

ALL SOULS EPISCOPAL PARISH

2220 Cedar Street, Berkeley CA 94709-1519
510.848.1755 ~ www.allsoulsparish.org

Honorable Senator Dave Cortese
State Capitol
Sacramento, CA 95814

Re: Support – SB 300 (Cortese), the Sentencing Reform Act of 2021

Dear Senator Cortese,

On behalf of All Souls Episcopal Parish, a Christian congregation in Berkeley, we write in strong support of SB 300, the Sentencing Reform Act of 2021, which will increase fairness in the justice system by reforming California’s unjust “felony murder special circumstance” law by ensuring that the death penalty or life without the possibility of parole (LWOP) will not be imposed on a person who did not kill or intend that a person die during the commission of a felony, such as robbery or burglary. The bill will also address the injustice of mandatory life without parole sentences by restoring to judges the discretion to impose a parole eligible sentence should they deem it best serves the interest of justice.

As Episcopalians, our Baptismal Covenant commits us to seek and serve Christ in all persons and “to strive for justice and peace among all people and to respect the dignity of every human being.” Jesus, in his teachings, emphasizes that working for justice and providing help to those who are suffering are not optional and, in fact, are part of the fabric of our relationship with the Divine. The primary scriptural foundation for our efforts to realize a more just and compassionate community rests in the two great commandments, as Jesus asks us to return to right relationship: “You shall love the Lord your God with all your heart, and with all your soul, and with all your mind” and “You shall love your neighbor as yourself.” (Matthew 22:36-40). Jesus embodied and practiced these teachings by reaching out to the most vulnerable in society – the poor, those suffering from physical or mental illness, and others considered outcasts by the society of his time. In this spirit we applaud your legislation, SB300, to restore a greater measure of judicial discretion before the imposition of the harshest criminal penalties we have available.

The death penalty and life without the possibility of parole (LWOP) are punishments so extreme they are virtually unheard of in much of the world. California not only regularly imposes these sentences but currently *requires* judges to impose them for any adult convicted of “murder with special circumstances,” even if the person did not kill anyone nor intend anyone to die. Like other enhancements, special circumstances law allows for unchecked prosecutorial discretion that has resulted in disturbing racial disparities in death penalty and LWOP sentences. Under current law, if a person dies during the course of certain felonies, even if the death is accidental, anyone involved in the felony is subject to these severe punishments even though the death was not caused by their individual action or intent.

SB 300 will address this injustice by allowing for a sentence other than the death penalty or LWOP for a person who did not kill anyone or intend for anyone to die. This bill takes a modest step towards repealing our unjust special circumstances scheme by allowing judges to impose a parole eligible sentence, should they deem that a death penalty or LWOP sentence is disproportionate. The bill also provides an avenue for currently incarcerated people to petition the court for resentencing, offering recourse to Californians who have been unjustly sentenced to LWOP or execution.

Decades of research have failed to show any public safety benefit from LWOP or the death penalty. On the contrary, severe punishments like these have driven the mass incarceration crisis that has destroyed lives, families, and entire communities, particularly Black and Brown communities that have long been deprived of supportive investments and programs while being targeted by policing, racism, and oppression. Reducing our reliance on punishment and imprisonment, including for people serving extreme sentences, will benefit our communities by returning people to their families and freeing up funds that can be invested in addressing true community safety and well-being.

All Souls Episcopal Parish, with the affirmed support of our governing Vestry and our Justice & Peace Ministry, strongly urges the legislature to pass Senate Bill 300 (Cortese).

Most sincerely,

Tonantzin Martinez-Borgfeldt

Kim Wong

Nydia MacGregor

Kirk Miller

Kieran King

Howard Perdue

Tim Ereneta

Melissa Deveraux

Katherine Logan

Shawn Adderly

Vestry Members, All Souls Parish

Janet Chisholm

Don Gates

Lewis Maldonado

Christine Trost

Cynthia Clifford

Paloma Pavel

Justice & Peace Ministry, All Souls Parish

Rev. Dani Gabriel

Deacon

Rev. Phil Brochard

Rector