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Make Your Voice Heard: Stand Against The Death Penalty.

This has been a momentous month for those who stand in opposition to the death penalty.

Pope Leo XIV [shared a powerful message](#) last week, offering his “support to those who advocate for the abolition of the death penalty in the United States of America and around the world.” This remarkable affirmation came just two days after the Pope visited people in prison in Equatorial Guinea, [where he expressed](#) that “[l]ife is not defined solely by one’s mistakes, which are often the result of difficult and complex circumstances.” Consistent with the major themes of [Catholic Social Teaching](#), the Pope’s words propel us forward in our engagement with this issue.

Their urgency meets the moment; just last week, [the U.S. Department of Justice issued a press release](#) and report declaring an intent to embrace capital punishment and push cases through the judicial system.

To those who oppose the death penalty, have concerns about how it is administered, or care for the people who may be subjected to it, there is a critical and time-sensitive opportunity to voice your opposition to the U.S. government’s decision. The [Attorney General proposed a new regulation](#) that would enable states to fast-track the cases of people who are on death row through the federal habeas review process without providing them meaningful legal representation in post-conviction litigation.

The legal jargon of these regulations may seem complex, but the bottom line is that the Attorney General wants to rush cases to execution without adequate judicial review and without protections that would give people on death row competent and adequately-resourced lawyers for their defense.

The result will be that our states will execute more people who are factually innocent, more people who are intellectually disabled or otherwise lower functioning, and more people whose cases were infected by constitutional violations.

This regulation is currently open for public comment. You can and should make your voice heard. Submitting a comment now is a critical form of civic participation, like voting or participating in jury service.

Comments are due on May 15, 2026. Below, we have provided several different templates of comments that would be beneficial. Please feel free to choose one if you wish, or to draw upon these samples to create or tailor your own. Individualized messages are even more powerful than these samples.

[Comments can be submitted here.](#)

If you'd like more detailed information about the federal habeas fast-track and the proposed regulation, you can see the [ACLU's extremely helpful background](#).

You can copy and paste a comment directly from this article, or [view them in this document](#).

Sample Comment 1

My name is [*****] and I am writing because I care about the rights of people sentenced to death. I submit this comment in opposition to the Department of Justice's proposed rule amending 28 CFR Part 26, which governs Chapter 154 certification. If finalized, this rule would strip away critical procedural protections for people on death row by eliminating federal oversight of the quality of counsel appointed in state capital postconviction proceedings. Capital punishment is a form of state violence that disproportionately targets Black, Indigenous, and poor people. Meaningful procedural safeguards are a minimum requirement of any fair system. Cutting federal competency and compensation standards, eliminating the timeliness requirement for appointment of counsel, and rendering certifications permanent with no mechanism for revocation ensure that states will obtain expedited federal habeas review advantages while providing condemned people in prison with inadequate representation. The DOJ must withdraw this proposed rule.

Sample Comment 2

My name is [*****] and I am writing because I care about the rights of people sentenced to death. I submit this comment in opposition to the proposed rule's elimination of mandatory public notice and comment on individual state certification requests under Chapter 154. The proposed rule would give the Attorney General unreviewable discretion to decide whether to seek public input on any given state's application. This change will result in a void of public participation in the certification review process. Notice and comment on state applications is the primary way affected people in prison, and knowledgeable members of the public can present evidence that a state's capital counsel system fails in practice. Statutes and official policies the states will put forth in their applications will obscure issues that may undermine the system in practice, issues like chronic underfunding, high attorney caseloads, long delays in the appointment or availability of counsel, and other reflections of deficient state post-conviction representation. The notice-and-comment framework exists to prevent agencies from making high-stakes decisions based on incomplete records. Eliminating this requirement will prevent the very evidence needed to make a fair and accurate certification determination.

Sample Comment 3

My name is [*****] and I am writing because I care about the rights of people sentenced to death. I submit this comment in opposition to the proposed rule on the ground that the Attorney General's certification process is constitutionally defective because the Attorney General is a structurally biased actor. The Attorney General is the nation's chief law enforcement officer. Inherently, this role is aligned with the prosecution. Under the certification scheme, the AG is also the sole arbiter of whether states have provided capital defendants with adequate postconviction counsel in state proceedings. This arrangement raises serious due process concerns based on the structural incentives that undermine the decisionmaker's neutrality. It also raises separation of powers concerns because it is the judicial branch—not the executive branch—that the Constitution charges with making decisions in federal habeas proceedings. The proposed rule amplifies these constitutional problems by eliminating public notice and comment, removing recertification review, and compressing the decision timeline to 90 days — all changes that reduce the record

available to any reviewing court and insulate the AG's determinations from meaningful scrutiny. The proposed rule should be rejected, and a new scheme developed that addresses these constitutional infirmities.

Sample Comment 4

My name is [*****] and I am writing because I care about the rights of people sentenced to death. I submit this comment opposing the proposed rule's elimination of periodic recertification and any mechanism for revoking a Chapter 154 certification once granted. Under the proposed rule, a state that obtains certification retains it permanently and irrevocably, regardless of subsequent changes to its capital counsel system. This creates a one-way ratchet that locks in expedited federal habeas timelines for states even after their counsel systems have materially deteriorated. Agencies must act rationally and in accordance with the purposes of the statutes they administer. A certification system designed to ensure adequate representation for people facing execution that contains no mechanism for addressing subsequent failures is not a genuine safeguard. I urge the Department to retain a mechanism for revocation upon a showing that a state's capital counsel system fails to meet the requirements for which it was certified.

Sample Comment 5

My name is [*****] and I am writing because I care about the rights of people sentenced to death. I submit this comment opposing the proposed rule because the capital punishment system in this country does not operate fairly, and this approach will make it less fair. Capital punishment is incompatible with human dignity and equal justice. The procedural protections that this proposed rule would effectively dismantle—including federal competency standards, compensation requirements, timeliness requirements for appointment, and public notice and comment—are not gratuitous. They stand between condemned people, who are disproportionately Black, brown, and poor, and states that have historically provided grossly inadequate legal representation in capital cases. Eliminating protections that ensure the appointment of competent counsel would guarantee that more people are executed following proceedings in which they were represented by underpaid, under-resourced, and undertrained counsel. The Department's claim that this rule is compelled by the text of Chapter 154 is a post-hoc rationalization for a policy choice to accelerate executions. That choice is one I reject, and I urge the Department to withdraw this proposed rule in its entirety.

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