

# FLORIDA CONFERENCE OF CATHOLIC BISHOPS

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March 6, 2023

The Honorable Berny Jacques  
1301 Capitol Building  
402 S. Monroe Street  
Tallahassee, FL 32399-1300

## ***RE: Opposition to HB 555 – End the cycle of violence; don't facilitate it***

Dear Representative Jacques:

We write in regards to the Criminal Justice Subcommittee's consideration of HB 555. We have common goals of improving the criminal justice system and assisting crime victims. However, we oppose the death penalty, as it violates the dignity of the human person, perpetuates cycles of violence, is plagued with error, and does not deter criminal acts. We are especially concerned that changing the jury recommendation requirement from a unanimous to a supermajority vote will lead to more death sentences. We oppose any effort to erode the standards used to implement the death penalty in Florida. Therefore, we oppose HB 555.

### ***Retaining juror unanimity better serves justice***

Keeping the unanimous jury requirement, rather than moving to a supermajority, will better serve justice. Juror unanimity promotes deliberation amongst the jurors and engages every juror in the process, helping ensure that it is as reliable and fair as possible. A death sentence is the most severe penalty society can impose, and Florida should preserve the highest standard possible for its application. Moreover, although the Florida Supreme Court in *State v. Poole* ruled that Florida's death penalty juries are not constitutionally required to be unanimous in recommending death, the Court did not hold that Florida's death penalty sentencing scheme should eliminate juror unanimity.

### ***Reasons abound to preserve current standards***

Under current Florida law, in every instance in which a jury is summoned, it is required to make a unanimous decision. Further, Florida has seen the highest number of death row exonerations in the nation – 30 since 1973. In this light, it is imprudent to make it easier to impose death sentences, as the recommendation to take someone's life should be made with the strongest safeguards. HB 555's provisions will weaken Florida's capital sentencing scheme to facilitate death sentences with diminished precautions, a move which we strongly oppose due to our sincere respect for upholding the dignity of all human life, even of those who have done great harm.

We are happy to discuss our concerns further at your request.

Sincerely,

*Christie C. Arnold*

Christie C. Arnold, Esq.

Associate for Social Concerns & Respect Life

cc: Members of Senate Criminal Justice Committee  
Most Rev. Enrique Delgado, Auxiliary Bishop of Miami and Respect Life Moderator  
Michael B. Sheedy