ARTICLE 3

Murder Victims' Families for MVFHR Human Rights

"Everyone has the right to life, liberty and security of person."

- Article 3 of the Universal Declaration of Human Rights, adopted by the United Nations General Assembly on December 10, 1948

Newsletter 11 • Fall 2010/Winter 2011

Families of Law Enforcement Opposing the Death Penalty

Gail Rice testifying before the New Hampshire Death Penalty Study Commission, April 2010

"My moral objections to the death penalty don't override my interest in seeing harsher penalties for the murder of police officers," says Illinois MVFHR member Gail Rice. "We don't teach people not to kill by killing."

Gail's brother, Denver Police Officer Bruce VanderJagt, was killed in 1997 while trying to apprehend two burglary suspects. Gail, an outspoken death penalty abolitionist, recognizes that there is often an expectation that families of slain law enforcement members will be supporters the death penalty. She has chosen to testify at legislative hearings and in other venues to demonstrate that this is not always true.

Tony Longobardo's son, New York State Trooper Joseph Longobardo, was killed in 2006 after he and another trooper were ambushed while searching for an escaped convict. The man responsible was sentenced to life in prison without the possibility of parole, and Tony says he does not object to this sentence. "I've always been opposed to the death penalty," he explains. In 2008 he was part of a group that went to meet with Mike Long, long-time Chair of the New York State Conservative Party, in part to introduce the idea of victim opposition to the death penalty. Tony is also active in efforts to benefit fallen State Troopers.

Linda Gregory's husband Gene Gregory, a Florida Deputy Sheriff, was killed in 1998 by Alan Singletary, who was then killed himself during the police standoff that resulted. "I never felt good that Alan Singletary was dead," Linda says. "I just thought, what a tragedy that might have been prevented. It was a heartbreak for everybody." Linda, a participant in MVFHR's Prevention, Not Execution project, which aims to end the death penalty for people with severe mental illness, has been active in working for reform of mental health laws and improving services, and she also works to train members of law enforcement in crisis intervention.

These family members are clear about their own stance, but they acknowledge that survivors don't always agree on the issue of the death penalty. "When I shared my abolition activities with my sister-in-law,"

continued on page 2

Inside This Issue

MVFHR
Murder Victims' Families for Human Rights

Murder Victims' Families for Human Rights is an international, non-governmental organization of family members of victims of criminal murder, terrorist killings, state executions, extrajudicial assassinations, and "disappearances" working to oppose the death penalty from a human rights perspective.

Membership is open to all victims' family members who oppose the death penalty in all cases. "Friend of MVFHR" membership is open to all those interested in joining our efforts.

Murder Victims' Families for Human Rights is a member of the World Coalition Against the Death Penalty, the National Coalition to Abolish the Death Penalty, the U.S. Human Rights Network, Anti-Death Penalty Asia Network, the National Center for Victims of Crime, and the National Organization for Victim Assistance

Article 3
Angela Mark & Red Sun Press
Design and Production

Murder Victims' Families for Human Rights
2161 Massachusetts Avenue
Cambridge MA 02140 USA
617-491-9600
www.mvfhr.org
info@mvfhr.org

MVFHR is funded in part by The Atlantic Philanthropies.

In addition, MVFHR is the beneficiary of a grant from the European Instrument on Democracy and Human Rights. This newsletter has been produced with the financial assistance of the European Union. The contents of this document are the sole responsibility of MVFHR and can under no circumstances be regarded as reflecting the position of the European Union.

Federal tax identification number: 11-3725424

recalls Gail, "I felt it was the beginning of the end of a close relationship that had developed since Bruce's death. This was the case even though I stressed that I wasn't trying to change her mind and that we never had to talk about it again. Perhaps many families of law enforcement officers react in this way."

Photo by Scott Langley

Linda Gregory

Kathy Dillon's father, also a New York State Trooper, was killed in the line of duty when Kathy was just 14 (see page 3). Kathy says, "Some of my family members support the death penalty. This is hard. It can be a very divisive issue, and that is not what families need. We need to be able to support one another in regard to one of the most tragic occurrences in our lives."

Only as an adult did Kathy learn that another close family member had shared her feelings about the death penalty. "It was only about five years ago that I learned, in a conversation with my godfather, that my paternal grandmother had not wanted the death penalty either. Though she and I were close, I did not know that she had opposed the death penalty because the subject was not discussed with us children. It was as if my father's murder, and everything related to it, became a taboo subject. It was just too horrific."

Survivors like these can feel out of place and wish for greater understanding from others in the law enforcement community. But Gail suggests that it would also be beneficial if death penalty abolitionists made an effort to imagine, more fully, the perspective of families of slain police officers. Gail remembers the experience of riding with her brother and his partner for part of a shift.

"I was amazed at what they saw and what they had to deal with. I think the abolition community needs to recognize the dangerous situation that police officers are in, to acknowledge how much violence they are exposed to and what it is like to be the first one there at the scene of a homicide." This kind of understanding can help with any outreach or bridge-building efforts, Gail says. What would help, she suspects, is actually quite similar to what helps when reaching out to families of murder victims: recognition and acknowledgment of the horror and devastation of murder.

Kathy Dillion

Florida MVFHR member Kathy Dillon writes:

In 1974, my father was shot and killed in the line of duty on the New York State Thruway. He had been a New York State Trooper for 16 years. At that time, the death penalty was an available sentence in New York for first-degree murder of a police officer. I learned many years later that the District Attorney had come to our house to talk with my mother about it at least a couple of times after my father was murdered, virtually assuring her that this would be the outcome at the trial. In the end, because of one juror's vote, the sentence was not death but a prison term of 25 years to life (New York did not have life without parole at that time; it does now).

The adults in my family did not talk about this issue with my siblings and me after our father was killed, since we were still so young. We ranged in age from 7 to 17; I was 14. However, when I did hear that the death penalty was being sought, it bothered me. I knew that an execution was not what I needed for my healing. But there was really nobody to talk to at that time about those feelings.

I think that my aversion to the idea of the death penalty, back then, must have been tied to my upbringing as a Catholic and the teachings of "thou shalt not kill." At that time, though, the aversion was more like a feeling I had, rather than a strong set of beliefs.

After the trial ended and we knew that the men involved in the murder would be sent to prison, I never thought much about the death penalty again for years. My boyfriend of four years was murdered ten years after my father's murder, but it was not a capital case, so it wasn't a situation in which I was forced to think about capital punishment again.

Then in 1994, George Pataki was running for Governor of New York. He let it be known that he planned to reinstate capital punishment. I was a jail ministry volunteer at the time, and somehow the subject of capital punishment came up at one of our meetings. Without planning to, I disclosed to the group how my father had been murdered when I was a teenager and how, even as a teen, I had felt that capital punishment was wrong, and that it wasn't what I had felt that I needed in order to heal from the murder. Some people in that group were very moved by what I had shared and, thereafter, encouraged me to speak publicly about my opposition to the death penalty.

I began to accept invitations to write or speak about the subject. I speak about my personal experiences, the teachings that influenced me, and about the facts of the death penalty. It is ever-evolving, because capital punishment continues to be carried out. However, nothing makes me waver from my opposition.

I have never been asked to address a law enforcement group, but each year there is a tribute weekend for families of NY State Troopers who died in the line of duty. I have attended a few times. Several years ago, in one of the smaller workshops titled "Where are you now?", I mentioned that I sometimes speak publicly against the death penalty. Almost everyone in the room remained silent, except for one who made a comment of support. I definitely felt alone.

The facts and statistics about the death penalty don't show it to be an effective law enforcement tool. Perhaps if I truly believed that it protects police officers, then in some ways I might feel differently about it. But I don't believe that it does. Even in the case of my father's murder, the death penalty was in place in New York State, but it didn't protect him that day. And for me, it always comes down to my belief that humans shouldn't have the power to decide who lives and who dies. I feel that it is wrong for one person to take the life of another, either in an attack of violence or in response to violence. Killing is wrong, no matter who does the killing.

Enhancing Our Response to Homicide: Interview with Mary Achilles

Mary Achilles is the Director of Rachel's Fund, a program recently established by the National Coalition to Abolish the Death Penalty (NCADP) and named after activist and writer Rachel King, who died in 2008. Mary Achilles comes to this position after a long career in victim services, including serving as the governor-appointed Victim Advocate for the Commonwealth of Pennsylvania. We spoke with Mary Achilles by telephone in August.

What is the goal of Rachel's Fund?

Rachel's Fund was established primarily to encourage NCADP affiliates to find common ground with organizations that serve the needs of families of murder victims and families of people on death row. The idea is that in addition to the obvious focus on repealing the death penalty, let's ask, "What is the right response to murder?" and let's provide support for legislative initiatives and other efforts that are part of enhancing our communal response to homicide.

A lot of that involves building bridges with the traditional network of victim assistance programs and other justice system reformers. To build a bridge, it's important to understand who people are, so we're going to do some training on the philosophies of victim service, the history of the victims' movement, the types of services provided, and some outreach strategies. I have also found that some victims' families feel marginalized within victim assistance programs, and that is important too.

Give readers a sense: what kinds of things do victim assistance programs do?

Many things. Depending on the jurisdiction, they may be on the scene right after a homicide. Some may be trained in proper death notification. The death notification is the linchpin between the two worlds – before the murder and after. The notification event will color the recovery process for the survivors.

What's an example of a bad way to do it?

"Hi, your son was killed." The better way is to have people who are trained in how people process traumatic events. They make sure the family members have some level of safety and security. They provide all the facts they can about the circumstances of the homicide and provide information on services available. They do some preparation about what might be coming up, explaining that the family might have to go and identify the body, for example. All of this is within the first couple of hours after a murder. Then there are so many other kinds of assistance that might be needed: crime scene clean-up, wiping the blood of your loved one off property that you own, accessing crime victims' compensation for funeral expenses, notification to extended family and friends, support counseling.

So it goes on, offering a broad range of supportive services that are separate and independent of the justice system. We tend to be focused on the justice system, but that's only one part of the experience. But of course, victim assistance should be available throughout the justice process too, offering information on what's happening and what the family's options are.

You mentioned a moment ago that some victims feel marginalized by victim assistance programs.

In 2001, at the National Organization for Victim Assistance (NOVA) conference, I was showing a video that displayed the protocol for victims' family members who had chosen to witness executions in Pennsylvania. The option for victims' families to witness executions became law in a very short period of time, and so we worked to develop a protocol. Renny Cushing and some other victims' family members were in the audience at that NOVA workshop, and they raised their hands and said, "What about us? What about victims who oppose executions?"

I knew there were victims who didn't believe in the death penalty, but I didn't understand until that moment that I hadn't taken them into account. I didn't understand how a protocol like this would look to those victims, that they would feel, "You're not speaking to me." I had never thought about the fact that just by being part of the system, I would look as though I was part of the death penalty, and so I would not look accessible to victims who opposed the

death penalty.

It was an enlightening experience. I'll never forget it. I was able to step back and look at this and say, "I don't look available to these victims in the way that I want to be and in the way that I thought in my heart I was."

It's interesting that you had that experience and now you're specifically working with a death penalty abolition organization.

I like the idea that the mission of the NCADP is to repeal the death penalty, but in the course of doing that, they recognize the human pull on either side for families of murder victims. I like being able to come in and help the abolition movement do right by victims. And that does mean all victims, not just the ones that promote a certain agenda.

What are some examples of "doing right by victims"?

Clearly, having the testimony of victims' families is one of the most powerful and compelling things you can do in terms of working toward abolition of the death penalty, but what I'm also asking is, how do the victims feel throughout that process? I think it's good that the abolition movement has created an opportunity for victims to be activists. I also think it is important that the abolition movement understand that there are issues related to victims speaking that need to be addressed. It can be important to have someone with knowledge of crisis and trauma who can prepare victims to speak and who can follow up with them after to ensure that the experience was constructive to them. Storytelling can be an incredible way to integrate the traumatic experience. Abolitionists just need to be sensitive to what they are asking of people.

Another example of doing right by victims is that if you're talking about a homicide case, name the victim. Don't just categorize the person as "the murder victim" because it's dehumanizing. Think about how whatever you're saying would look or feel to anyone who cares about that person.

In the History of the Victims' Movement that NOVA published in 2005, there's a comment about survivors of homicide victims feeling invisible, and one mother is quoted as saying, "When I wanted to talk about my son, I soon found that murder is a taboo subject in our society." Do you find that to be true, that it can be a taboo subject?

Yes, I think it can be a huge challenge: when do you bring it up? And I do think that part of other people's reluctance to talk about murder has to do with their own sense of safety. You know, "I need to be able to say this can't happen to me, because I can't live with the concept that it could." But also, murder is just messy and ugly and hard to deal with. It can definitely be isolating. Which is exactly why abolitionists should be engaged in enhancing our communal response to homicide.

You mentioned earlier that abolitionists could support legislative initiatives that have to do with how society responds to murder. What would be an example of that?

The abolition community isn't in a position to provide direct services to victims, but there is the opportunity to support policy initiatives, such as legislation to increase the cap on victims' compensation, or a broader victims' issue like making it possible for victims to take time off from work to attend court proceedings, or crime prevention efforts. It's important to partner with victims' organizations on issues that they're trying to move forward.

I think that in the eyes of legislators, this is less adversarial than only saying, "What you're doing is wrong," though it's important to do that too. But if, as an abolitionist group, you're also part of assuring that there are counseling services available for children who witness a homicide, for example, you're being proactive, you're saying let's increase our communal response to homicide, and you're starting from a place of agreement with victims' groups rather than from a place of separation. It may not change the minds of people who support the death penalty, but it will change the atmosphere and the environment in which the debate takes place.

You also mentioned that Rachel's Fund is also about families of people on death row. Do you think that activists or support people need to choose between focusing on families of victims and focusing on families of offenders?

The bridge is the trauma that both have experienced. Rachel King really outlined that in her work. So I don't think it has to be a choice. I don't think the best interests of victims are served by destroying the offender. Offenders don't have to get less for victims to get something. That's not how it is, although when people are presented with no other option, it can seem that way.

Victim Opposition to the Death Penalty in the News

A recent sampling of words from or about victims' families in articles and opinion pieces

From the 3/28/10 Nashua (NH) Telegraph, "Death penalty hurts – not helps – families of murder victims," by Kathleen M. Garcia:

The state of New Hampshire is studying the death penalty through its study commission, so I want to share the view of the surviving families – from a state that struggled with the death penalty for a quarter century and hadn't carried out an execution in 40 years before finally giving up on it.

Make no mistake – I am a conservative, a victims' advocate and a death penalty supporter. But my real life experience has taught me that as long as the death penalty is on the books in any form, it will continue to harm survivors. For that reason alone, it must be ended.

I've spent the last two decades of my life fighting for the rights of crime victims. It's a mission I began after a terrible murder in my own family. The death penalty is no abstract concept to me – I've had to confront it every day since 1984, in my work with countless families that have been impacted by the sudden trauma of homicide.

Three years ago, New Jersey conducted a study of its death penalty system like the one New Hampshire is conducting now. One of the questions put to the commission was the impact of the death penalty on homicide survivors, and I was selected to serve on the committee as a victims' advocate.

It is my opinion, as well as the view of other long-standing victim advocates throughout New Jersey, that our capital punishment system harmed the survivors of murder victims. It may have been put in place to serve us, but in fact it was a colossal failure for the many families I serve. …

From the 3/20/10 Toledo (OH) Blade, "Murder victim's mom speaks out against the death penalty":

… "I would have been happy to kill the guy with my bare hands and a smile on my face. I just didn't know who he was," she said. "That's a normal, valid human response. But if you stay there, you end up giving the killer another victim. Hatred is not healthy."

Mrs. Jaeger-Lane, a Roman Catholic, said her Christian faith helped her move "from fury to forgiveness."

"I began a major wrestling match with God … and when you wrestle with God, you know who wins," she said with a laugh. "What I came to understand was that killing somebody in Susie's name would profane her name and violate the sweetness and beauty of what she was."

Mrs. Jaeger-Lane, 71, a Detroit-area native now living in Three Forks, Mont., travels around the world, sharing her story and calling for compassion instead of capital punishment.

"I'm only a country bumpkin with a high school education, but I have had opportunities to testify to the United Nations High Commission on Human Rights and to speak in Japan, Korea, India, Central and South America, and throughout the United States," she said.

"The bottom line is: Do we really honor the victims by taking on the same mindset of resolving our problems that the murderer did?" …

From the 4/30/10 Middletown (CT) Press, "Honest Debate Needed on the Death Penalty," by Kristin Froehlich:

… My younger brother, David, was 22 when he was murdered in Connecticut. David and four of his friends were brutally murdered by his landlord before he burnt down the house to hide the evidence. David was identified by dental records.

This quintuple homicide shocked and hurt not just my family, but our entire community. The prosecutors sought the death penalty. Because it was a death-penalty case, it took much more time and money than a non-death penalty case. It also exacted a huge emotional cost on family members. We had no say about whether or not to impose the death penalty. We waited three years for the trial to begin. The killer was ultimately sentenced to life without parole.

… For the vast majority of murder victims' families in Connecticut, the death penalty is not a factor in

the legal process … The fact that the death penalty touches so few lives is the first way in which it does a disservice to victims. The death penalty necessarily divides victims between those who are worthy of a death-penalty case and those who are not. These distinctions are incredibly disrespectful to victims' families and a source of great pain. And since the vast majority of murderers will not face the death penalty, it is inaccurate and hurtful to act as if the death penalty is a real solution for murder victims' families.

By focusing on the death penalty as a solution for victims, the state fails to address the real needs of victims' families. What victims' families like mine need in the wake of a terrible tragedy is respect, support, and honesty. We need time and energy to grieve and heal. Some of us need professional counseling help. Some need financial assistance. We all want to feel safe in our communities.

We do not need controversial sentencing that tells us some murders are more heinous than others. We do not need unnecessarily-long and publicized trials. We do not need the false promise that an external act, such as an execution, could ever bring real justice or the ridiculous term, "closure."

From a 5/6/10 ABC News story, "Victim's Family Asks to Block Execution of Condemned Killer":

A convicted murderer ordered executed by firing squad has found unusual allies in his effort to be spared – the family of the man he killed.

Ronnie Lee Gardner is to be executed by a firing squad for the 1985 murder of attorney Michael Burdell. His date with death is set for June 18.

Gardner, 49, has asked the Utah Board of Pardons and Parole for a commutation hearing and among the witnesses will be Burdell's father, former girlfriend and a friend.

"Michael didn't believe in capital punishment, he didn't believe in eye for an eye, a life for a life," Donna Nu, Burdell's girlfriend at the time of his murder, told ABC News. "Michael would have done the same for me had the situation been reversed."

"Further, Michael would not want to be the reason that Ronnie Lee is executed," she said. …

From an editorial in the 5/26/10 North Carolina News & Observer:

Eve Marie Carson received many honors in her brief lifetime. She was an outstanding undergraduate at the University of North Carolina at Chapel Hill, popular among a virtual multitude of her fellow students who cherished her gentle ways and compassionate friendship.

… On Monday, in a Hillsborough courtroom, her family recognized her goodness again and reminded all who knew her, or just knew of her, just how much she will be missed. Thanks to them, to their daughter and to their shared opposition to the death penalty, Demario Atwater, charged in her brutal slaying that took place on March 5, 2008, will not go on trial for his life. The Carson family stoically sat in court as Raleigh attorney Wade Smith, who has been advising them, read their statement regarding the life-without-parole plea agreement.

The statement was powerful, saying that "today's outcome is neither adequate nor good," but that "it honors Eve's love of life and all people." Family members – Carson's father, Bob, her mother, Teresa Bethke, and her brother, Andrew Carson - did not speak. "We won't be talking to the court about how our lives are diminished without Eve," Smith read.

… A desire for revenge, an eye for an eye, would have been entirely understandable. Somehow, the Carsons managed to resist it in the name of their daughter. For their courage in even facing this day, they deserve the admiration of all. …

From the 5/5/10 Press Trust of India:

As Ajmal Kasab awaits punishment after being held guilty in the Mumbai attacks, the widow of an American killed in the terror strikes says she does not favour death penalty for the Pakistani gunman and prefers him to be jailed for life.

Kia Scherr, whose 13-year-old daughter was also killed in the 26/11 strikes, further said she is planning to visit India later this year and would especially like to meet "the families of those who lost their lives in the attack" in November 2008.

"I have never favoured the death penalty. More killing does not solve anything. Kasab should remain in the Indian prison system for life. In the meantime, I favour rehabilitation and education," Scherr told PTI in an e-mail statement. …

MVFHR's Asian Speaking Tour

In late June, MVFHR members Aba Gayle, Bob Curley, Bud Welch, Jeanne Bishop, Robert Meeropol, Renny Cushing, and organizer Toshi Kazama embarked on a speaking tour in South Korea, Japan, and Taiwan. The group's goal was to bring the message of victim opposition to the death penalty to a part of the world where support for the death penalty is widespread and murder victims' family members are often so ashamed and isolated that they are reluctant to speak out about anything, let alone opposition to the death penalty.

Bud Welch, Bob Curley, and Toshi Kazama meet with the Chair of the Judiciary Committee of South Korea's National Assembly, accompanied by staffpeople and journalists.

In various combinations, the members gave public presentations and met with government officials, attorneys, activists, and other victims' family members. "Most of our audiences had never heard our perspective," says Aba Gayle, who told Taiwanese audiences about the murder of her 19-year-old daughter and the initial pressure she had felt to support the death penalty. "But I felt they were really listening and taking it in. At the end I heard this comment: 'The people of Taiwan will remember your story and it will change minds.'"

"We urged people to support victims or at least not to shame them," says Bob Curley, who spoke in South Korea and Japan about the murder of his 10-year-old son. "We tried to stimulate debate on the death penalty so that maybe people will take a closer look. We said that just because you're a victim, you're not obligated to support the death penalty."

Public presentations

MVFHR members gave educational presentations at universities and other venues, and audiences included prosecutors and members of victims' support organizations. The presentation to the Japan Federation of Bar Associations (JFBA) was broadcast live to other bar associations throughout the country, and was notable because it was facilitated jointly by JFBA's victim committee and the group of attorneys who are promoting a death penalty moratorium in the country. The MVFHR speakers raised questions about what is available to children of the executed and about possible legislative initiatives that would make it easier and safer for victims to speak out.

Meetings with officials

"I was very impressed with the value of our meeting one-on-one with the Chair of the Judiciary Committee of the Korean National Assembly," says Bud Welch. "We talked about what executions *don't* do for victims' family members, and found him very supportive of abolition." The group also met with Taiwan's Minister of Justice and with members of the Taiwanese legal aid society, and with members of the Japanese Parliament, where they talked about "the need to break the perception that to be anti-death penalty is to be anti-victim," reports Renny Cushing.

Jeanne Bishop delivers a keynote address to the Japan Federation of Bar Associations.

In Japan, the group participated in an event hosted by the European Union, where the MVFHR delega-

tion met with diplomats from several European Union member countries and non-EU countries that don't have the death penalty, and several representatives from Japanese non-governmental organizations. Each MVFHR representative spoke for three minutes. "They told us that they had never before heard an articulation of victim opposition to the death penalty," says Renny. "The meeting also brought together people who had all been working on the issue of the death penalty but had not been together in the same room before."

Meetings with victims' families

At a private meeting with eight victims' family members in South Korea, the U.S. visitors encouraged everyone present to tell about what had happened in their family. "They talked so much about the shame and the way the victims get blamed for the murder," Bud says. "One survivor even had to move because of how he was treated. I said to them, if I am here telling my story and people are listening, maybe in fact they will listen to you."

At the presentation in Kyoto, Japan, the U.S. group was joined by Japanese MVFHR member Masaharu Harada, and at another presentation, victims' family members spoke from the audience, including one who said she had never spoken up about her beliefs before. Bud later met privately with a mother whose son had been murdered and who explained that she opposed the death penalty but did not yet feel comfortable speaking out.

The group met with two survivors of the Hiroshima bombing (whose relatives had been killed by the bomb), and Jeanne Bishop met with a prisoner on Japan's death row. "His crime was in some ways similar to the murder of my sister," Jeanne says, "and it was a powerful visit. The prison guard was present and taking notes, and I believe he will go back and tell others about it."

Aba Gayle, Robert Meeropol, Renny Cushing, and Toshi Kazama after meeting with Taiwan's Minister of Justice.

Press

"U.S. murder victims' families remain opposed to the death penalty." "Scrap the death penalty, bereaved families say." "Victims' rights activists urge Taiwan victims to reconsider the death penalty." The tour received valuable press coverage in all three countries, and at the press conference in Tokyo, Stefan Huber, head of the EU's delegation to Japan, said in his introductory remarks:

"I believe that Japan does not yet have a mature, responsible, open debate about the death penalty. Politicians all too rarely dare to lead the way on this subject. Thus, many members of the public do not have access to a fully informed understanding of the complicated issues involved. This is probably one of the reasons why Japanese public opinion is still in favour of the death penalty and why studies show a high public support rate. …

"There is a widespread assumption, and not just in Japan, that victims' families favour the death penalty. As today's main speakers have previously stated, executions are presumed to meet survivors' need for justice and closure and to oppose the death penalty is often seen as somehow being 'anti-victim'. But this is not necessarily the case.

"This visit will allow many Japanese to hear the voices of victims' families in a context that is rarely heard in the public sphere in Japan, and I sincerely hope that it helps bolster the movement towards a mature, responsible debate in this country."

The value of working in other retentionist countries

"I have spoken to European audiences," says Aba Gayle, "but it felt different to speak in another country that, like the U.S., still has the death penalty, but where people are threatened for working to oppose it. They are such brave people, and I felt such a connection with them." Through this trip, MVFHR members worked toward the goal of creating a social and political climate in which victims in Asian countries will be more able to express opposition to the death penalty.

News Briefs

Spreading Our Message

Since our last newsletter went to press, MVFHR members have testified or otherwise spoken publicly in connection with the moratorium effort in Pennsylvania, before New Hampshire's death penalty study commission, at a media and human rights symposium, at a law school event on "The American Death Penalty in the Twenty-First Century," at a "Murder Victim Family Members and the Death Penalty' event in Montana, and at a variety of other venues and occasions throughout the U.S.

Representing MVFHR at the General Assembly of the World Coalition Against the Death Penalty, held for the first time in the United States (in San Francisco) in June, program staff Kate Lowenstein participated in the Voices of Victims panel, where she talked about how important it is for abolition organizations around the world to begin right from the start to reach out to victims' families and think about how to incorporate victims' families into their work. Changing cultural assumptions about victims and the death penalty is challenging but so vitally important, Kate told the audience.

In July, Renny Cushing represented MVFHR at the 12th European Union-Non-Governmental Organization Forum on Human Rights, where one area of focus was the EU's role in the worldwide fight against the death penalty. The paper that the working group on the death penalty prepared before the meeting included these comments about victims:

"The assumption that survivors of murder victims are commonly in favour of capital punishment may not hold up in reality. In many instances all around the world, family members of murder victims have expressed their respect and love for the victim while maintaining an anti-death penalty stance on grounds that the response to one violation should not be another, and that the better way to honour victims is by preventing violence rather than by perpetuating it."

Kate Lowenstein (right) with Howard Morton and Judy Kerr on the Voices of Victims panel at the General Assembly of the World Coalition Against the Death Penalty.

At the Forum in July, 150 representatives from NGOs around the world met with government officials from EU countries, with the goal of creating policy for external (outside of the EU) work in human rights. As a result of the discussions that took place there, the group's final report will include recommendations about integrating victims' voices into death penalty work and focusing on how executions affect families of people who are executed.

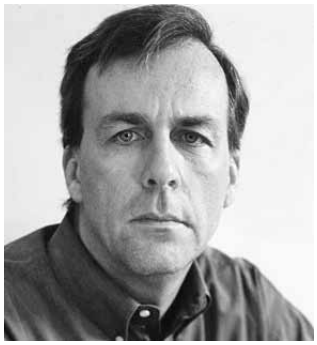
Building the Gallery of Victims' Stories

We've added 15 new pages to MVFHR's online Gallery of Victims' Stories in recent weeks, and more are in the works. Each page contains a photo, a brief description of what happened and the legal outcome in the case, a summary of the victim's family member's work and occasions of speaking out against the death penalty, a direct quotation about the survivor's reasons for opposing the death penalty, and links to further information. The Gallery puts real faces on victim opposition to the death penalty and is an accessible way to introduce lawmakers, students, members of the clergy, and other victims' family members to the issue. In the coming months, we will be working to add more pages from victims' family members outside the U.S., as well.

Murder Victim Family Member Opposition to the Death Penalty: A Guide for Activists

To encourage and facilitate discussion among anti-death penalty activists about victims' experience, perspective, and role within the abolition movement, MVFHR has created a collection of some of our most-requested articles, and other supplemental reading material, now available in a binder format. The binders include material on common assumptions about victims and the death penalty, the impact of victimization, some reasons victims' family members oppose the death penalty, pressure on victims' families to support the death penalty, working with victims' families: a guide for activists, rethinking "closure," pro-victim advocacy, human rights and victim justice, and a history of the crime victims' movement. We are making these binder collections available to groups throughout the country.

Message from the Executive Director



Sometimes it takes a while to know the full impact of the work we do. When the other MVFHR members and I spoke at Toyo University in Japan during the Victims' Voices speaking tour in Asia this past June, we learned that part of what happened there was the flowering of a seed that had been planted nine years ago. The professor who introduced us at the symposium explained that she had first heard two of our speakers – Bud Welch and Bob Curley – as long ago as 2001, on the occasion of Bob's first public declaration of his opposition to the death penalty. She had been so impressed and moved by that occasion that when she returned home to Japan, she wrote an article about it. And now here we were, with Professor Sakagami introducing us to our Japanese listeners, many of whom had never before heard family members of murder victims say that they were opposed to the death penalty. I suspect we were planting more seeds that day.

I was surprised and moved to learn from Victim Advocate Mary Achilles, in her interview in this issue of *Article 3,* about another meeting -- again, as long ago as 2001 – that had a powerful impact. From the audience at a public presentation, other victims' family members and I questioned whether a particular victim service protocol took into account the perspective of those who oppose the death penalty. Mary heard us that day, and incorporated what she heard into her understanding and her advocacy work.

We all need to keep speaking out so that we will be heard by all kinds of audiences, all over the world. We need to do it for its immediate impact – like when a victim's family member in the audience stands up for the first time and joins us, or when a lawmaker at a hearing listens and changes her mind and her vote then and there. And we need to do it for the impact that we won't see until much later, when a seed we planted through an event or an article or a conversation flowers into new understanding and new action.

I know you, too, believe in the value of this kind of planting. You know how important it is for us all to keep speaking out and making it possible for more and more people to join us. Please show your support for this collective vision by completing the form below or the enclosed return envelope and sending us your check today – or by donating online at www.mvfhr.org.

In gratitude and solidarity,

Renny Cushing

Renny Cushing

YES, I want to support the work of Murder Victims' Families for Human Rights. Enclosed is a check with my tax-deductible contribution of

❑ $250 ❑ $100 ❑ $50 ❑ $25 Other amount $_____

Name: _____

Address: _____

City: _____ State:_____ Zip: _____

Phone: _____ Email: _____

To donate with a credit card, please visit our website, www.mvfhr.org

MVFHR • 2161 Massachusetts Avenue • Cambridge MA 02140

MVFHR
Murder Victims' Families for Human Rights
2161 Massachusetts Avenue
Cambridge MA 02140 USA

New MVFHR website! www.mvfhr.org

Check out our beautiful new site, with its overview of our work and projects, news of our activities around the world, Gallery of Victims' Stories, summaries of our efforts in the areas of victims' rights and human rights, and list of material in all the published issues of *Article 3*!

And for regular news and statements from families of murder victims and families of the executed throughout the United States and around the world, visit **"For Victims, Against the Death Penalty,"** named one of the top 50 human rights blogs of 2009. **www.mvfhr.blogspot.com**