

VICTIM ADVOCATES AGAINST THE DEATH PENALTY

By Andrew Rivas

Losing a close family member to murder is a tragedy of unimaginable proportions. The effects on the family, and on the wider community, extend well beyond the initial shock, loss and trauma. A common assumption in this country is that families who have suffered this kind of loss will support the death penalty. That assumption is so widespread and unquestioned that a prosecutor will say to a grieving family, "We will seek the death penalty in order to seek justice for you." A lawmaker introducing a bill to expand the application of the death penalty announces that he is doing this "to honor victims." A politician believes that he or she must run on a pro-death penalty platform, or risk being labeled "soft on crime" and thus unconcerned about victims.

This sweeping assumption is wrong. Many family members of victims have argued passionately against the death penalty for their loved one's killer. Vicki Schieber, for example, opposes the death penalty, believing that it will neither help her get justice for her daughter's murder nor help her heal from her loss. Vicki believes responding to one killing with another killing does not honor her daughter, or help create the kind of society where human life and human rights are valued. Imposing the death penalty only creates another grieving family.

Our society is turning against the use of the death penalty. This trend is being shaped and led by the courageous witness of four people whose lives were tragically touched by murder, and who unexpectedly became public advocates against the use of the death penalty.

VICKI SCHIEBER

Vicki's daughter Shannon was 23 years old in 1998, when she was murdered by a serial rapist in Philadelphia. Shannon had grown up in Maryland, graduated from Duke University, and was finishing her first year of graduate school at the Wharton School of Business. She had been up late studying for her final exams, alone at home, when the assailant pried open the balcony door to her second-floor apartment and attacked her as she was preparing to take a bath. It was later learned that her assailant had broken into at least four other apartments in the same neighborhood and sexually assaulted single female residents in the eleven months prior to Shannon's death.

From late August 1999 until late September 2001, the Schieber family heard nothing more of this stalker, rapist, and murderer. Then suddenly a DNA link was made between Shannon's case and a series of sexual assaults in Fort Collins, Colorado during the spring and summer of 2001. The assailant struck again in early April 2002 in Fort Collins. Following their own leads, as well as evidence provided by the Philadelphia police and others, including an intelligence unit at the U.S. State Department, Fort Collins police arrested Troy Graves on April 23, 2002. Eventually he pleaded guilty to assaulting, raping, and killing Shannon, and to thirteen other sexual assaults in the two states.

Shannon's parents, Vicki and Sylvester, were both raised in homes with deep-seated Catholic faith, where hatred was never condoned and the deliberate taking of another person's life was considered the ultimate form of hate. The Schiebers raised their children to oppose the killing of anyone, including murderers, if the killers could be imprisoned for life without parole and so no longer pose a danger to society.

No one should infer from her opposition to the death penalty that Vicki did not want Shannon's murderer caught, prosecuted, and put away for the rest of his life. "We believe he is where he belongs today, as he serves his prison sentence, and we rest assured that he will never again perpetrate this sort of crime on any other young women. But killing this man would not bring our daughter back. And it was very clear to us that killing him would have been partly dependent on our complicity in having it done."

Today Vicki serves on the board of directors of Murder Victims' Families for Human Rights (MVFHR), a national non-profit organization of people who have lost a family member to murder or to state execution. They oppose the death penalty in all cases. "I have come to know several survivors of people who have been put to death by execution. Seeing the effects of an execution in the family, particularly the effects on children, raises questions for me about the short- and long-term social costs of the death penalty."

The Schiebers have honored the memory of their daughter by setting up several memorials in her name, including a college scholarship and an endowment to replace roofs on inner city homes.

“As my husband and I wander through the normal things that we all do in our daily lives, we see constant reminders of Shannon and what we have lost. We believe that we honor her by working to abolish the death penalty, because, for my husband and for me, working to oppose the death penalty is a way of working to create a world in which life is valued and in which our chief goal is to reduce violence rather than to perpetuate it.”

DAVID KACZYNSKI AND GARY WRIGHT

David Kaczynski is the brother of Ted Kaczynski, “the Unabomber,” whose anti-technology bombings over 17 years left three people dead and twenty-three injured. A social worker living in Schenectady, New York, David had no idea the Unabomber could be the brother with whom he had shared a bedroom growing up in Chicago. But when newspapers printed the Unabomber’s “manifesto,” David and his wife, Linda, recognized similarities to Ted’s ideas. David faced an almost unimaginable dilemma – he could turn in his brother knowing that he might be executed, or he could do nothing, knowing more innocent people could be harmed.

David chose the path of life and took steps to stop the violence. He led FBI agents to a cabin in the Montana woods where Ted had been building bombs. Despite a promise to David and despite Ted’s history of mental illness, federal prosecutors sought the death penalty. It was only through the work of highly-skilled lawyers – an advantage often unavailable to those facing capital prosecutions – that Ted Kaczynski pleaded guilty and is now serving a life sentence in a federal penitentiary in Colorado.

Gary Wright was one of the Unabomber’s victims. Gary, the owner of a Salt Lake City computer store, happened to pick up a piece of wood behind his store in 1987. It turned out to be a bomb placed there by Ted Kaczynski. Gary was riddled with more than 200 pieces of shrapnel, one of which severed the ulnar nerve in his left arm. It was a miracle that Gary wasn’t killed, but he had to endure three years in and out of surgery, and a slow, pain-filled process of rebuilding his body and contemplating what had happened to him. He thought a lot about the person who had done this to him.

Both David and Gary reflected on the death penalty in intensely personal ways, and both became convinced that our society can live without using the death penalty.

After helping to lead authorities to his brother in 1996, David Kaczynski decided to reach out to Ted’s victims and apologize for his brother’s actions. While driving back to Albany after Ted’s sentencing in Sacramento in 1998, David phoned Gary to ask if they could meet when he passed through Salt Lake City.

To David’s surprise, Gary told him he did not blame David and his family and, in fact, harbored no hatred for Ted. Gary even said he did not want to see Ted executed. Today, the two men have a friendship forged in their common commitment to social responsibility and respect for life.

David returned to his work with troubled youth in Albany. Five years later he became the executive director of New Yorkers Against the Death Penalty, a group headed by Albany Bishop Howard Hubbard. He has spoken across the country telling lawmakers, church groups and others why the death penalty system is irretrievably broken, inherently unfair and fraught with tragic errors.

Gary has become an unlikely soldier in the same battle. He joined forces with David, and with two others who also have unique perspectives on the death penalty – Bud Welch, whose daughter was killed in the Oklahoma City bombing, and Bill Babbitt, who turned in his mentally ill brother to the police only to see him executed 18 years later. On a speaking tour throughout New York in 2003, the four men used their personal experiences with violence to urge lawmakers to end the death penalty law that New York had reinstated in 1995. In 2004 that law was found unconstitutional, and efforts to reinstate it were later rejected by the state assembly after a series of public hearings.

David and Gary remain good friends; their relationship, crossing boundaries between families of victim and offender, is cemented in the realization that each suffered pain and loss because of the crimes committed. They are now co-authoring a book dealing with the core of their relationship: healing.

Gary, a practicing Catholic, explains: “While he was being executed Jesus forgave the people who were killing him. I thought, if that’s the example Christ gave us while he was suffering on the cross, then I had to think very seriously about forgiveness in my own life.” He added: “With God’s grace, we have the ability to heal.”

KIRK BLOODSWORTH

Kirk Bloodworth, a retired Marine from Maryland, was wrongfully convicted of sexual assault, rape and first-degree murder, and was sentenced to death in 1985. The ruling was appealed a year later on the ground that evidence was withheld at trial, and Kirk received a new trial. He was found guilty again, however, and sentenced to two consecutive life terms.

In June 1993, Kirk's case became the first capital conviction in the United States to be overturned as a result of DNA testing. After he had fought for years for a DNA test, evidence from the crime scene was finally sent to a lab for testing. Final reports from state and federal laboratories concluded that Kirk's DNA did not match any of the evidence. On June 28, 1993, a Baltimore County circuit judge ordered Kirk released from prison based on the results of his DNA test. In December 1993, Maryland's governor gave Kirk Bloodworth a full pardon. By the time of his release, Kirk had served almost nine years in prison, including two on death row, for a crime he did not commit.

"In that time," Kirk says, "my life had been taken from me and destroyed. The Catholic Church provided me with essential support in my time of need, and I converted to Catholicism in 1989, while I was serving time behind bars. I am a deeply spiritual person and continue to embrace the Church. Its values help to guide me as I travel across the country to tell my story."

The Bloodworth family lived through the nightmare of Kirk's wrongful conviction and imprisonment, and supported him every step of the way. Kirk's father spent his life savings and lost the family home working to prove his son's innocence. Kirk's mother, who never wavered in her belief that her son was innocent, died five months before his release.

On September 5, 2003, nearly a decade after his release, Kirk heard the news he had been waiting to hear for 20 years: The state of Maryland finally charged someone else in the crime, after matching DNA evidence with information from state and federal databases.

Although Kirk was a retired marine "with no criminal record who was nowhere near the scene of the crime," he had nevertheless been convicted and sentenced to death for a crime he did not

commit. If it could happen to someone like him, he reasoned, it could happen to others. And it does. Since 1973, more than 120 people have been exonerated from death row after being cleared of their charges.

"Every bit of my story exemplifies the problems in the death penalty system. The same systemic flaws that led to my wrongful conviction, such as mistaken identification, inadequate representation, prosecutorial misconduct, and basic human error, plague the cases of innocent people in prison and on death row."

Today Kirk is a Program Officer for the Justice Project's Campaign for Criminal Justice Reform and the Criminal Justice Reform Education Fund. He serves as a national spokesperson, educating the public on wrongful convictions and assisting other exonerated former death row inmates to readjust to society.

What is striking about these stories is seeing how God sustains people as they face some of the most terrible and hopeless situations life can present – the murder of one's child, being maimed by a bomb, learning that one's sibling is a murderer, or being wrongfully accused of a heinous crime. In each instance, God comforts them, freeing their hearts of all anger and bitterness, so he can pour into the very crucible of their suffering the grace to become apostles for life. As Gary reminds us, Jesus forgave his executioners in the midst of his agony on the cross. Animated by the spirit of Christ, Vicki forgave her daughter's murderer and asked for his life to be spared. Gary forgave the man who maimed him and killed others, and now collaborates with that man's brother to show others the ways of mercy. Kirk shed understandable bitterness toward the flawed criminal justice system, and now works tirelessly to ensure that people do not die in state-sanctioned executions.

If these men and women can overcome human hatred and bring a gospel of mercy and love to the world, how can we claim a right to demand the death of a killer to "honor the victim" or to "win justice" for a victim's family? To do so can dishonor the lives of all involved, making us complicit in perpetuating violence rather than ending it.

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PROGRAM MODELS

Catholic Campaign to End the Use of the Death Penalty. Take part in this nationwide campaign in your own parish. Host a discussion session using the video *The Culture of Life and the Penalty of Death*. Distribute the brochure on the *Catholic Campaign to End the Use of the Death Penalty* in the bulletin and at parish meetings. The brochure and information on ordering the video, suggestions for educational activities, advocacy and prayer, plus campaign resource materials all can be found on the campaign's web site: www.usccb.org/death-penalty.

Wheels of Justice. Students from Catholic colleges and high schools in the Dioceses of Toledo, Cleveland, and Columbus, and the Archdiocese of Cincinnati participated in April 2005 in a "Wheels of Justice" bike and bus trip to the state capitol to end the use of the death penalty in Ohio. They brought with them petitions signed by thousands of students at their schools, and met with their legislators to urge support for change in Ohio law permitting the use of the death penalty. For information, contact Sr. Kathleen Ryan, SND in the Diocese of Cleveland at skryan@clevelandcatholiccharities.org.

Justice Must Include Mercy. The Montana Catholic Conference has produced a "Justice Must Include Mercy" kit to help parishes organize efforts to oppose the use of the death penalty. The kit includes liturgical and prayer materials as well as catechetical and advocacy materials. For information, contact the Montana Catholic Conference at mcc@mt.net.

The following list provides a sample of the many activities parishes, schools, families, and individuals can undertake to learn more about and act on Catholic teaching on the use of the death penalty.

RESOURCES

Teaching Documents

The Gospel of Life. Pope John Paul II, 1995. Washington, D.C.: USCCB. (English and Spanish, \$9.95).

A Culture of Life and the Penalty of Death. Statement of the U.S. Conference of Catholic Bishops, 2005. Washington, D.C.: USCCB. (\$2.50) Call 1-800-235-8722.

A Good Friday Appeal to End the Death Penalty. NCCB. Washington, D.C.: USCCB. (\$.40 each).

Responsibility, Rehabilitation, and Restoration: A Catholic Perspective on Crime and Criminal Justice. NCCB, 2000. Washington, D.C.: USCCB. (\$5.95).

Statement on Capital Punishment. United States Catholic Conference, 1980. Washington, D.C.: USCCB. (\$2.50).

Additional Print Resources

A Catholic Campaign to End the Use of the Death Penalty (brochure). Washington, D.C.: USCCB (Package of 25, \$12); Bulletin Insert (Packages of 100, \$12).

Against Capital Punishment: The Anti-Death Penalty Movement in America, 1972-1994. Herbert H. Haines. Cary, N.C.: Oxford University Press, 1996 (\$19.95).

Against the Death Penalty: Christian and Secular Arguments Against the Death Penalty. Mark Constanzo. Scottsdale, Pa.: Herald Press, 1997 (\$14.99).

CACP News Notes. Bimonthly newsletter. Catholics Against Capital Punishment. Arlington, Va. (free).

Catholics and Capital Punishment: The Morality of Capital Punishment According to Church Teaching. Augustine Judd, O.P. New Haven, Conn.: Knights of Columbus Catholic Information Service, 1998. (\$.50).

PARISHES AND SCHOOLS

Prayer and Liturgy:

- Periodically incorporate in general intercessions prayers for greater respect for the dignity of all human life, for victims of violence, and for ending the use of the death penalty as another step toward a culture of life.
- Also incorporate the intentions above into opening prayers for religious education classes and parish meetings as well as morning prayers at schools and other group prayers.

Education and Formation:

- Periodically include quotes from the bishops' statement, *A Culture of Life and the Penalty of Death*, in your Sunday bulletin.
- With younger children, organize a collection of gifts for the children of people in prison, including those on death row.
- Show the video, *A Culture of Life and the Penalty of Death*, and use the discussion guide that accompanies it with older children, youth and young adults, and adults.
- Contact your diocesan prison ministry program to learn about opportunities to write to people who are in prison, including those on death row.
- Encourage young adults and adults to read *Dead Man Walking* or view the film (rated by the USCCB A-3, Adults).
- Involve students in letter-writing campaigns, prayer vigils and other events on the issue of the death penalty. For information, contact your diocesan pro-life or social action office, your state Catholic conference (see www.scc.org), or go to the web site for the Catholic Campaign to End the Use of the Death Penalty (www.usccb.org/death-penalty).

Catholics and the Death Penalty: Six Things You Can Do to End Capital Punishment. Robert H. Hopcke. Cincinnati, Ohio: St. Anthony Messenger Press, 2004. (\$4.95).

Capital Punishment in the United States: A Documentary History. Bryan Vila and Cynthia Morris (eds). Westport, Conn.: Greenwood Press, 1997 (\$49.95).

Choosing Mercy: A Mother of Murder Victims Pleads to End the Death Penalty. Antoinette Bosco. Maryknoll, N.Y.: Orbis Books, 2001 (\$17).

Dead Men Walking: An Eyewitness Account of the Death Penalty in the United States. Sr. Helen Prejean. New York: Random House, 1993 (\$13).

The Death Penalty: An Historical and Theological Survey. James J. Megivern. Mahwah, N.J.: Paulist Press, 1997 (\$29.95).

The Death Penalty in America: Current Controversies. Hugo Adam Bedau, (ed). New York: Oxford University Press, 1998 (\$21.50).

The Killing State: Capital Punishment in Law, Politics, and Culture. Austin Sarat (ed). Port Chester, N.Y.: Cambridge University Press, 1998 (\$39.95).

Audiovisual

A Culture of Life and the Penalty of Death (video)
This 15-minute video provides a compelling overview of Church teaching on the use of the death penalty and features families that have been directly affected by this issue. USCCB No. 5-757; Call 800-235-8722.

Capital Punishment: The Death of Morality (video and study guide)
A 12-minute film in which Kentucky's bishops make their arguments for abolishing the use of capital punishment. Incorporates Catholic theology and pragmatic social policy reasoning against capital punishment. Catholic Conference of Kentucky. (\$15). Call 502-875-4345.

Outreach:

- Undertake efforts to minister to victims of violence by providing a supportive listener, someone to accompany survivors to court, assistance with child care, etc.
- Organize a collection of goods for those in prison, including those on death row, and their families. This could include toiletries, magazines and books, or other goods identified by your diocesan prison ministry program.
- Invite parishioners to sign up for a death penalty alert network so that they receive alerts from your state Catholic conference, your diocesan social action office, or the United States Conference of Catholic Bishops (<http://www.usccb.org/sdwp/subform.htm>). If you have a legislative network, include this issue in the agenda of the network. Contact your state Catholic conference, diocesan social action, or diocesan pro-life office for assistance.
- Organize parishioner involvement in prayer vigils and other events to protest the use of the death penalty.

FAMILIES AND INDIVIDUALS

- Pray for respect for the dignity of all human life, for victims of violence, and for ending the use of the death penalty as another step toward a culture of life.
- Seize the "teachable moments" that occur when executions are covered by the news media by talking with older children about these situations and what Catholic teaching says about the use of the death penalty.
- Rent the movie *Dead Man Walking* and watch it with young adult and adult family members, discussing its relationship to Catholic teaching. (Note: The film is rated by the USCCB A-3, Adults.)
- Write letters to elected officials about ending the use of the death penalty. Involve the whole family in the process of writing the letters.
- Assist a person who is in prison or the family of an imprisoned person by writing letters, sending needed goods, providing child care, etc. Contact your diocesan prison ministry program for ideas.

It Could Happen to You! (video and study guide)
This 19-minute film records a personal interview with death-row inmate, Harold McQueen, Jr. 72 hours before his 1997 execution in Kentucky's electric chair. Mr. McQueen delivers a powerful testimonial detailing the consequences of untreated alcohol and drug abuse. Catholic Conference of Kentucky. (\$15). Call 502-875-4345.

Our Faith: Our Case Against the Death Penalty (video and study guide). Office of Criminal Justice Ministry, Diocese of Beaumont, Texas. Call 409-838-0451, ext. 158.

Internet

USCCB
<http://www.usccb.org/sdwp/national/dea.htm>

Catholic Campaign to End the Use of the Death Penalty www.usccb.org/death-penalty – Website of the United States Conference of Catholic Bishops' campaign. Includes information on Catholic teaching on the death penalty and a variety of resources.

Catholics Against Capital Punishment www.cacp.org -- Website of the membership organization founded in 1992 to promote greater awareness of Catholic teaching on the death penalty. Includes updates from around the country and a variety of resources.

Death Penalty Information Center
<http://deathpenaltyinfo.org>

Murder Victims' Families for Reconciliation
www.mvfr.org

www.americancatholic.org -- Website from the Franciscans and St. Anthony Messenger Press that provides a wide range of materials on the death penalty.

www.nasccd.org -- Website for the National Association of State Catholic Conferences Directors provides contact information for most state Catholic conferences, which provide leadership in each state for the Church's efforts to oppose the use of the death penalty.