

## Understanding the Catechism Revision on the Death Penalty by Jimmy Akin for Catholic Answers, 2018

On August 1, Cardinal Luis Ladaria issued a letter to the bishops of the world announcing that Pope Francis had approved a change to the section of the *Catechism of the Catholic Church* dealing with the death penalty. Here are some key facts for understanding this revision . . .

### What does the Catechism now say?

**2267** Recourse to the death penalty on the part of legitimate authority, following a fair trial, was long considered an appropriate response to the gravity of certain crimes and an acceptable, albeit extreme, means of safeguarding the common good.

Today, however, there is an increasing awareness that the dignity of the person is not lost even after the commission of very serious crimes. In addition, a new understanding has emerged of the significance of penal sanctions imposed by the state. Lastly, more effective systems of detention have been developed, which ensure the due protection of citizens but, at the same time, do not definitively deprive the guilty of the possibility of redemption.

Consequently, the Church teaches, in the light of the Gospel, that “the death penalty is inadmissible because it is an attack on the inviolability and dignity of the person” (Francis, *Discourse*, Oct. 11, 2017), and she works with determination for its abolition worldwide.

A history of what the *Catechism* formerly said follows:

Although many teachings that the *Catechism of the Catholic Church* contains are infallible, the *Catechism* is not infallible as a whole. Consequently, it has been revised on a number of points. None of these have been more substantial than the way it handles the subject of capital punishment.

### The 1992 Original

The original edition of the *Catechism*, release in 1992, had this to say:

**2266** Preserving the common good of society requires rendering the aggressor unable to inflict harm. For this reason the traditional teaching of the Church has acknowledged as well-founded the right and duty of legitimate public authority to punish malefactors by means of penalties commensurate with the gravity of the crime, not excluding, in cases of extreme gravity, the death penalty.

**2267** If bloodless means are sufficient to defend human lives against an aggressor and to protect public order and the safety of persons, public authority should limit itself to such means because they better correspond to the concrete conditions of the common good and are more in conformity to the dignity of the human person.

### The 1997 Revision

Following the release of John Paul II's 1995 encyclical *Evangelium Vitae*, the *Catechism* was amended in 1997 to read:

**2266** The efforts of the state to curb the spread of behavior harmful to people's rights and to the basic rules of civil society correspond to the requirement of safeguarding the common good. Legitimate public authority has the right and the duty to inflict punishment proportionate to the gravity of the offense. Punishment has the primary aim of redressing the disorder introduced by the offense. When it is willingly accepted by the guilty party, it assumes the value of expiation. Punishment then, in addition to defending public order and protecting people's safety, has a medicinal purpose: as far as possible, it must contribute to the correction of the guilty party.

**2267** Assuming that the guilty party's identity and responsibility have been fully determined, the traditional teaching of the church does not exclude recourse to the death penalty, if this is the only possible way of effectively defending human lives against the unjust aggressor. If, however, nonlethal means are sufficient to defend and protect people's safety from the aggressor, authority will limit itself to such means, as these are more in keeping with the concrete conditions of the common good and more in conformity with the dignity of the human person.

Today, in fact, as a consequence of the possibilities which the state has for effectively preventing crime, by rendering one who has committed an offense incapable of doing harm—without definitively taking away from him the possibility of redeeming himself—the cases in which the execution of the offender is an absolute necessity “are very rare, if not practically nonexistent” (John Paul II, *Evangelium vitae* 56).

## The 2018 Revision

In 2018, paragraph 2267 was further revised:

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Consequently, the Church teaches, in the light of the Gospel, that “the death penalty is inadmissible because it is an attack on the inviolability and dignity of the person” (Francis, *Address*, Oct. 11, 2017), and she works with determination for its abolition worldwide.

## Is this revision a surprise?

Not really. The last several popes—St. John Paul II, Benedict XVI, and Francis—have taken a negative tone toward the death penalty, and the *Catechism* had already been revised once to reflect this. In addition, Cardinal Ladaria explains:

The Holy Father Pope Francis, in his *Discourse* on the occasion of the twenty-fifth anniversary of the publication of the apostolic constitution *Fidei Depositum*, by which John Paul II promulgated the *Catechism of the Catholic Church*, asked that the teaching on the death penalty be reformulated so as to better reflect the development of the doctrine on this point that has taken place in recent times (1).

## Is this new revision an exercise of papal infallibility?

No. Although many individual teachings in the *Catechism* have previously been taught infallibly, the *Catechism* itself is not an infallible document. This is one reason it is capable of being revised.

To understand the level of authority of an individual teaching, one must look at the circumstances of an individual act of teaching to determine what level of authority it has.

As Cardinal Ladaria explains in his letter, Pope Francis *approved* the new revision that the Congregation for the Doctrine of the Faith (CDF) proposed, but he did not issue it in a document of his own. This is significant for two reasons:

1. Popes cannot delegate their infallibility to departments of the Roman Curia, such as the CDF. Consequently, the approval that popes regularly give to CDF documents does not make them infallible.
2. To issue an infallible teaching, popes use a special form of language, typically invoking their authority as the successor of Peter and using the phrase *I/we define* as a way of indicating that the teaching is definitive. (See, for example, the language Pius XII used in defining the Assumption of Mary in *Munificentissimus Deus* 44.) Pope Francis did not use this kind of language in granting the approval of the new revision.

## What level of authority does the new revision have? According to Cardinal Ladaria:

The new revision of number 2267 of the *Catechism of the Catholic Church*, approved by Pope Francis, situates itself in continuity with the preceding Magisterium while bringing forth a coherent development of Catholic doctrine (7).

As a doctrinal development, it would qualify as authoritative teaching (as opposed to mere theological opinion), and it would qualify as non-definitive (i.e., non-infallible) Church teaching.

According to Vatican II, such teachings call for “religious submission of mind and will” on the part of the faithful.

## **What if I have trouble accepting this teaching?**

The Church recognizes that individuals can have difficulties accepting non-definitive Church teaching and that, in some cases, they may find themselves unable to accept them.

This situation is addressed—with specific application to theologians—in a 1990 instruction from the CDF known as *Donum Veritatis*, which states:

Such a disagreement could not be justified if it were based solely upon the fact that the validity of the given teaching is not evident or upon the opinion that the opposite position would be the more probable. Nor, furthermore, would the judgment of the subjective conscience of the theologian justify it because conscience does not constitute an autonomous and exclusive authority for deciding the truth of a doctrine.

In any case there should never be a diminishment of that fundamental openness loyally to accept the teaching of the Magisterium as is fitting for every believer by reason of the obedience of faith. The theologian will strive then to understand this teaching in its contents, arguments, and purposes. This will mean an intense and patient reflection on his part and a readiness, if need be, to revise his own opinions and examine the objections which his colleagues might offer him (28-29).

*Donum Veritatis* further states:

It can also happen that at the conclusion of a serious study, undertaken with the desire to heed the Magisterium's teaching without hesitation, the theologian's difficulty remains because the arguments to the contrary seem more persuasive to him. Faced with a proposition to which he feels he cannot give his intellectual assent, the theologian nevertheless has the duty to remain open to a deeper examination of the question (31).

Of course, having a private disagreement does not entail a right to publicly oppose Church teaching. Fortunately, those experiencing such difficulties can have the consolation that the Holy Spirit is guiding the Church "into all the truth" (John 16:13).

For a loyal spirit, animated by love for the Church, such a situation can certainly prove a difficult trial. It can be a call to suffer for the truth, in silence and prayer, but with the certainty that if the truth really is at stake, it will ultimately prevail (31).

## **Does the new revision indicate that the death penalty is intrinsically evil?**

One might think so, since it says the death penalty is "inadmissible" because "it is an attack on the inviolability and dignity of the person." However, a careful reading of the revision, and Cardinal Ladaria's letter, suggests this is not the way the phrase should be understood. (Msgr. Charles Pope reaches the same conclusion.)

First, the revision notes that "a new understanding has emerged of the significance of penal sanctions imposed by the state." This refers to the fact that in the past the state's penal sanctions were understood principally as administering justice (including divine justice) to wrongdoers, but today the Church understands them principally as seeking to protect society and (hopefully) rehabilitate the offender (see Ladaria 7 and the changes made to paragraph 2266 in the *Catechism*).

Second, in light of this new understanding of the function of the state's penal sanctions, the death penalty could still be justified as a means of protecting society.

However, according to the revision, “more effective systems of detention have been developed, which ensure the due protection of citizens but, at the same time, do not definitively deprive the guilty of the possibility of redemption.”

From these considerations, one could understand the death penalty as something that involves “an attack on the inviolability and dignity of the person” but an attack that could be tolerated or even required in situations where there is no other way to effectively protect society.

This understanding appears to be confirmed by Cardinal Ladaria, who seems prepared to acknowledge that “the political and social situation of the past made the death penalty an acceptable means for the protection of the common good” (2).

He further seems prepared to acknowledge that, as in the previous edition of the *Catechism*, “it can be justified if it is ‘the only practicable way to defend the lives of human beings effectively against the aggressor’” (3). He states that “given that modern society possesses more efficient detention systems, the death penalty becomes unnecessary as protection for the life of innocent people,” though, “certainly, it remains the duty of public authorities to defend the life of citizens” (7). He thus concludes:

All of this shows that the new formulation of number 2267 of the *Catechism* expresses an authentic development of doctrine that is not in contradiction with the prior teachings of the Magisterium. These teachings, in fact, can be explained in the light of the primary responsibility of the public authority to protect the common good in a social context in which the penal sanctions were understood differently, and had developed in an environment in which it was more difficult to guarantee that the criminal could not repeat his crime (8).

The new revision would be “in contradiction with the prior teachings of the Magisterium” if it held that the death penalty was intrinsically evil and thus had always been wrong in the past. Instead, Cardinal Ladaria indicates that the revision is warranted by the changed understanding of the state’s penal sanctions and the development of more effective detention systems.

### **If the death penalty is not being judged intrinsically evil, what has changed?**

It appears that Pope Francis has made a prudential judgment that, given present circumstances in society, there are no longer situations in which the death penalty is warranted.

Consequently, this judgment has been added to the social doctrine of the Church, which applies the underlying principles of its moral doctrine to concrete situations in society. The underlying moral principles have not changed, but, in Pope Francis’s judgment, *society* has changed in a way that requires a different application of them.

This judgment is now reflected in the Church’s social doctrine, without contradicting prior teaching on the underlying moral principles. Thus, Cardinal Ladaria says that the new formulation “expresses an authentic development of doctrine that is not in contradiction with the prior teachings of the Magisterium.” It is the Church’s social doctrine that has developed, and its prior moral teachings have not been contradicted.

## **The Church's Anti-Death Penalty Position, A collection of statements from USCCB, 2016**

The new evangelization calls for followers of Christ who are unconditionally pro-life: who will proclaim, celebrate and serve the Gospel of life in every situation. A sign of hope is the increasing recognition that the dignity of human life must never be taken away, even in the case of someone who has done great evil. . . . I renew the appeal I made . . . for a consensus to end the death penalty, which is both cruel and unnecessary. —**Pope John Paul II Papal Mass, St. Louis, Missouri, January 27, 1999**

Twenty-five years ago, our Conference of bishops first called for an end to the death penalty. We renew this call to seize a new moment and new momentum. This is a time to teach clearly, encourage reflection, and call for common action in the Catholic community to bring about an end to the use of the death penalty in our land. —**USCCB, *A Culture of Life and the Penalty of Death***

No matter how heinous the crime, if society can protect itself without ending a human life, it should do so. —*ibid.*

While the Old Testament includes some passages about taking the life of one who kills, the Old Testament and the teaching of Christ in the New Testament call us to protect life, practice mercy, and reject vengeance. —*ibid.*

When Cain killed Abel, God did not end Cain's life. Instead, he sent Cain into exile, not only sparing his life but protecting it by putting a mark on Cain, lest anyone should kill him at sight (Gn 4:15). —*ibid.*

When the state, in our names and with our taxes, ends a human life despite having non-lethal alternatives, it suggests that society can overcome violence with violence. The use of the death penalty ought to be abandoned not only for what it does to those who are executed, but for what it does to all of society. —*ibid.*

Our faith and Catholic teaching offer a moral framework for choices about the use of the death penalty. A principled Catholic response to crime and punishment is rooted in our convictions about good and evil, sin and redemption, justice and mercy. It is also shaped by our commitment to the life and dignity of every human person, and the common good. The opening chapters of the Book of Genesis teach that every life is a precious gift from God (see Genesis 2:7, 21-23). This gift must be respected and protected. —*ibid.*

Each of us is called to respect the life and dignity of every human being. Even when people deny the dignity of others, we must still recognize that their dignity is a gift from God and is not something that is earned or lost through their behavior. Respect for life applies to all, even the perpetrators of terrible acts. Punishment should be consistent with the demands of justice and with respect for human life and dignity. —*ibid.*

In Catholic teaching the state has the recourse to impose the death penalty upon criminals convicted of heinous crimes if this ultimate sanction is *the only available means* to protect society from a grave threat to human life. However, this right *should not be exercised* when other ways are available to punish criminals and to protect society that are more respectful of human life. —*ibid.*

We also share the hurt and horror, the loss and heartache that are the result of unspeakable acts of violence. We have presided at the funerals of police officers killed in the line of duty and have consoled parents who have lost children. We have heard the anger and despair of victims' families who feel ignored by the criminal justice system, society as a whole, and, at times, even the Church. Our family of faith must care for sisters and brothers who have been wounded by violence and support them in their loss and search for justice. They deserve our compassion, solidarity, and support spiritual, pastoral, and personal. However, standing with families of victims does not compel us to support the use of the death penalty. —*ibid.*

For many left behind, a death sentence offers the illusion of closure and vindication. No act, even an execution, can bring back a loved one or heal terrible wounds. The pain and loss of one death cannot be wiped away by another death. —*ibid.*

The death penalty arouses deep passions and strong convictions. People of goodwill disagree. In these reflections, we offer neither judgment nor condemnation but instead encourage engagement and dialogue, which we hope may lead to re-examination and conversion. Our goal is not just to proclaim a position, but to persuade Catholics and others to join us in working to end the use of the death penalty. We seek to help build a culture of life in which our nation will no longer try to teach that killing is wrong by killing those who kill. —*ibid.*

[Punishment] ought not go to the extreme of executing the offender except in cases of absolute necessity: in other words, when it would not be possible otherwise to defend society. Today however, as a result of steady improvements in the organization of the penal system, such cases are very rare, if not practically non-existent. John Paul II, *The Gospel of Life*, [Punishment] ought not go to the extreme of executing the offender except in cases of absolute necessity: in other words, when it would not be possible otherwise to defend society. Today however, as a result of steady improvements in the organization of the penal system, such cases are very rare, if not practically non-existent. —**John Paul II, *The Gospel of Life (Evangelium Vitae)*, 1995**

If, however, non-lethal means are sufficient to defend and protect people's safety from the aggressor, authority will limit itself to such means, as these are more in keeping with the concrete conditions of the common good and more in conformity with the dignity of the human person. —***The Catechism of the Catholic Church***

Others question whether our criminal justice system can indeed protect society. They point to examples of the release of offenders who subsequently commit horrible acts of violence. But in the face of a growing culture of death, every effort should be made to promote a culture of life. Therefore, we believe that the primary response to these situations should not be the use of the death penalty but should instead be the promotion of needed reform of the criminal justice system so that society is more effectively protected. —**USCCB, *A Culture of Life and the Penalty of Death***

Public policies that treat some lives as unworthy of protection, or that are perceived as vengeful, fracture the moral conviction that human life is sacred. —*ibid.*

Defending all human life should unite us as people of life and for life. —*ibid.*

We hope and pray that this campaign will help bring an end to the use of the death penalty. This end may come through an act of Congress or a definitive court decision; more likely the death penalty will be abandoned and wither away through the everyday choices of prosecutors and legislators, judges and jurors, and ordinary citizens who make a commitment to respect human life in every situation. We look forward to the day when our society chooses not to answer violence with violence. —*ibid.*

For the Catholic community, this issue -- like all life issues -- is more than public policy. It involves our faith and the central principle that human life is sacred. Church teaching on the life and dignity of every human person should guide all our decisions about life, including the use of the death penalty. We are called to reflect on what the Lord's command, You shall not kill (Ex 20:13) means for us today. —*ibid.*

In his encyclical *The Gospel of Life*, Pope John Paul II told us that we have an inescapable responsibility of *choosing to be unconditionally pro-life*.<sup>18</sup> This Catholic campaign brings us together for common action to end the use of the death penalty, to reject a culture of death, and to build a culture of life. It poses an old and fundamental choice: *I have set before you life and death, the blessing and the curse. Choose life, then, that you and your descendants may live.* (Dt 30:19) —*ibid.*

# 10 facts about the death penalty in the U.S., by John Gramlich, 2021.

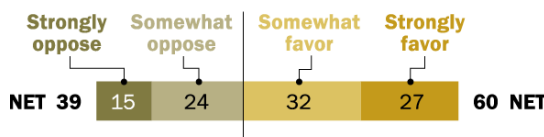
Most U.S. adults support the death penalty for people convicted of murder, according to an [April 2021 Pew Research Center survey](#). At the same time, majorities believe the death penalty is not applied in a racially neutral way, does not deter people from committing serious crimes and does not have enough safeguards to prevent an innocent person from being executed.

Use of the death penalty has gradually declined in the United States in recent decades. A growing number of states have abolished it, and death sentences and executions have become less common. But the story is not one of continuous decline across all levels of government. While state-level executions have decreased, the federal government put more prisoners to death under President Donald Trump than at any point since the U.S. Supreme Court reinstated capital punishment in 1976.

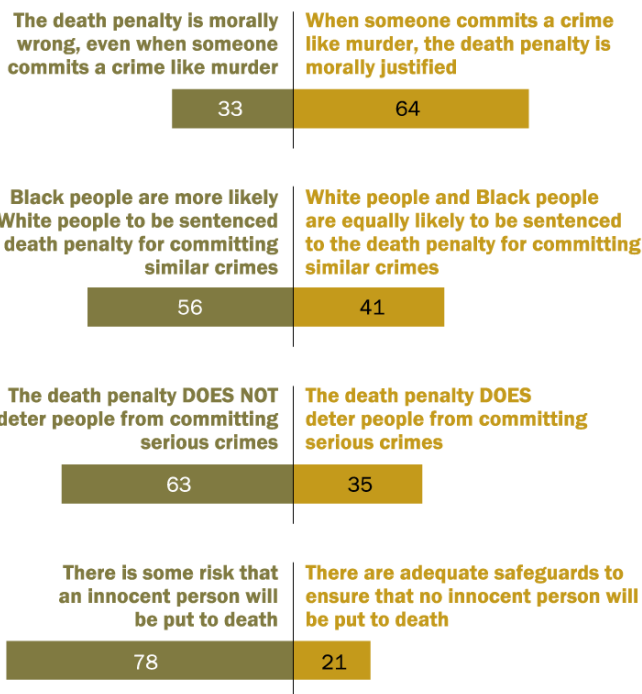
As debates over the death penalty [continue in the U.S.](#), here's a closer look at public opinion on the issue, as well as key facts about the nation's use of capital punishment.

## Majority of Americans favor death penalty, but nearly eight-in-ten see 'some risk' of executing the innocent

% who \_\_\_ the death penalty for persons convicted of murder



% who say ...



Note: No answer responses not shown.  
Source: Survey of U.S. adults conducted April 5-11, 2021.

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**How we did this: Six-in-ten U.S. adults strongly or somewhat favor the death penalty for convicted murderers**, according to the April 2021 survey. A similar share (64%) say the death penalty is morally justified when someone commits a crime like murder.

Support for capital punishment is strongly associated with the view that it is morally justified in certain cases. Nine-in-ten of those who favor the death penalty say it is morally justified when someone commits a crime like murder; only a quarter of those who oppose capital punishment see it as morally justified.

**A majority of Americans have concerns about the fairness of the death penalty and whether it serves as a deterrent against serious crime.** More than half of U.S. adults (56%) say Black people are more likely than White people to be sentenced to death for committing similar crimes. About six-in-ten (63%) say the death penalty does not deter people from committing serious crimes, and nearly eight-in-ten (78%) say there is some risk that an innocent person will be executed.

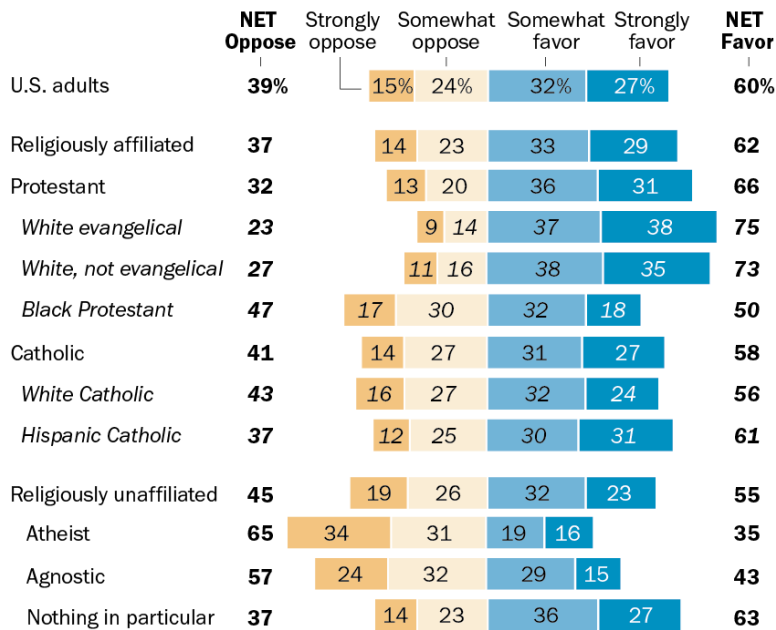
**Opinions about the death penalty vary by party, education and race and ethnicity.** Republicans and Republican-leaning independents are much more likely than Democrats and Democratic leaders to favor the death penalty for convicted murderers (77% vs. 46%). Those with less formal

education are also more likely to support it: Around two-thirds of those with a high school diploma or less (68%) favor the death penalty, compared with 63% of those with some college education, 49% of those with a bachelor's

degree and 44% of those with a postgraduate degree. Majorities of White (63%), Asian (63%) and Hispanic adults (56%) support the death penalty, but Black adults are evenly divided, with 49% in favor and 49% opposed.

### Atheists oppose the death penalty about as strongly as Protestants favor it

% who \_\_\_\_\_ the death penalty for people convicted of murder



Note: White and Black adults include those who report being one race and are not Hispanic. Hispanics are of any race. Survey participants who did not answer are not shown. Figures may not add to totals shown due to rounding.  
Source: Survey of U.S. adults conducted April 5-11, 2021.

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### Views of the death penalty differ by religious affiliation.

Around two-thirds of Protestants in the U.S. (66%) favor capital punishment, though support is much higher among White evangelical Protestants (75%) and White non-evangelical Protestants (73%) than it is among Black Protestants (50%). Around six-in-ten Catholics (58%) also support capital punishment, a figure that includes 61% of Hispanic Catholics and 56% of White Catholics.

Opposition to the death penalty also varies among the religiously unaffiliated. Around two-thirds of atheists (65%) oppose it, as do more than half of agnostics (57%). Among those who say their religion is “nothing in particular,” 63% support capital punishment.

### Support for the death penalty is consistently higher in online polls than in phone polls.

Survey respondents sometimes give different answers depending on how a poll is conducted. In a series of contemporaneous Pew Research Center surveys fielded online and on the phone between September 2019 and August 2020, Americans consistently expressed more support for the death penalty in a self-administered online format than in a survey administered on the phone

by a live interviewer. This pattern was more pronounced among Democrats and Democratic-leaning independents than among Republicans and GOP leaners, according to an [analysis of the survey results](#).

### Phone polls have shown a long-term decline in public support for the death penalty.

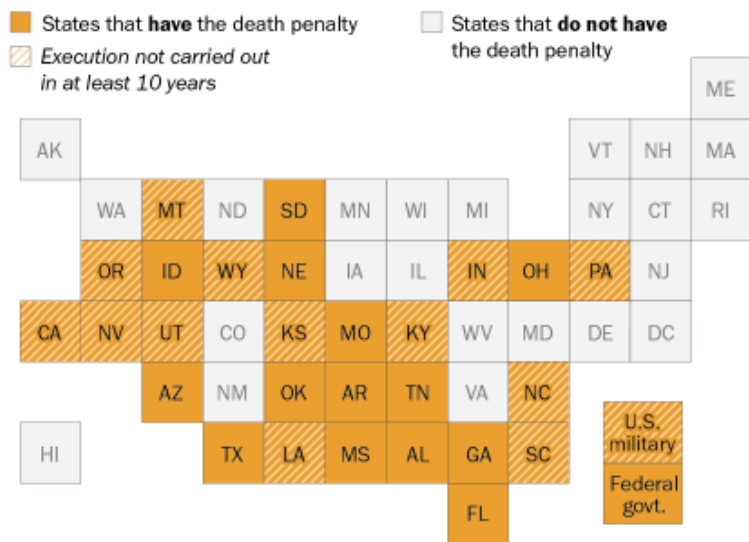
In phone surveys conducted by Pew Research Center between 1996 and 2020, the share of U.S. adults who favor the death penalty fell from 78% to 52%, while the share of Americans expressing opposition rose from 18% to 44%. Phone surveys conducted by Gallup found a [similar decrease](#) in support for capital punishment during this time span.

### A majority of states have the death penalty, but far fewer use it regularly.

As of July 2021, the death penalty is authorized by 27 states and the federal government – including the U.S. Department of Justice and the U.S. military – and prohibited in 23 states and the District of Columbia, [according to the Death Penalty Information Center](#). But even in many of the jurisdictions that authorize the death penalty, executions are rare: 13 of these states, along with the U.S. military, haven’t carried out an execution in [a decade or more](#). That includes three



## Most states have the death penalty, but significantly fewer use it regularly

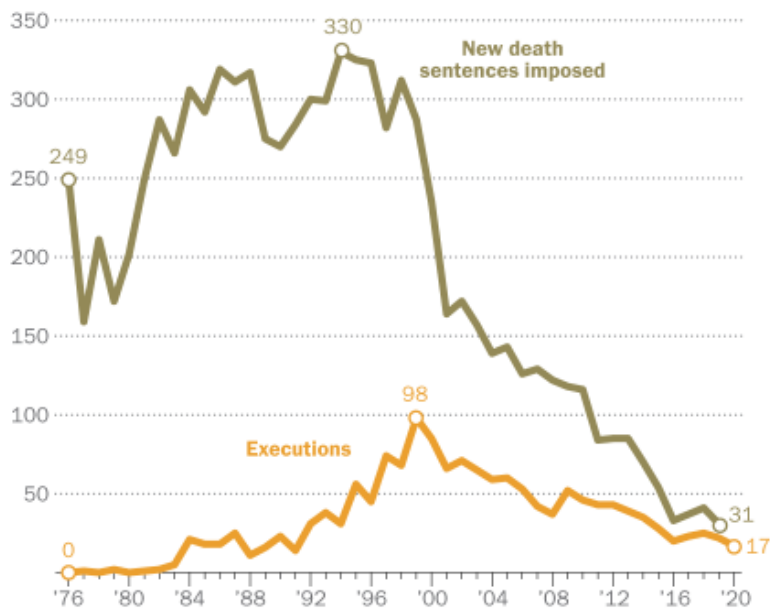


Note: As of July 12, 2021.  
 Source: Death Penalty Information Center.

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## Death sentences, executions have trended downward in U.S. since late 1990s

Number of new death sentences and executions, by year



Note: Death sentence data available through 2019 only. Execution data for 2020 is preliminary.

Source: Bureau of Justice Statistics.

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states – [California](#), [Oregon](#) and [Pennsylvania](#) – where governors have imposed formal moratoriums on executions.

A growing number of states have [done away with the death penalty](#) in recent years, either through legislation or a court ruling. Virginia, which has carried out more executions than [any state except Texas](#) since 1976, abolished capital punishment in 2021. It followed Colorado (2020), New Hampshire (2019), Washington (2018), Delaware (2016), Maryland (2013), Connecticut (2012), Illinois (2011), New Mexico (2009), New Jersey (2007) and New York (2004).

**Death sentences have steadily decreased in recent decades.** There were 2,570 people on death row in the U.S. at the end of 2019, down 29% from a peak of 3,601 at the end of 2000, [according to the Bureau of Justice Statistics](#) (BJS). New death sentences have also declined sharply: 31 people were sentenced to death in 2019, far below the more than 320 who received death sentences each year between 1994 and 1996. In recent years, prosecutors in some U.S. cities – including [Orlando](#) and [Philadelphia](#) – have vowed not to seek the death penalty, citing concerns over its application.

Nearly all (98%) of the people who were on death row at the end of 2019 were men. Both the mean and median age of the nation’s death row population was 51. Black prisoners accounted for 41% of death row inmates, far higher than their 13% share of the nation’s adult population that year. White prisoners accounted for 56%, compared with their 77% share of the adult population. (For both Black and White Americans, these figures include those who identify as Hispanic. Overall, about 15% of death row prisoners in 2019 identified as Hispanic, according to BJS.)

**Annual executions are far below their peak level.** Nationally, 17 people were put to death in 2020, the fewest since 1991 and far below the modern peak of 98 in 1999, according to BJS and the Death Penalty Information Center. The [COVID-19 outbreak](#) disrupted legal proceedings in much of the country in 2020, causing some executions [to be postponed](#).

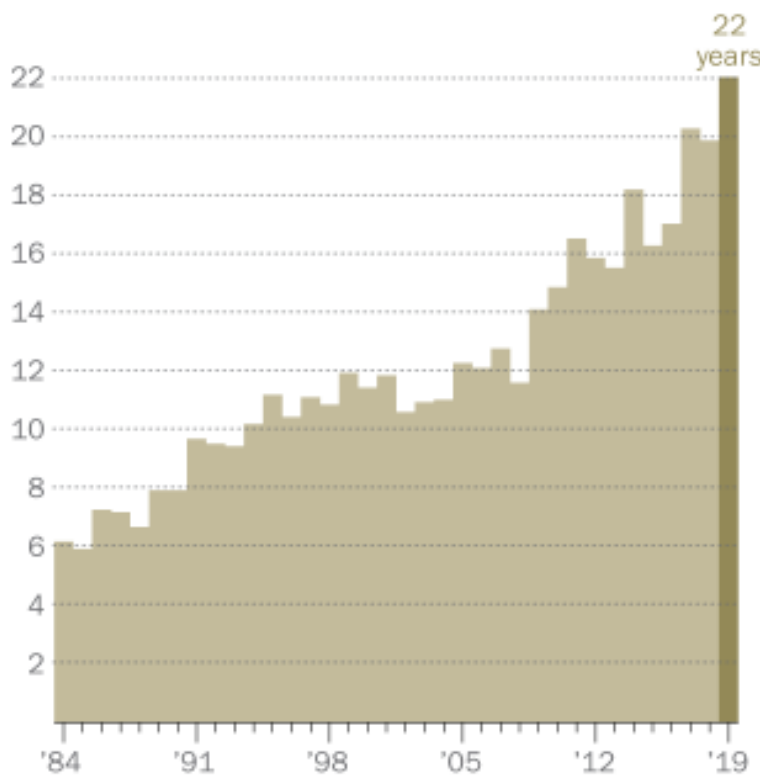
Even as the overall number of executions in the U.S. fell to a 29-year low in 2020, the federal government ramped up its use of the death penalty. The Trump administration executed 10 prisoners in 2020 and another three in January 2021; prior to 2020, the federal government had carried out a total of three executions since 1976.

The Biden administration has taken a different approach from its predecessor. In July 2021, Attorney General Merrick Garland [ordered a halt](#) in federal executions while the Justice Department reviews its policies and procedures.

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## Prisoners executed in 2019 spent an average of 22 years on death row

*Average time between sentencing and execution, in years*



The average time between sentencing and execution in the U.S. has increased sharply since the 1980s. In 1984, the average time between sentencing and execution was 74 months, or a little over six years, [according to BJS](#). By 2019, that figure had more than tripled to 264 months, or 22 years. The average prisoner *awaiting* execution at the end of 2019, meanwhile, had spent nearly 19 years on death row.

A [variety of factors](#) explain the increase in time spent on death row, including lengthy legal appeals by those sentenced to death and challenges to the way states and the federal government carry out executions, including the drugs used in lethal injections. In California, more death row inmates have died from natural causes or suicide than from executions since 1978, according to the state's [Department of Corrections and Rehabilitation](#).

Source: Bureau of Justice Statistics.

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**The following actions were punishable by immediate death under Old Testament Laws  
(Notice the correlation between these crimes/sins and the Ten Commandments)**

1. Birth control. (Gen 38:9-10)
2. Touching God's mountain without permission. (Ex. 19:12)
3. Homicide / Murder / Manslaughter. (Ex. 21:12; Nm. 35:12,16-19; Lv. 24:17,21)
4. Plotting or scheming to kill / Accessory to murder. (Ex.21:14)
5. Striking one's father or mother. (Ex. 21:15)
6. Kidnapping. (Ex. 21:16; Dt. 24:7)
7. Cursing one's father or mother (Ex. 21:17; Lv. 20:9)
8. Striking a pregnant woman causing her baby to die / Abortion. (Ex. 21:22)
9. Owner of an ox that gores another to death on a second count. (Ex. 21:29).
10. Sorcery. (Ex. 22:17)
11. Bestiality. (Ex. 22:18; Lv. 20:15-16)
12. Idolatry. (Ex. 22:19; Dt. 17:5)
13. Wronging a widow or orphan. (Ex.22:23).
14. A priest failing to wear the proper vestments while in the Dwelling Tent. (Ex. 28:35,43)
15. Desecrating the Sabbath. (Ex. 31:14)
16. Working on the Sabbath. (Ex. 31:15; 35:2; Nm. 15:35)
17. A priest who keeps his head uncovered. (Lv. 10:7)
18. A priest who drinks wine or strong drink before serving at the altar. (Lv. 10:9)
19. Being ritually unclean when entering the Dwelling Tent (Ex. 30:20; Lv. 15:31)
20. Sacrificing one's child to an idol. (Lv. 20:2)
21. Adultery. (Lv. 20:13)
22. Sexual relations between a step-parents and a step-child (both). (Lv. 20:11)
23. Sexual relations between father-in-law and daughter-in-law (both). (Lv. 20:12)
24. Homosexuality. (Lv. 20:13)
25. A man who marries a woman and her mother (all three). (Lv. 20:14)
26. Fortunetellers. (Lv. 20:27)
27. A priest's daughter who commits fornication. (Lv. 21:9)
28. Blaspheming the Name of the Lord. (Lv.24:16)
29. A layman who comes near the Dwelling or Arc. (Nm. 1:51; 3:10,38; 18:22)
30. A layman who touches sacred objects. (Nm. 4:15)
31. Grumbling against the Lord. (Nm. 17:25)
32. A layman who presumes to function as a priest. (Nm. 18:7)
33. Profaning the sacred gifts (offerings) of the Israelites. (Nm. 18:32)
34. False prophets or dreamers who lead other into idolatry. (Dt. 13:6; 18:20)
35. Blood relatives who lead others into idolatry. (Dt. 13:10)
36. An incorrigible son. (Dt. 21:12)
37. For not being a virgin upon marriage. (Dt. 22:21)
38. Fornication / pre-marital sex (both). (Dt. 22:24)
39. Rape. (Dt. 22:25)
40. Disobeying or rebelling against Joshua. (Jos. 1:18)
41. Greed. (Jos 7:25)