

Biden commutes sentences of 37 on federal death row

January 2, 2025

WASHINGTON (RNS)—Prior to Christmas, President Joe Biden commuted the sentences of all but three people on federal death row, converting their sentences to life in prison.

It represented a victory for religious advocates who have pressured the president to make the move during his final days in office—even as they call on him to “finish the job” by commuting the remaining three.

Biden, who campaigned on the promise of abolishing the federal death penalty, announced the move Dec 23. He framed the action partially as a response to remarks by President-elect Donald Trump, who has pledged to restart executions upon assuming office.

“Guided by my conscience and my experience as a public defender, chairman of the Senate Judiciary Committee, vice president and now president, I am more convinced than ever that we must stop the use of the death penalty at the federal level,” Biden stated. “In good conscience, I cannot stand back and let a new administration resume executions that I halted.”

The news comes 10 days after Biden announced he would [commute the sentences of roughly 1,500 people](#) who were released from prison and placed on home confinement during the pandemic, as well as pardoning 39 people convicted of nonviolent crimes—the largest single-day act of clemency in modern history.

The White House explained Biden believes “America must stop the use of the death penalty at the federal level, except in cases of terrorism and hate-

motivated mass murder—which is why today’s actions apply to all but those cases.”

Praised as an ‘act of mercy’

Archbishop Timothy P. Broglio, president of the United States Conference of Catholic Bishops, celebrated the move as an “act of mercy” that brings the country “a step closer to building a culture of life.” He also called on lawmakers to eliminate the death penalty entirely.

“My brother bishops and I unite in expressing our gratitude that President Biden has commuted the federal death sentences of 37 men,” Broglio stated. “The bishops’ conference has long called for an end to the use of the death penalty. This action by the president is a significant step in advancing the cause of human dignity in our nation.”

Similarly, Gabe Salguero, head of the National Latino Evangelical Coalition, noted while he and other Latino evangelicals “grieve for the victims and unequivocally condemn these murders,” he nonetheless welcomed the news.

“Today’s Advent season decision by President Biden to commute the death sentences of 37 federal inmates is a reminder that as a nation we must still grapple with the inequities that plague this system,” Salguero said, noting NALEC became the first national evangelical group to call for an end to the death penalty in 2015.

The Catholic Mobilizing Network also celebrated the decision as “unparalleled.”

“Today’s historic decision by President Biden advances the cause of human dignity and underscores the sacred value of every human life,” read a statement from the group. “Praise God!”

'37 is good, but 40 is better'

But some of the advocates, including Shane Claiborne, a Christian activist who has spent years protesting the death penalty, noted that while the announcement allows 37 people facing capital punishment to instead serve life in prison, three men will remain on death row.



Shane Claiborne

They are Dzhokhar Tsarnaev, convicted in the 2013 Boston Marathon bombing; Robert Bowers, convicted in the 2018 Tree of Life Synagogue attack in Pittsburgh, Penn.; and Dylann Roof, who killed nine Black worshippers in 2015 at Emanuel African Methodist Episcopal Church in Charleston, S.C.

"The death penalty does not heal the wounds of violence, it just creates new wounds," Claiborne said in a text message to Religion News Service. "We can honor the victims of violence without killing more people. It's time to stop killing to try to show that killing is wrong."

He added: "37 is good but 40 is better. No one—not even Dylann Roof—is beyond redemption."

Claiborne was echoed by fellow advocate Sharon Risher, whose cousins and mother, Ethel Lance, were among the nine church members killed in the 2015 shooting at Mother Emanuel Church.

“Every time this case comes up, I am brought back to the day my mother and cousins were murdered, and I need that to stop,” Risher said.

“Politics has gotten in the way of mercy. You can’t rank victims, Mr. President. I am begging you to finish the job, not only with the three men left on federal death row, but also with those on the military death row. There’s still time. Finish the job.”

Anti-death penalty activist Jeff Hood did not consider commuting the death sentences of 93 percent of the inmates on federal death row a passing grade.

“Just when I thought Joe Biden was going to give our nation some ethical clarity, he has presented us with a new nightmare—the ranking of murder victims. Either Biden finishes the job and commutes all federal death sentences or we are left in the same place we were before—a moral abyss of federal sentencing that only pursues death sentences in rare cases, prioritizing some murder victims above all others,” [Hood wrote on social media](#).

“This is not time for celebration. We are in the same moral abyss we were in before. Regardless of how many death sentences President Biden just commuted, by not commuting them all he has made sure that the killing will continue.”

Urged to act by faith leaders

Biden’s announcement comes after a blitz of public and private [advocacy by faith leaders](#) and activists.

In mid-December, a group of religious leaders, activists and law enforcement officials traveled to Washington to stage a day of advocacy around the issue. Members of the group held a vigil outside the White House and spoke at a hearing on Capitol Hill alongside lawmakers such as U.S. Rep. Ayanna Pressley, D-Mass., who has cited her own Christian faith as part of the inspiration for her involvement.

The effort also got a high-profile boost from Pope Francis—who changed the catechism of the Catholic Church in 2018 to declare the death penalty “inadmissible”—when he devoted a section of a homily earlier this month to the subject. He asked Catholics to pray that Biden, a Catholic, would commute the death sentences of those on death row.

“Think of these brothers and sisters of ours and ask the Lord for the grace to save them from death,” Francis said.

In a letter sent to Biden last week, Risher, who also serves as chair of Death Penalty Action, expressed concern Trump would restart federal executions upon taking office next month.

“It is vital that you deny him that opportunity by commuting every death sentence remaining on federal and military death rows,” Risher wrote.

‘All lives are sacred’

Marshall Dayan, a retired federal public defender living in Pittsburgh and cochair of the board of Pennsylvanians Against the Death Penalty, said he was pleased with Biden’s 37 commutations but disappointed he didn’t commute all 40 death-row inmates.

“All lives are sacred. We’re all created with *‘t’zelem elohim,’* in the image of God. And yet, the message this sends is that there’s a hierarchy of values,” he said. “I don’t think the president believes that. But it is the

message that he sends by saying, 'I'm going to treat these three people differently.'"

But Dayan said he was aware that many in the Pittsburgh community did not want the sentence of Robert Bowers commuted, as views regarding the death penalty for the three men left on death row are not uniform.

Last year, Pennsylvania Gov. Josh Shapiro explained his own opposition to the death penalty by citing conversations he had with the families of those killed in the Tree of Life shooting and members of the worship community, indicating several do not support capital punishment.

Even so, seven of the nine families involved have previously indicated support for the death penalty, and the sons of Joyce Fienberg, who was killed in the shooting, sent a letter to Biden this month asking the president not to commute Bowers' sentence, arguing the shooter did not show remorse.

"In Judaism, *T'shuvah*—repentance, or a return to righteousness—requires confession, regret, and seeking to right the wrongs committed," read the letter, signed by Anthony and Howard Fienberg. "Absent that, forgiveness is not even possible."

Similarly, some parents of children who were killed and wounded during the Boston bombing publicly voiced opposition to the death penalty in the case, but others have suggested support for it.

Biden declared his desire to abolish the federal death penalty while campaigning in 2019, and placed a moratorium on federal executions in 2021. But he did not ultimately eliminate the death penalty, nor did he stop the Department of Justice from prosecuting capital punishment cases during his tenure, frustrating many advocates.

But religious activists who oppose the death penalty say they will continue

to pressure Biden to commute the sentences of those still on death row, arguing their cause is ultimately a matter of faith.

“Rather than asking, ‘Do they deserve to die,’ we should be asking ‘Do we deserve to kill?’” Claiborne said. “As Jesus said, ‘Let the one without sin cast the first stone.’”

With additional reporting by Bob Smietana of RNS and Baptist Standard Managing Editor Ken Camp.