

# Is The Death Penalty Cruel And Unusual Punishment For The Santa Fe Killer?

This Past Friday morning, 17-year-old Dimitrios Pagourtzis opened fire at Santa Fe High School in Santa Fe, Texas murdering ten people, physically wounding 13 others, traumatizing the school full of children, and scaring the moral fabric of America.

The cruel and unusual style this man used to execute his victims was breath taking and barbaric. Before writing this column I had to once again overcome the anguish and grief I feel as these type of tragedies become more prevalent in a culture that I raise my children in. Not even animals commit these kinds of atrocities' on non-aggressive defenseless victims.

There is nothing that can make up for this tragedy or perfectly reconcile victims with crimes on this earth. The only thing that can bring closure to a victim is swift and unequivocal justice for the deplorable criminal. This, is both biblical and constitutional.

Founding Father James Wilson implored his fellow countrymen to understand this timeless principle stating, "To prevent crimes, is the noblest end and aim of criminal jurisprudence. To punish them, is one of the means necessary for the accomplishment of this noble end and aim."

Extracting their wisdom from biblical Law: "Thou shalt not murder" and "he that murders any man shall surely be put to death for in the image of God made he man," the founders believed in and practiced capital punishment for capital crimes against humanity.

However, the tragedy for the victims and families of this recent crime is the state of Texas may acquiesce to the supreme court who ruled [in Roper v. Simmons](#) that imposing the death penalty on persons younger than 18 years old is a violation of the U.S. Constitution's Eighth Amendment, which outlaws "cruel and unusual punishment."

In [2012 the court also determined it is unconstitutional](#) to sentence juvenile offenders to life in prison without the possibility of parole no matter how serious the crime, Justice Elena Kagan writing the majority opinion.

This means the suspected Santa Fe killer could be eligible for parole in 40 years when he is 57 years old!

But not according to the Constitution which is the highest authority of law in the land.

The eighth amendment to the US Constitution states: "Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted."

This term cruel and unusual punishment was used by our Framers to prohibit unreasonable torture; disemboweling, mutilation, and things prevalent in Europe and England where kings and governments would use these tactics to make examples of political enemies or coerce men and women into confessions that often times were not true.

The Framers would not have considered capital punishment cruel and unusual based on the subsequent Fifth Amendment that states a person's life may be deprived them if due process finds them guilty of a capital crime.

So, in this case Dimitrios Pagourtzis has been charged with capital murder and upon conviction he should speedily lose his right to life in this world.

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