STATEMENT ON
FLORIDA CATHOLIC CONFERENCE APPLAUDS HIGH COURT'S
OVERTHROW OF CONSTITUTIONAL AMENDMENT 2 ON DEATH PENALTY

September 7, 2000

We welcome this courageous decision issued today by the Florida Supreme Court in the case of *Armstrong, et al., Vs. Harris,* in which the Court found that the 1998 ballot summary before voters was inaccurate and that the Amendment must be stricken. This ruling, which cancels the initiative put on the ballot by the Florida Legislature, well illustrates the protection offered the citizenry through the separation of powers doctrine.

Because of its misleading Title (Preserving the Death Penalty) and inaccurate ballot summary, it was not possible for voters to know the full effect of Amendment 2. In casting a vote on this measure, the voters had no recourse but to conclude that the death penalty in Florida was in jeopardy; clearly it was not. Worse perhaps, were the amendment's proposed changes to the State Constitution not reflected in the ballot summary that would have changed Florida's existing prohibition on "cruel or unusual punishment" to "cruel and unusual." This provision would have applied not only to the death penalty but across the criminal code. Those voting on Amendment 2 were not apprised of this proposed change which would have resulted in chaos and confusion in our judicial system. Regardless of how one may feel about the death penalty, a vote to change the Constitution must be made in the full light of day.

We applaud the action by the Court in rendering this decision today.

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