Ruling to ban minors' executions is praised: National religious groups support decision

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A U.S. Supreme Court decision this month to ban execution of juvenile offenders is finding strong support among some national religious groups.

The 5-4 decision will remove from death row about 70 individuals who were convicted of murders committed before they turned 18. Prosecutors will also be prevented from seeking the death penalty in future cases of juvenile capital crime.

“This ruling affirms the position held by a broad cross section of religious denominations,” said Nicholas DiMarzio, a priest who chairs the domestic policy committee for the U.S. Catholic bishops, who for decades have opposed the death penalty for all offenders.

At the United Church of Christ headquarters, spokesman Sala Gonzales Nolan said all human beings should have a chance at redemption, and “vengeance does not belong to us.”

Jane Wishner, chair of the commission on social action of Reform Judaism, said the March 1 ruling “will ensure that juveniles, who are unable to make mature distinctions between right and wrong, are punished for their crimes in a manner that allows for redemption and rehabilitation.”

Some conservative religious groups opposed the ruling, echoing the dissent of Justice Antonin Scalia, who criticized the majority’s citing of the rarity of capital punishment for minors in other countries. The Scottsdale, Arizona–based Alliance Defense Fund, for instance, said, “There’s a difference between studying foreign law and incorporating it into our jurisprudence on a seek-and-destroy mission against our values.”

In deciding the case, *Roper v. Simmons*, which originated in Missouri, the Supreme Court ruled that the execution of convicts who were under the age of 18 at the time of their crimes constitutes the sort of “cruel and unusual” punishment barred by the Eighth Amendment.

The majority opinion turned on the idea that, since the court last ruled on this issue in 1989, “the evolving standards of decency that mark the progress of a maturing society” have changed in regard to executing juveniles.

“When a juvenile offender commits a heinous crime, the state can exact forfeiture of some of the most basic liberties, but the state cannot extinguish his life and his potential to attain a mature understanding of his own humanity,” wrote Justice Anthony Kennedy in the court’s majority opinion. “The age of 18 is the point where society draws the line for many purposes between childhood and adulthood. It is, we conclude, the age at which the line for death eligibility ought to rest.”

While 19 states still officially permitted the death penalty for minors prior to the decision, the practice has become exceedingly rare in recent years—in the past decade only Texas, Virginia and Oklahoma have actually executed offenders who commited their crimes at age 16 or 17. Several other states have outlawed the practice since 1989.

In other decisions, the justices declined on February 22 to reconsider its 1973 decision legalizing abortion, turning down Norma McCorvey, the “Jane Roe” of *Roe v. Wade*, who petitioned the court to overturn the landmark ruling. The court also announced that day that it will take a case examining Oregon’s doctor-assisted suicide law. *–Religion News Service, Associated Baptist Press*