

Lifelines

News from the National Coalition to Abolish the Death Penalty • Number 108 • Winter 2013

California Voters Narrowly Retain the Death Penalty Over 5,500,000 Vote for Repeal

By Jeremy Schroeder

Just a couple short weeks ago, we all held our breath waiting to see if Proposition 34 to repeal the death penalty would pass. I was skeptical early in the campaign. But after traveling through the state, my hopes were up.

The National Coalition to Abolish the Death Penalty did its part. We urged members to help



the campaign as part of our new National Action Team, and at the request of our California state partners, we were on the ground in the Central Valley.

For nearly a week, Abe Bonowitz and I traveled to the most conservative parts of California with Ron McAndrew, a former Florida prison warden, and Jerry Givens, a former executioner from Virginia. We spoke to community groups and college classes and in churches, while reaching a broader audience over local television, radio, newspapers and the rest of the nation through our first ever on-line virtual tele-conference.

At every stop, people would tell us that we were in a very conservative community, but what I saw told a different story. At every stop, more people would come out, more excitement would be generated and it looked more and more like Prop 34 could pass.

While we were in California, Prop 34 even started surging in the polls. If this was true here in one of the most conservative areas of the state, then maybe, just maybe Prop 34 could pass.

(Continued on page 5)

Which State Will Be Next to Abolish Capital Punishment?

Big Push in Maryland for 2013

All eyes are on Maryland as one of the next states to repeal its death penalty statute. Legislation is expected to be introduced in January and could be signed into law by March.

The National Coalition to Abolish the Death Penalty has been working hand in hand with our Maryland Affiliate, Maryland Citizens Against State Executions (MDCASE), to ensure that everything is in place and ready for the 2013 campaign.

Abe Bonowitz, NCADP's Director of Affiliate Support took the lead role in organizing new grassroots and grass tops supporters in several key legislative districts. "We've never had organizing like this in Maryland," said Jane Henderson, the Executive Director of MDCASE. "Because of Abe's work we added over 1,000 members to our list and held events that garnered local media coverage for our issue. Now those legislators know quite clearly that many of their constituents want this bill to pass."

Building on past successes for the 2013 session, NCADP has added a second staff member to the Maryland team. Jeremy Schroeder, National Strategy Counsel, has taken on additional pieces of the work and will add his experience as the person who led the Illinois Coalition to its victory in 2011.

You can help too! MDCASE has designed this postcard (see



Maryland Governor Martin O'Malley leads a 2009 Ash Wednesday march of more than 200 clergy in Annapolis to support a death penalty repeal bill that he had sponsored.

photo) to thank Governor O'Malley for his leadership in repealing Maryland's death penalty. The photo shows him leading a march in 2009, and we want him to receive these notes of encouragement from all over the country. If you can send one and get a few others to do so as well, please e-mail your name and address to abe@ncadp.org and we'll send them right out!

(Continued on page 4)



A Message from Diann Rust-Tierney

As the nation focused on the 2012 Presidential election, the National Coalition to Abolish the Death Penalty watched for the election results on Proposition 34, a California ballot initiative that would have ended the death penalty.

Despite the fact that Prop 34 was not approved by the voters, it was clear that a significant number of Californians are ready for a change. There is no mistaking the significant momentum for ending capital punishment in this country and the increasing effectiveness with which we are going about our mission.

Not so long ago the idea of ending capital punishment was perceived to be a discrete, even if worthy focus, of a handful of dedicated individuals — a calling even. But the over 800,000 signatures garnered to place the Prop 34 on the ballot and the more than \$5 million raised in California and nationally for the effort demonstrate that ending capital punishment is an increasingly mainstream concern.

We are studying the California effort closely for lessons learned that can be used in future efforts across the country to engage the public more fully in the public debate on capital punishment.

Other States in the Spotlight

The National Coalition to Abolish the Death Penalty is heavily engaged in efforts to win repeal of the death penalty in Maryland, where Governor O'Malley is a strong supporter and the votes are within reach in both chambers. There are signs of progress in Delaware, Colorado, Montana and Kansas where support for repeal is bi-partisan.

The National Coalition to Abolish the Death Penalty is working side by side with the extraordinary leadership in each of these states to help assess the political opportunities from a national perspective and to make sure that national resources are available when needed.

The Bigger Picture

In addition, our efforts to end capital punishment are not taking place in a vacuum. As the constituency for ending capital punishment expands and broadens, the concerns of the core activist committed to abolition must also expand.

We have seen this growth as the movement has grown to include more of the concerns of families whose loved ones were murdered. As communities of color increasingly take

the lead in this struggle, the core of anti-death penalty activists must embrace the struggle for racial equality and broader concerns about the criminal justice system. This will not take place without tensions and challenges as we carefully weigh a range of voices and perspectives. But I am convinced that the death penalty and other shameful excesses of our criminal justice system are present because many important voices have been shut out and ignored.

The National Coalition to Abolish the Death Penalty is uniquely situated to this task of seeing the big picture and making a place within the big tent for deeper discussions about the other side of abolition. As we work with our affiliates around the country, we see that the answer lies in alliances to achieve our goal.

We do the difficult and even discouraging work against capital punishment because, in the end, we do believe in a more just, fair and compassionate society. If we do our work well, that is exactly where we will end up. We can model tolerance and compassion not just as a tactic, but as the way that we seek to do our work.

This Issue of Lifelines

I am pleased to welcome you to this winter issue of *Lifelines*. I am excited for you to learn more about our first-ever on-line conference and our plans for making more use of technology for our work. We are honored to pay tribute to one of our founders, Professor Hugo Bedau. We thank his long-time friend, Michael Radelet, for sharing his reflection on our dear Hugo.

Picking up on the theme of building a more just and fair society by re-envisioning the way in which we prevent and respond to crime and violence, I want to share some of the ground-breaking work that the National Coalition to Abolish the Death Penalty is engaging in with criminal justice reformers.

As always, I am interested in your thoughts, about how we can move forward together to end the death penalty and bring about the beloved community that we all seek.

Peace,

Diann

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NCADP Lifelines

NCADP Lifelines is published by the National Coalition to Abolish the Death Penalty, the nation's oldest organization devoted exclusively to abolishing capital punishment. Founded in 1976, NCADP unifies a network of more than 100 Affiliate organizations, advocates and volunteers, and prominent national human and civil rights organizations in the fight to end the death penalty in the United States.

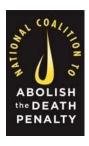
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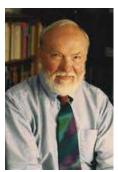
Virginia Campaign Coordinator Michael Stone

Our Movement Loses A Hero

By Michael L. Radelet

Hugo Adam Bedau, Professor Emeritus of Philosophy at Tufts University, died on August 13, 2012 near his home in Massachusetts at the age of 85. The cause of death was complications associated with Parkinson's disease.

By any measure, Professor Bedau was the top death penalty scholar in U.S. history. He had scores of publications beginning in 1958 and continuing until weeks before his death. Perhaps his most important book was *The Death* Penalty in America, published in 1964, which quickly became the "bible" for students of the death penalty for a generation or more. His pioneering



work on erroneous convictions, beginning in the early 1960s, gradually put that issue at the forefront of death penalty debates, where it remains today.

Hugo was one of the original founders of the National Coalition to Abolish the Death Penalty, as was one of his closest friends, Henry Schwarzschild (1925-1996) from the ACLU. He later served on the NCADP Board of Directors for many years (including one term as Board Chair). Hugo won many awards, but perhaps his proudest were the NCADP Abolitionist of the Year Award in 1989 and the NCADP Lifetime Achievement Award in 2000.

Hugo lived to see the "innocence argument" change death penalty debates in the U.S. and around the world, in no small way because of his scholarship. He did not live to see the end of the death penalty, but in 1964 he published the definitive history of the death penalty in New Jersey, and lived to see it abolished in that state in 2007.

He lived to see Oregon Governor John Kitzhaber (whose sister was one of Hugo's former students) say in 2011 that he would not allow any executions, in part because he knew the history of the death penalty in his state, which Hugo had written and published in 1965. He lived to see another former student, Bill Richardson, sign legislation in 2009 to abolish the death penalty in New Mexico.

Hugo did not see the ultimate end of executions, but he saw enough to know that many of the seeds he planted were bearing fruit. America's executioners and their supporters must think he was a huge pain in the ass.

He is survived by his wife, noted medical historian Constance Putnam, and his four children and their families.



Michael L. Radelet is Professor of Sociology at the University of Colorado-Boulder. He has worked with scores of death row inmates and their families as well as with families of victims, and has published numerous studies on issues related to the death penalty. He also served on the NCADP board of directors.

Ramped Up & Ready in Delaware!

It seems that "Smaller, Faster, Smarter" is an apt official slogan for Delaware, even when we think in terms of getting rid of that state's death penalty. In fact, no NCADP State Affiliate has ramped up a campaign to repeal the death penalty faster than Delaware.

Just two years ago, Kathleen MacRae moved from New Mexico to become executive director of the ACLU of Delaware. MacRae is a former executive director of the NCADP Affiliate, the New Mexico Coalition to Repeal the Death Penalty,



Delaware Repeal volunteers Molly Keogh & Sue Claire worked with NCADP's Abe Bonowitz to reach supporters at the annual African American Festival on the grounds of the state capitol in Dover in June 2012.

which accomplished its mission in 2009.

Almost immediately she recognized that Delaware had the makings of a state ready to repeal its death penalty. Despite several executions in the past few years, there is an ambivalent populace. Most importantly, legislators and others in leadership positions are open to the idea.

MacRae consulted with the National Coalition and Delaware Citizens Opposed to the Death Penalty, the long-time state Affiliate of the National Coalition, and others about her suspicions. Then she started a process to build a campaign that is ready to win.

Last fall, new funding allowed the hire of organizer Rachel Dromgoole, and Delaware Citizens joined with the ACLU of Delaware, the League of Women Voters, the NAACP and several others to form Delaware Repeal, through which the campaign is being run.

National Coalition staffers Jeremy Schroeder and Abe Bonowitz have been on the ground in Delaware repeatedly, helping the campaign develop its strategy, build its capacity and implement its plan.

"Delaware is a small state, but we have big hopes our repeal movement," said Campaign Manager Brian Boyle, the most recent addition to the team. "Since many Delawareans are on a first-name basis with their legislators, we hope to leverage existing personal relationships through an education and lobbying campaign to abolish our death penalty in the very near future."

Delaware Repeal is fast approaching the 2013 legislative session – repeal ready! The National Coalition is lending its full support with the help of its donors and its National Action Team volunteers.

Kansas on the Move

With a new Executive Director, Mary Sloan, at the wheel and recent funding to expand the team of talented organizers, the Kansas Coalition Against the Death Penalty (KCADP) has fresh energy and experience as it heads into the 2013 legislative session. Combining this new experienced team with the past work and seasoned volunteer veterans, the push to repeal the death penalty in Kansas is on.

The National Coalition to Abolish the Death Penalty added capacity to KCADP a few years ago when it was an all-volunteer organization — dedicating Lori Baux, a senior staff person with considerable experience as a political organizer, to help the Affiliate plan, build resources and add organizational capacity.

Within a year, KCADP hired its first part-time organizer and hit a major benchmark with a 20–20 tie vote on a repeal bill in the Kansas State Senate, with 12 of those 20 yes votes being from Republicans. Lori continues to work day to day with the Kansas team.

Critical to repeal is support from conservatives. Launching the post-election push, the Kansas Coalition held its 2012 Abolition Conference November 10th,

featuring Dr. Allen Ault, Dean of the College of Justice and Safety at Eastern Kentucky University. Dr. Ault has also served as a Commissioner of departments of corrections for five governors in three states and as Warden of a maximum security prison. He has personally overseen five executions in Georgia. Now he is



KCADP Chair Donna Schneweis with guest speaker Dr. Allen Ault, former Director of Georgia Department of Corrections.

an advocate for ending the death penalty.

Passing death penalty repeal in this conservative Midwestern plains state will send a strong message around the country. Please help in any way that you can.

If you have friends or family in Kansas, encourage them to join the KCADP campaign or donate to the Kansas Coalition Against the Death Penalty.

(Continued on page 5)

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Montana Coalition Forging Ahead

"We're Going!"

That's how Jen Kirby, Coordinator of the Montana Abolition Coalition, put it when asked how things turned out in the November election of state legislators and the new Governor.

"There were a couple of very close races, but as the dust settled, we've seen some significant changes to the face of Montana's legislature," said Kirby. "Legislative seats switched political parties, incumbents were defeated,

and many fresh faces will be in Helena come January."

The Coalition has been working to strengthen support for abolition from all sides of the political spectrum - from conservatives, moderates, and liberals, and from Democrats,



The staff and board of the Montana Abolition Coalition taken at its 2012 Annual Summit with guest speakers, Sabrina Butler and Renny Cushing. Coalition Coordinator Jen Kirby is in the second row at the far left.

Republicans and Libertarians.

"We have more support from Republicans than ever before, and there has been tremendous growth in support among conservatives and evangelical Christians in Montana," said Kirby. She points to the formation of a group of "Conservatives Concerned About the Death Penalty," which was noted in this editorial in the Great Falls Tribune as that newspaper reversed its long-held position on capital punishment to one of opposition.

There is still much work to do. Even as the Montana Abolition Coalition meets with new legislators and continues to ready itself for the legislative session, it is also facing the prospect of a rare execution.

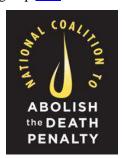
At press time details regarding a clemency campaign to help save the life of Ronald Smith are in process. Please visit the Montana Abolition Coalition web site http://mtabolitionco.org/ to take action in that case.

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The National Action Team

The National Coalition to Abolish the Death Penalty has a new way that anyone who cares about repealing the death penalty can get involved in national level efforts as well as in the vital legislative battles in key states no matter where you live! Our National Action Team, comprised of individuals committed to playing a hands-on role to helping ending the death penalty for once and for all. To join the more than 300 members, sign up here!

National Action Team members are the first to be called upon to help respond to urgent actions and to disseminate these calls to action to their personal networks. They will also have the opportunity to provide vital support during key moments of important legislative campaigns such as phone banking and monitoring and responding to news events.



Sometimes there is a need for strategic connections, finding people to convey a message to key policy makers via direct relationships with an alma mater, a professional association, or their network of friends and family in that state. We all have relationships that cross state lines, and the National Action Team will help connect the dots.

National Action Team members might get involved by hosting fundraising events (big or small) or volunteering for projects that match their skill set. The Coalition puts out calls for writers, researchers, designers, or others with certain skills needed to complete specific projects that will move the Coalition or state affiliate partners forward.

We will support National Action Team members and send updates with opportunities for involvement. For more information, go to www.ncadp.org or contact Anita Grabowski at anita@ncadp.org.

(Continued from page 1)

After a week in the Central Valley, I had seen enough to hope now was the time that California would repeal the death penalty. But it wasn't meant to be. California's Prop 34 was narrowly defeated by a vote of 52.8 percent to 47.2 percent. Obviously, after all the work that the California campaign did, I would have preferred a clear majority favoring repeal. But it is very good news that public opinion has shifted in our favor by nearly 20% since 1978, when 71% of voters supported executions.

Where are we now? We are now in a hopeful place and we can't forget that. We at the National Coalition will be working to learn from this campaign and to work with you to end the death penalty in the United States forever.

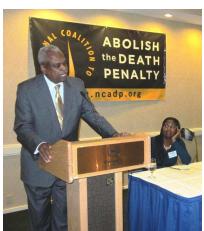
NCADP 5th Annual Abolitionist **Leadership Training Institute**

Sixty State & National Leaders Gather

In November the National Coalition to Abolish the Death Penalty convened over sixty state and national leaders in our movement in Crystal City, Virginia for the 5th Annual Abolitionist Leadership Training Institute (ALTI). One purpose of ALTI is to give state affiliate leaders time away from their everyday work to focus on emerging trends and topics that are critical to taking our abolition work to the next level.

ALTI is a place to reconnect with friends and colleagues across the country and to form new relationships with others in the movement. ALTI has consistently been a place for sharing high level strategy and analysis among peers to enhance how we achieve our goals.

Wade Henderson of the Leadership Conference on Civil and Human Rights, and Matt Coles of the ACLU opened ALTI 2012 at the Friday evening welcome dinner with



Wade Henderson of the Leadership Conference on Civil and Human Rights addresses ALTI participants on Friday evening.

riveting reflections on where our work to end the use of the death penalty lies vis-à-vis the larger movement for civil and human rights. Henderson reminded the group that bills prohibiting lynching were among some of the first civil rights legislation passed, and that our fight to end the death penalty is squarely rooted in the ongoing struggle for civil rights for all in this country.

ALTI 2012 engaged its participants in discussion and workshops around three main themes — the elections and what lies ahead, the intersection of our work on the death penalty and the larger criminal justice reform movement, and best practices for engaging a broader community through online organizing and social media.

Michael MacLeod-Ball of the ACLU moderated the "Unpacking the Elections" panel and shared his analysis that the 2012 elections were not a status quo election, but rather brought in a wave of progressive reforms and new legislators. The other panelists included Jeanne Woodford of Death Penalty Focus, Rick Johnson of

Lake Research Partners, Arturo Vargas of the National Association of Latino Elected and Appointed Officials and Christopher Durocher of the Constitution Project.

Johnson and Vargas shared their analysis of voter behavior among women and Latinos, two major constituencies for our work. While voter turnout among eligible Latino voters remains low, Vargas indicated that this does not

reflect apathy but rather loss of faith in the system.

Polls show that Latinos who do vote say that they do so on behalf of their children. their families and their community rather



Members of the "Unpacking the Elections" panel - Michael MacLeod-Ball, Rick Johnson, Woodford, and Arturo Vargas.

than out of a sense of civic duty. Although Proposition 34 failed by a narrow margin, Woodford said that it did win among younger voters, women and people of color.

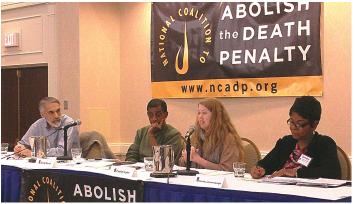
State campaign directors from the five states expected to run repeal legislation in the next year or two briefed ALTI participants on their campaign strategies, timelines, and crucial decision points. One of our greatest strengths as a movement is that no state is "going at it alone."

Through this conversation participants learned how they can mobilize and train their members to help from afar in hot campaign states through phone banking or online actions. States that are several years from a repeal campaign were able to get a first-hand look at five sophisticated state legislative campaigns.



"Hot states" panel moderator Jeremy Schroeder and panelists Abe Bonowitz (Maryland), Lisa Cisneros (Colorado), Jen Kirby (Montana), Kathleen MacRae (Delaware), and Mary Sloan (Kansas).

We were grateful that Marc Mauer of The Sentencing Project, Dorothy Johnson-Speight of Mothers in Charge, David Harris of the Charles Hamilton Houston Institute on Race and Justice, and Evelyn Lynn of Georgians for Alternatives to the Death Penalty joined ALTI for a full afternoon of presentations and discussions about the core trends and analysis of the criminal justice movement. They shared how our work to drive down death sentences and pass legislative repeal also advances the goals of the larger criminal justice reform movement.



Members of the Criminal Justice Reform panel - Marc Mauer, David Harris, Evelyn Lynn, and Dorothy Johnson-Speight.

Tracey Vazquez of the Justice Policy Institute also joined the afternoon session to serve as a resource person and thought partner as our movement grappled with questions such as, "what opportunities does this frame open for our work?" and "what additional knowledge, resources and/or relationships will we need to engage in our work through a criminal justice frame?"

ALTI 2012 was not just work! Participants had a great time connecting with one another, catching up, sharing ideas, and seeking advice. Saturday evening was a night on the town. Participants broke into small groups to dine in area restaurants and enjoy a crisp November evening.



On Sunday we wrapped up our weekend with a skills building workshop on online organizing and utilizing social media presented by our colleagues at Blue State Digital, the international web design and strategy firm that the Coalition has been working with on our website redesign process. While learning new and innovative ways to use online tools to engage death penalty repeal supporters anywhere we also learned that you can be productive checking Facebook during your lunch break — if you connect those 500+ friends to our work that is!

ALTI participants learned that Blue State Digital (BSD) and the National Coalition have an agreement to make the BSD constituent management database and online action tools available to any state affiliate.

We brought another year of ALTI to a close with words of mutual support, binding us to one another with the cloak of brother and sisterhood, to return to our work renewed. reconnected and reengaged!



ALTI participants take turns expressing words of encouragement to one another in a closing "Appreciation Circle."

Meet an NCADP Intern

Arnhild Ketilsson

I was born and raised in Oslo, but I have attended law school at the University in Bergen for the past four years. Law school in Norway is a 5 year Master's degree program. The last one consists of one semester of electives and one semester writing



a thesis. My semester in DC will serve as my electives.

I am enrolled at American University in the Justice and Law program. It gives me an opportunity to learn about the American criminal justice system, including law enforcement, the court system and the death penalty.

Since Norway doesn't have a death penalty I wanted to work with NCADP as part of my program. I am helping out with different tasks that people in the office or in the affiliates may have. I also help with a project that takes a closer look at the needs of families with a relative on death row. I hope that I can help these families get the support that they need in a very difficult situation.

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Books From the Abolition Library

The Inferno: A Southern Morality Tale

By Joseph B. Ingle Westview Press, 2012

Philip Workman and I were in Unit 2 (death row) at the Riverbend Maximum Security Institution in Nashville, Tennessee. We visited weekly for years and we shared the "warp and woof" of our lives during these visits.

Philip had survived four death warrants due to exculpatory evidence coming forth post-trial. The only eyewitness to the crime had recanted and the forensics established it was not his ammunition that killed the Memphis police officer. But he remained on death row. The courts were bitterly divided on his case.

Through it all his spirit was amazingly strong.
This does not mean he did not suffer terribly.
Indeed, Dr. George Woods, an international psychiatric expert on trauma, diagnosed Philip with P.T.S.D. from his repeated near executions.

As we visited on this fall evening in 2004 in the wake of a gubernatorial reprieve, he reviewed the history of his case. Then he declared: "I want my case to make a difference to others. I want it to help the guys. I want the world to see what has happened to me so it can help the guys on the Row."

After Philip was executed on May 9, 2007 for a homicide that he did not commit, I spent the next year recovering from the shock and pain of the traumatic end of a friend-

ship of over a decade. It was not a good year with the loss and grief of losing someone so close.

I then recalled Philip's desire for his case to help others and decided to honor his wish by writing a book about his experience with the Tennessee killing machinery.

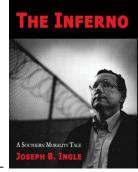
So I began to wade through 25 years of legal documents, talk to others who knew him, and reconstruct the case and the torturous appellate decisions including the 7-7 "tie you die" decision in the Sixth Circuit Court of Appeals.

I found myself repeatedly shaking my head. Although I had been through all of this horror, I still couldn't believe it happened in the United States.

I chose Dante's Inferno as a model to describe Philip's case. The reader descends with Philip through the circles of the Inferno, each one more bizarre than the last, through 24 circles. The journey ends in Purgatorio, after Philip's poisoning by lethal injection.

I hope you will join Philip on his journey through The Inferno. When we know the killing machinery in all its macabre and farcical detail, we can help realize Philip's wish that his case make a difference so we might end this barbaric relic of premeditated killing we euphemistically term the death penalty.

Joseph Ingle is a United Church of Christ minister who works with the condemned. The Inferno: A Southern Morality Tale is available from Amazon, book stores, or Ingram Publishing as a print on demand book. Another book, Last Rights: Thirteen Fatal Encounters with the State's Justice, details the lives of those lost to the executioner in Tennessee from 1979 to 1988.



ABOLISH the DEATH PENALTY

Prefer to make your donation through the mail?

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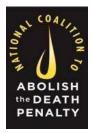
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Why I Give to NCADP

By Andrea D. Lyon

I have spent most of my adult life as a capital defense attorney. As such I have worked and continue to work to save one life at a time. Because I also teach and write, I

have attempted to inform the public about the inequities in the system, and to tell my clients' stories more broadly. No one is, after all, only the worst thing they have ever done in their life.

I give to the National Coalition because they advocate for my clients as well. They speak out to civic groups, religious organizations, and

legislatures among others. They try to get the public to see what those of us who know these cases know; that the system is not fair, it is barbaric and it puts us in the unenviable company of tyrannical nations.

Facts are stubborn things, and letting people learn the facts is the mission of this organization to which I donate and will continue to donate until we do, once and for all, abolish the death penalty.

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Professor Andrea D. Lyon is a Clinical Professor of Law at DePaul University College of Law and the Associate Dean for Clinical Programs and Director of the Center for Justice in Capital Cases. Professor Lyon has tried over 130 homicide cases and is a nationally recognized expert in the field of death penalty defense.

In 2011 she received the Outstanding Legal Service Award from the National Coalition to Abolish the Death Penalty. Professor Lyon has defended over thirty potential capital cases at the trial level and has taken nineteen through the death penalty phase, winning all nineteen. She is the author of **Angel** of Death Row: My Life as a Death Penalty Defense Lawyer (Kaplan 2010). Read more at http://andrealyon.com/.

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