters, in their 20s, came in to say goodbye. They had 15 minutes each. And I had to, literally, peel them off their father and carry them across the hall to where my wife was waiting to help them get their composure before they left.

And, as I carried each of them across the hall they were wailing from way down deep. We call that the death wail? Why do they have to kill my daddy? Why can't they just let him live in prison? And what in my head was going after they said that and they said it over and over and over is, yeah.

And the state would save $55 million a year if we let these people just live in prison instead of killing them. I believe in Oregon, you'd save 28 million a year if you junked the death penalty. And you're not even using it, but wait, it all goes to lawyers.

The death penalty is a welfare to work program for state lawyers. Money's not on the defense side, it's on the state's side, that's where the careers are made. I didn't wanna believe that, I still don't wanna believe it. That's the truth, that's where the money goes.

I knew the man was innocent. And after spending that morning with his traumatized daughters, I watched him be killed. I didn't think it could get any worse than that. And then just six weeks later, I was spiritual advisor to the man from Puerto Rico, in the execution that is Florida's now infamous botched lethal injection.

And man, that I had been in the death house with at 2 o'clock in the afternoon. Teaching the officers the songs from Catholic Cursillo, cuz this man was a cursiesta in Puerto Rico at age 17. He was a Cursillo weekend leader. I watched him rise and arch in agony on the gurney for over half an hour.
I called my wife as soon as I got cell signal on my phone, driving home from the prison and she didn't know it was me. She said, what happened? And I said, I just watched a man be tortured to death. The autopsy's showed an 11 inch long burn from the bone to the skin in one arm and a 13 inch long burn from the bone to the skin in the other arm.

Not minor burns, maximal burns, chemical burns. Reports have been inserted improperly. All the chemicals had gone into the tissue until enough [UNKNOWN] into his blood system to give him a heart attack. When my nightmare started, I told my wife, I shouldn't be having nightmares. Father Joe, the priest who did this before me, he had nightmares but he watched a botched electrocution.

He watched a man have flames shooting out of his head and burned to death screaming, and this holy, spiritual man who knows spiritual disciplines that probably even Saint Ignatius could have benefited from. Could not get those screams out of his dreams, that's what broke his health. I said I don't have right to nightmares.

This was lethal injection, my wife who's a clinical psychologist, she doesn't charge me full client rates at home, I get a discount. [LAUGH] She said Dale, what's the difference between burning a man to death, from the outside in with electricity and burning a man to death from the inside out with chemicals?

And I knew she was right, I had to own my nightmares. Justice Scalia, God rest his soul, and Justice Clarence Thomas both have said in written opinions, if you have the death penalty, you will execute innocent people. First time they said it was in Kansas in March, 2006.

And then they explained why. Because the criminal justice system is a human system and it makes mistakes. They went on to say, the only way to make sure not to execute innocent people is to get rid of the death penalty. But that's not a job for the court, they said.

That's up to the state legislatures. Let me add a coda to that. If you have the death penalty, you will have botched executions because executions are done by human beings and human beings make mistakes. People tell me, well I don't support that. I support the death penalty, but I don't support executing the innocent, and I don't support.

You don't support the death penalty we've got, you support a fantasy. Take a trip to Disney World. The death penalty you support doesn't exist, cuz the death penalty we have and it's the only one we got, came from slavery. The racial bias is so bad that nobody's been able to figure out how to fix it.

The bias against the poor and the marginalized is so extreme that nobody even pretends to be able to fix it. The risk of executing the innocent is so severe that in Florida, we've had one person exonerated for every three people executed over the last 40 years. Would you buy a car that had a near fatal wreck in one out of every three cars that come off the assembly line?

That's our death penalty. That's the one we got, and we have botched execution after botched execution. They're all on the Internet. Death penalty Information Center, botched executions, Michael Radlick, doctor of sociology, formerly at University of Florida, now University of Colorado has documented and described every single botched execution. Electrocutons, hanging, firing squad, botched, botched, botched, botched, you wanna tell me you support the death penalty but you don't support that?
You're on drugs, cuz that's what you're supporting. It must have been a great idea in 4,000 B.C. But we don't need it anymore. We know how to keep people from killing again. We know how to keep people in prison so that they can't kill again. In fact, we're so good at our science of penology now that the homicide rate inside prison fences, local jails, state prisons, federal prisons, privatized prisons, the homicide rate inside prison fences in the United States, since about the late 1980s and early 1990s, is lower than the homicide rate in society at large. I can't find anybody that can give me a good, factual reason for keeping the death penalty.

Other reasons are part of the myth. Why am I here? Why am I in Oregon? Or.. [LAUGH] I practiced it last night. [LAUGH] It's because of Supreme Court math. The way the US Supreme Court decides whether a punishment is no longer constitutionally acceptable. Because in the process of a maturing society, our level of human decency and dignity has risen to the point that we no longer accept it.

It's by looking at how many states still have that punishment on their statutes and how many states don't. If they looked at how many states are actually using it, it would already be gone. But they don't, they look at how many states have it on the books as a law.

As an option that they can use it, if they decide to. When the number of states that don't have it on their law books anymore, becomes more than the number of states that have it. It's no longer constitutionally acceptable under the Eighth Amendment, applied to the states through the Fourteenth.

That's why I'm here. You've got a death penalty that's costing you a fortune. You don't use it, you haven't had an execution since 1997. You got 34 people on death row. Surely you can keep track of 34 people in a maximum security prison. You know how to make sure they don't kill again.

If you could get rid of your death penalty, we're one notch closer to getting rid of it in Florida. I need for you to join the fight. To abolish, repeal, through a referendum, the death penalty in Oregon. [LAUGH] So that I don't have to watch people be killed anymore through a glass window from the witness room.

So at this point, cuz we wanna leave time for question and answer, I'm gonna turn it over to Ron, who is here for Oregonians for Alternatives to the Death Penalty. So that he can tell you how you can become part of the movement, to get rid of this Bronze Age response to crime in our society.

And then we're gonna have Q&A. And I know that there's gotta be a definite leaving time. I will tell you that once the formal leaving is set, if anybody still has questions, I will be right here and answer your questions up here one-on-one, until everybody's questions have been answered, thank you.

[APPLAUSE]. Thank you, well, thank you, the Garaventa Center for having us here today. Oregonians for Alternatives to the Death Penalty has taken Dale on a tour. We have four days, seven different events. We've had three media interviews today. Trying to spread the word about Oregon, and their efforts to get rid of the death penalty.

Our alternative that we are pursuing is life without the possibility of parole. As Dale said, there are ways to keep the people safe, to keep the staff safe, to keep the other prisoners safe. It's about the people on death row, but it's also and very importantly, about us as a people.

Is this the image that we wanna project to our children? Is this the image that we wanna project throughout the world? And I don't think we do. So, we're asking you to join with us, we're asking you to
join in simple ways. If you were given a window into death row, or an idea of what it's like in death row and what happens to these people and their families.

If you were moved at all, we want you to talk with your friends or your family. For you older people, talk with your children and your grandchildren. For you younger people, bring it up in your social settings. Younger people were very interested to get college students involved. You folks know how to use social media, most of us dinosaurs do not.

[LAUGH] We need that outreach, we need people to think about, to learn about, to talk about the death penalty in Oregon. We have the opportunity here. We are moving very swiftly now. The public opinion polling is moving in our direction where the wind is in our back, because of all the national stories that are coming forward about the death penalty.

It's losing its emphasis. We can get into that wind column that Dale was talking about. As you leave, we have newsletters out there. Please sign up with us, it's easy to do go online if you like or pick up one of these leaflets that you can sign up with us.

It cost you no money to do that, we want you to know what we're doing, where we have events on the seventh of July. If anybody lives in the Portland area of All Saints, we're gonna have a discussion group there. Becky O'Neil McBrayer is here and will be one of the speakers there.

She's on our board. David McNeal is here. He's on our board. We have a couple of advisory council members here. And Donna Slopek, so we have people throughout the community who are trying to do this job to heighten the conversation. That's all we're trying to do at this point, heighten the conversation so more people know that [UNKNOWN] is important. The legislature in Oregon cannot change the death penalty law. It's on the Constitution, therefore, it has to be voted on by the vote of the people. We hope to get to the ballot very soon within the next couple of years.

In order to do that we have to demonstrate that we have the support of lots and lots and lots of people. We don't need everybody, but we need a majority of the people who will speak out on this. So please join with us. The effort is being made now.

We want to expand that effort. If you know of groups that will entertain speakers, we have lots of wonderful speakers that come to your church, to your social groups, to your rotary clubs, whoever. But think about, learn about, talk about the death penalty, so that more and more people in Oregon, can do their part to get us on the right side of the list.

Thank you very much for being here and thank you again to Dr. Eifler and the Garaventa Center.

[APPLAUSE] I just wanna say one thing before they all take some of questions and answer on that state. We recorded tonight's talk and it will be available as a podcast on our website and also on our channel on iTunes where all of our other podcasts are too. If this is new information to you or you just wanna know more about the Garaventa Center for Catholic Intellectual Life, we too, we have a table out there with our materials and a sign-up sheet, and it's real easy to give us your email, and that automatically enrolls you in our weekly podcast and then our archive of all of the speakers that we have. The turnaround time is about two days on that. Also, if you're a teacher, if you're a K-12 teacher, I should have said this at the beginning, we are for free PDUs to you for any of our programs and we have a sign up sheet. All you do is you give us your name and your school and tomorrow the PDUs will be sent. If
you're teacher you know what that means and you know it's really cool, and if you're not it doesn't matter but it's free to any teacher, catholic school, cyber school, public schools, for everybody.

So, I just wanted to make sure you knew a little bit about what's going on in the Garaventa Center and I don't wanna miss a moment with questions and answers with Dale, so I'll turn it back over to you. Ryan, you wanna come up with questions about Oregon or you want to-

And everything I'll be happy to answer. Okay. Yes. What would be the effect of the Florida Supreme Court ruling on executions in Florida? We're in the midst of that right now. I had amended the death house, well, one was executed January 7th, and at 11 o'clock at night the US Supreme Court denied his request for a stay.

On Thursday the 7th and on Tuesday the 12th they released the first decision which shut down the death penalty in Florida. This is an example of the arbitrariness of how the death penalty really works in reality. And of course my wife, Susan, was with me over there to take care of this man's wife.

In terms of the other people, I had another man that I was spiritual advisor to, that was in the death house at the same time and was scheduled for February 11th. His case and the guy who was scheduled for March 17th were both stayed by the Florida Supreme Court pending a decision by the Florida Supreme Court on how Hurst affects the 400 cases on death row.

There's three options, option one is it doesn't affect anybody who was already sentence to death before the decision. The next option is, it only affects the people sentenced to death from 2002 forward because that's when the ring decision which it was based on was handed down and which floor it was not in compliance with.

A third option is that it affects everybody. And in that case, the state would need to do what the state of Florida did when the Furman decision came down in 1970s saying that all of the death penalties statutes in the country were unconstitutional because of procedural defects. Procedural legal defects that had a constitutional level, and all of them were invalid.

Well, everybody on death row in the United States was commuted to life, including in Florida. The state is arguing that that logic doesn't apply here because this is procedural. You know in law school they taught us, if the case that your opponent is using against you in a lawsuit has a blue Ford Mustang in it and your client was driving a red Ford Mustang, argue that the difference between red and blue determines the outcome in your case. That's what the state is doing, they're saying well that was different, that was procedural. This is procedural. [LAUGH] Nobody knows what the state of Florida Supreme Court is gonna do. One of the major concerns they have to have on their mind, is that our pro-death penalty legislators, and by the way you need to know that over 85% of all the executions in the United States in the last 40 years have been in the Bible Belt which is the name since the 1800s.

For the slave states, the slavery was justified based on the Bible. Slavery is God's welfare society, it's in the Bible. That's why it's called the Bible belt, well that's where the death penalty is. And when Florida's Bible Belt legislature, voted to speed up executions and pass laws to further limit evidence that could be appealed of innocence, of mitigation. Get those guys executed, we want them executed in 5 years or less. It's called the Timely Justice Act. In the legislature to evoke yes to pass the bill, they held up their Bible. So the Chair, The Speaker of the House, called out their name and if they were voting for the law to speed up executions, they voted yes by holding up their Bible.
That legislature has made noises that if the Florida Supreme Court makes Hearst retroactive, they will pass a law limiting the third Supreme Court for civil cases only and create a new Supreme Court for criminal cases like they have in Texas. And with that threat hanging over the Florida Supreme Court to try to keep them from doing the right thing, nobody knows what the outcome is gonna be if it only applies back to 2002, that's still 175 cases. If it goes all the way back to everybody, it's 400. We're all waiting. Nobody can read the tea leaves yet. Good question

Yes? How many states besides Oregon are there that have the death penalties on the books, but don't use it, and which are they if you remember?

Only six. Well let me get my, when somebody says, and which states are they? I always go to my notes. [LAUGH] Because it changes and I filed for Medicare and Social Security last month, and so I need to look at my notes. [LAUGH] Of the 1419 State level executions, in the last 40 years.

93% took place in just 15 states. The old Confederacy and Ohio, Indiana, and Arizona. In 2014, just 3 states were responsible for 80% of the executions, Texas, Missouri and Florida. In 2015, just 3 states were responsible for 85% of the executions, Texas, Missouri, and Georgia. More than two thirds of US jurisdictions, the other 35 states, and the District of Columbia are either not participating at all, 17 with no executions in 40 years, or virtually not participating, we've had 11, with fewer than 3 execution in 40 years. Now the states that have repealed, New Jersey, New York, Connecticut, New Mexico, Illinois, Maryland, and Nebraska, except that their governor wants to run for U.S. Senate and he's afraid that if his state becomes the first red state to repeal the death penalty, the party won't support him to run for the U.S. Senate.

So he's putting a half a million dollars of his family money into a referendum to overturn the repeal of the death penalty by the state legislature. Otherwise Nebraska would be on that list. States with zero executions in the last 40 years: Wisconsin, West Virginia, Vermont, Rhode Island, North Dakota, Minnesota, Michigan, Massachusetts, Maine, Iowa, Hawaii, Alaska, New York, New Jersey, New Hampshire, and Kansas.

New Hampshire has had no executions since the 1930s. They have one man on death row. I was up there in August speaking to people in their Senate because the people in the Senate that won't vote for repeal are concerned that it goes against Scripture In New Hampshire. States that have had one execution in 40 years, Wyoming, New Mexico and Connecticut before their appeals, Colorado.

States that have had two or three executions in 40 years: Oregon, two. The rest of these are three: South Dakota, Kentucky, Pennsylvania, Montana And Nebraska. States that have had five, six or seven, Utah. The Senate passed the bill to repeal the death penalty but the House didn't get yet the legislative session expired.

Tennessee, Maryland, and the State of Washington, which is also under a moratorium. The next category are the big ones, other than the 15. Delaware at 16, they're looking at a moratorium and a repeal. California, 13, they haven't had an execution in almost a decade. And they're looking at a repeal referendum again.


Nine of the top ten states in executions were slave holding states in the Confederacy. And our modern death penalty is from the death penalty of slavery. And that’s where it’s being used. For the other states like Oregon, can help us get rid of it because we don't have to get Texas to vote to get rid of it.

Although Texas legislature fought life in prison without possibility of parole, they fought against passing it for years. Because their legislators were afraid that if Texas juries had the option of life in prison without parole they would stop sentencing people to death. In all of 2015 for the whole state of Texas for the whole year, two new death sentences and one the man asked for a death sentence, he's crazy.

The action now is in Florida, Ohio, Nevada and Arizona, Georgia. That's were the focus is. Texas is already being looked at as a state that's going to become less and less significant in terms of the death penalty. Because their juries are showing a reluctance to sentence people to death because it might be a mistake.

If we can keep them in prison why would we take the risk of executing an innocent person. By the way all this information is available through Ron's organization Oregonians for Alternatives to the Death Penalty. And on our web page Iwasinprison.org is the webpage for my wife and I, within about three weeks all these charts are gonna be available for download in the margin on the left-hand column. So these charts color coded, everything else, it's all gonna be there. So this information can be used on a local level by the people who need it, okay? I think we can do one more question. One more question. You were first.

For persons who do use the Bible to justify the death penalty, how can others use the Bible to dispute it?

You know, it didn't take very long experiencing what I shared with you on death row to say, why are we doing this? Why are we doing this? And so I started going to churches and asking, because everybody I met that supported the death penalty said they supported it for faith reasons.

So I started going to churches, do you support the death penalty? Why? Without exception everybody was quoting the same scriptures eye for an eye, life for life, Genesis 9:6 any man who takes a man's life by man shall his life be taken. For man is made in the image and likeness of God.

Romans 13:4. If thou be an evil doer be afraid of government for government is the agent of God to bear the sword. To avenge God's wrath and of course my favorite John 19 the passion of Christ where pirate says the Christ you darely not answer my questions and say it silently don't you I have a power of life and death over you.

And, what's quoted is, Jesus says, you would not have such power if it had not been given to you by my father. Those are the big four! If you go to southern Baptist theological seminary, and say, I want to debate about the death penalty. Those are the four scriptures they will bring up.

So let's real quick go through those. Life for life, right? It also says tooth for tooth, burn for burn, eye for eye, limb for limb. So if a person commits a crime, where in the victim of the crime Is burned over 90% of their body, but they survive.
Does the Bible tell us that God demands that we take the perpetrator, and burn the perpetrator over 90% of his or her body? It doesn't matter who I'm talking to, whether they're from Southern Baptist Theological Seminary or from Catholic University, that would be barbaric. It says life, eye for an eye, and limb for limb.

So if an offender commits a crime, and the victim is blinded or loses an arm or a leg. Is scripture telling us that God demands that our only acceptable justice based on the word of God is that we cut off that person's leg or blind them? That would be barbaric.

What if, in committing the crime, they kill somebody? It says life for life. Come on, there's no intellectual honesty in the analysis. And that's also in the mosaic law which nobody has held applies to Christians, because it was after the time when the Hebrew people became the people of God, and it was in the mosaic law that was for them.

The only things we consider to be for all of us are the Ten Commandments. Well, Genesis 9:6 is before that. That's Noah and his family going out of the Ark. And it says in Genesis 9:6, whoever sheds man's blood by man shall his blood be shed, because man is made in the image and likeness of God.

Well, first in this litany that's called the Blessing of Noah, it's not written in the Hebrew vernacular that is used for Biblical law. It's written in the vernacular that's used for poetry. Like in the Book of Wisdom, where it says if you lay down with dogs, you get up with fleas, that kind of a thing.

If you kill people, their people are gonna kill you, which in fact what was going onBut even more importantly, the next verse in that litany is, and you shall be put to death if you eat rare meat. How do you like your meat? [LAUGH] And any animal that is responsible for the death of a person must be executed.

In the Middle Ages, we have the handwritten transcripts of court proceedings where cows, and bulls, and dogs were executed because of Genesis 9, cuz they were the instrument that caused the death of a human being. They were declared a [FOREIGN], which meant forfeit. What about Romans 13:4? Well, the first problem is that the word we translate as sword into English, in the Greek is not the sword that we've used for capital punishment.

It's a little dagger that was worn on the belt, that was like the utility knife, which if you were walking on the run and you got jumped, you might be able to use to defend yourself. But mostly, it was for carving, and pealing, and doing things that helps if you have a utility knife.

But in [UNKNOWN] Greek, that was the symbol for judicial authority. But wait a minute, in the 1611, King James, it says execute. In your 1611, King James, is it from a quality publisher? [LAUGH] Yes. Is executed italics? Well, it is. Did you look at the front to see what that means?

No. Words in italics do not appear in the original Hebrew and Greek. What have been inserted by the translators to make sense in English. There's no verb in the Greek, the word execute inserted. Parallel is the word inserted in other translations that mean to perform, to accomplish, to complete.
So execute is inserted for sense in English with the sense of, Notre Dame executed a brilliant text on ploy, years ago we used to do that. [LAUGH] Killing people. So you can read Romans 13:4, totally faithful to authentic scripture as saying that, if you’re gonna be a malefactor, a person that does bad things.

Be in fear of government because government is God's agent to make sure that you are brought to justice and punishment for that. It's a command for punishment for crime. And punishment by proper judicial authority, not vigilantes and not gangs. That's totally consistent with the scripture with the original brief.

What about John 19, where Jesus said he approved of the death penalty? Well, the problem is, that that's only the first half of the verse. They stop in the middle of the verse. Jesus' full response was, you would have no authority over me except that it has been granted to you by my father in heaven.

And that is why the sin of those who handed me over to you is greater than your sin. Jesus is calling something sin, and we're saying that means he approved it and sanctioned it? That's what they don't put in the rest of the verse. Pilate had no confusion. The next verse tells us Pilate was afraid and sought to release him.

The arguments don't hold up. My book, the Biblical Truth about America's Death Penalty. Yes, it's 450 pages, and yes, it has almost 1,000 footnotes. And yes, it was published by Northeastern University Press as a scholarly book, because I knew if it didn't have every I dotted, and every T crossed, and every hiccup from the Hebrew scriptures documented and explained, People would say, oh he left something out.

The reason for that book was to arm the people engaging with Christians and other faiths that claim we have to have the death penalty because of scriptures. To arm them with explanations to respond and that's how it's been used, it's still in print after 12 years, it's being used in Nebraska.

It's being used in New Hampshire. It's being used in Kansas. It's being used right here in Oregon. In order to respond because we have to respond to people who are of that way of thinking. There's nothing wrong with it. I love the Bible. I base my life on it.

Also my church teaching which explains to me what's in the Bible. But some people don't have the church teaching, all they've got is the Bible. We have to respect that by coming back to them with the reasons that working from the Bible doesn't lead to the conclusion they think it does.

And I just gave you the four hot examples. The book has hundreds of instances of what is said and what's really there. For example, and this is the last thing I'm gonna say to answer the question and then we're gonna release people and let people say that need to ask more questions unofficially

I did five years of research at night and on weekends for this book, this first book at the Judaic library at University of Florida. It is the largest collection of historically accurate additions of Torah and Talmud. In the eastern United States south of New York City. Because I have a legal background, I identified the 44 key issues that the death penalty of the ancient Hebrews said had to be met in order to comply with the strict requirements of the Hebrew scriptures.

We're not talking about the gospels, we're not talking about the epistles, we're talking about the Hebrew scriptures, what many of us would call the Old Testament. 44 strict requirements some
procedural, some substitute. For example, no one can be a witness in a capital case if they have anything to gain from it.

If we took everybody on death row in the United States, who was put there by purchased testimony for deals. If we put everybody on death row that was put there by testimony of people who got a deal from the state to testify half the people on death row would be gone.

No confessions on a capital case. Do you know what they said two and a half thousand years ago. Why the scriptures require that? Because some people are emotionally or mentally disturbed, and will confess to things they didn't do. I'm talking half a millennia before Jesus. We regularly put people on death row based on nothing but a confession and circumstantial evidence.

By the way, you also were prohibited from circumstantial evidence. You could not reason from this evidence to the fact that this person did it. There had to be eyewitness testimony. And there had to be a minimum of two to three witnesses who've testify exactly the same on the material testimony.

Now there could still be punishment if you didn't mean all that, but you couldn't execute it first, 44 things like this. I stacked them up, and then I held our American death penalty, including all the state versions of it against that list. How many do you think we comply with?

[INAUDIBLE] You say, we are 0 for 44. So the conclusion of the book is my gut may want the death penalty, my emotions may be raging for the death penalty, but I can't blame it on God. I can't say we have to do it because it's in God's book.

There's a death penalty in the Bible, but it has nothing to do with the death penalty we have and I can not support the one we have with scripture. And so that is the way we've been responding to that and I think that is where we want to make a formal close, would you please?

Yes we have something positive to do and would you please join me in thanking Dale for [INAUDIBLE] [APPLAUSE] [INAUDIBLE] he'll be around. He's very generous with his time. So I don't want to cut out the conversation. But I know there's lots of [INAUDIBLE] scheduled. We also hate to leave food and I know it's Lent, but maybe you have someone who wants to cheat.

You got a special dispensation right. Exactly.