# 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

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## My Brother's Execution: From Silence to Speaking Out

Witnessing the execution of his brother was a defining experience for Stanley Allridge, who recently joined the MVFHR board of directors. Two of Stan's brothers had been on Texas's death row for most of Stan's youth, so he had theoretically grown up with the awareness that an execution might happen some day, but for most of those years, Stan's family didn't talk about it.

"It wasn't discussed," Stan recalls now. "We visited my brothers and we sent letters, and we talked about what was going on in our lives and how much we missed them, but we didn't talk about the death penalty itself. I honestly didn't see it coming."

It was only at the very end of the process for Stan's oldest brother, Ronald, when the last legal appeals were being denied and Stan sensed a different kind of urgency in the flurry of phone calls and activity, that he realized this might be it. Stan was 18 by then and had just graduated from high school. He and his two other surviving brothers planned to witness Ron's execution.

Photo by Scott Langley

Stanley Allridge at the launch of MVFHR's No Silence, No Shame project, 2005.

"It's a really weird feeling inside," Stan says as he remembers going to see his brother be put to death. "It doesn't really feel real at all. But then driving back, that's when it hit me. That's when the tears came. That was the first time I had seen anybody die at all. It really hurt. It was one of those things – everybody in the family dealt with it our own individual ways. We didn't talk to each other. We tried to put it behind us."

They couldn't entirely put it behind them, however, because James Vernon, the second of the Allridge brothers, was still on death row. Ron's execution was in 1995, and James was eventually executed nine years later. In the interim, Stan decided that he needed to speak out about the death penalty and how executions affect families.

"I had always known individuals who had family members in jail or prison," Stan remembers. "Growing up in South Fort Worth, that was something that, sadly

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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

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## My Brother's Execution: From Silence to Speaking Out

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enough, wasn't that farfetched. But having a brother who is executed – that sets you apart. I felt, this is going to make me different, it's going to make people look at me a different way.

"Seeing my brother executed just tore me apart. I knew that my life had changed at that point. I felt as if I was separated from other individuals, and that I was forced into a state of manhood. Compared to most kids at 18, I had seen something they couldn't imagine."

Initially, Stan says, he "didn't even feel like I *wanted* to talk to anybody about it. I didn't feel like anybody would understand." At the same time, the experience of Ron's execution, and the realization that he and his family would probably have to go through the experience all over again with his second brother, ended up having a profound effect on Stan, particularly coming at such a pivotal time in his life.

"One of the ways that witnessing Ron's execution affected me is that I realized the process of becoming a man was going to speed up for me. If they're going to kill my brother to show that killing is wrong – that doesn't make sense to me. So I have to be able to get up and make something out of it, because I'm not a child anymore. An execution is not something a child is supposed to see. Well, it's not meant for anyone to see, really. But I felt like this meant I was going to have to move a lot faster to make something in my life. I knew that I wouldn't be able to hide anymore. I felt like, this isn't right, and I'm going to have to talk about it."

Stan became actively involved in the campaign to save his brother James, and after that execution did happen, in 2004, Stan stayed involved with local anti-death penalty groups. But he remembers that it was still a process for him to be able to speak openly and directly about what had happened.

"There's still a feeling that you should be ashamed,' he says. He remembers talking with others in the death penalty abolition movement and saying that his older brothers had died. A fellow activist said to him, 'You're going to have to say it, that your brothers were killed, that they were executed."

"I hadn't even realized that I wasn't saying those words," Stan recalls now. Over time, he became increasingly comfortable talking about his brothers to friends and co-workers and in public presentations. "At first, I had no idea that people would be impacted by my story or would want to listen to me," he says. But he remembers speaking at a local event and hearing others tell

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him how important his voice would be to the death penalty abolition movement. Then he was invited to speak to a large audience at an event with Sister Helen Prejean, author of *Dead Man Walking*, who had served as a spiritual advisor to Stan's brother James. "Everyone listened, no one said a word to interrupt, and I could see in their faces that I was reaching them," Stan remembers.

These days, Stan is clear that he is committed to speaking out and working against the death penalty. "At this point, I don't hide it. I feel like I'm obligated to talk about it," he says. "I feel like I have to, because if there's somebody out there that can be reached, I want to try to do that. I don't try to convince people that the death penalty is wrong. I'm trying to connect with them and let them understand the other side of it, walk in my shoes, and then make their own decision. I want people to understand what it is like for us, the families. What my experience was. Most people don't even consider the experience of the families of the executed, or think about it at all. I want to help people put a face on it. Sometimes I'm amazed by people's response to what I'm saying. I've had people say, 'You're so strong,' and I'm really not thinking that. But it does help me to get it out."

Randy Gardner

Other MVFHR members who have lost brothers to execution echo Stan's words, particularly the feeling of being obligated to talk about what they now know. Bill Babbitt said during one of the many public presentations he has given since his brother Manny's execution in California in 1999, "Believe me, I wish I didn't know what it's like to experience the execution of a beloved family member. But now that I do know it, from my own experience and from the experience of the fellow members of my organization, I have to share that knowledge with you."

Washington state member James Basden, whose brother Ernest was executed in North Carolina in 2002, remembers, "The grief I felt at the beginning made it hard to speak out, but it's gotten easier over time. It's not that I want to get out there and be known and recognized; I value my privacy. But I want to do what I can to end the death penalty and to tell people about the ugliness of the death penalty." For that reason, James has testified before state lawmakers and spoken out on the steps of the U.S. Supreme Court.

Utah member Randy Gardner still feels the immediacy of grief; his brother Ronnie Lee Gardner was executed just a year ago. "It's on my mind all the time," Randy says. "It's the first thing I think about when I get up and the last thing before I go to bed. It's really hurt my heart, to see that another human being is allowed to take the life of a human being. I don't feel anybody has the right to kill anybody else. I don't think my brother Ronnie had the right to kill anybody, but them doing it to him, it's basically teaching our children it's all right to kill. I have younger kids and I don't want them growing up thinking that's OK. It was a shock to me when I got my brother's death certificate and they listed 'homicide' as the cause of death. That really made the execution seem like premeditated murder."

The execution's effect on Randy's other family members is particularly painful to him. "It's hard to watch them struggle with it. I see the hurt that it's caused my family, and I don't want this to happen to somebody else. It just torments me every day, when I read about other people getting execution dates."

As painful as the whole experience has been, Randy says that he finds it easier to talk about it than to keep silent. "It's actually easier to talk about it and get it out," he says. "It's making me feel better to think that I'm spreading the word and trying to help somebody else."

# September 11th Families: 10 Years Later

*On the tenth anniversary of the September 11, 2001 attacks, we are featuring the voices of MVFHR members who lost family members on that day. These members have spoken against the death penalty before lawmakers and other audiences in their home states of New York, Connecticut, and Massachusetts. Some were among the group of victims' family members who testified against the death penalty during the sentencing phase of the 2006 trial of Zacarias Moussaoui, the only person tried in the United States in connection with the September 11th terrorist attacks. They are also active with the group September 11th Families for Peaceful Tomorrows, and you can read their and many other family members' stories at www.911stories.org.*

**Loretta Filipov**'s husband, Alexander, was killed when terrorists flew the plane he was aboard, American Airlines Flight 11, into the World Trade Center towers. Loretta says, "My husband was on the Human Rights Council in our town and we often talked about the death penalty. We didn't think that the government should be in the business of killing people. After Al was killed, some thought we would feel differently and want revenge. My family and I would have liked nothing better than to have Mohammed Atta and the other terrorists from Flight 11 brought to an open trial and given 92 life sentences; one sentence for each person aboard that flight. But they and the other terrorists also killed themselves on that day. What kind of a world do we want for future generations? We can see from the present course we are following that violence only begets more violence and killing only leads to more killing. It is possible to have justice without revenge and hate. The death penalty is not the answer."

**Anthony Aversano**'s father, Louis F. Aversano, Jr, was killed in the attacks on the World Trade Center. Anthony says, "If I let hatred consume my life from that terrorist attack, then that act of terror would have taken more than my father, more than those many other lives, and more than those buildings; it would have taken my life too! If I let that happen, then the tragedy of that one day would poison me forever. I realized that the vibrancy of my life cannot be taken unless I am willing to give it away. I know my Dad would want me to live my life with fullness and pride, so if I am going to give my life to anything, I am going to dedicate it to love, understanding, compassion and ending the cycles of violence."

**Orlando and Phyllis Rodriguez**'s 32-year-old son Gregory was killed in the attacks on the World Trade Center. They say, "We can understand why victims' families would look to the death penalty as a justifiable punishment for convicted terrorists, but we feel that it is wrong to take a life. Nothing will erase the pain and loss that we must learn to live with, and causing others pain can only make it worse. If any good can come out of the disaster of Sept. 11, perhaps it will include examination of how we can maintain our humanity in the face of terrorists' threats."

**Terry Greene**'s brother Donald was a passenger aboard United Flight 93, which crashed in Shanksville, Pennsylvania after passengers aborted attempts to reach Washington, DC. Terry says, "It has been ten years since the attacks of 9/11. I recall those dark days. It was as if I, myself, were collapsing into an abyss. How would our family ever be the same without my brother? How could this senseless violence have ripped Don from his wife and children? Don's conversations, with me or with anyone for that matter, would be filled with the latest anecdotes about his family, which he adored to no end. Don's children, close in age to my son, were so young at the time of the attacks; Charlie had just turned ten only days before and Jody was only seven.

Ten years later and that deep love Don gave to his family has not ended. We have all continued with Don in our hearts to strengthen us. His presence there is so gentle and caring.

Some people are surprised that I don't want revenge against those who perpetrated the attacks. For one thing, I don't want to displace Don from my heart to harbor hatred. The perpetrators have not earned a place in my heart; it is reserved as a place to nourish my memories of Don that dwell there.

When Don's plane, United Flight 93, crashed in Shanksville, PA it immediately killed not only him but the hijackers. But what relief was there in that; the deaths of these young men who had been brainwashed to think violence was the will of God? Or in seeking more young persons to kill? Much more comfort comes from those who have worked successfully (and there are many) to teach the young true principles of compassion behind their, and any, religion or humane way of life. There are over 200 families in the organization September 11$^{th}$ Families for Peaceful Tomorrows who have joined together to turn our grief into action for peace. I have met those from around the world, from the genocides in Rwanda and the Sudan, the conflict in Israel and Palestine, survivors of atomic bombs in Hiroshima and Nagasaki, Afghani women and youth, mothers and fathers who lost loved ones in terrorist attacks in Beslan, Russia; Madrid, Spain; England. Together we have formed the International Network for Peace to break cycles of violence. We appreciate all of you who honor our losses by foreswearing any death at the hand of another human being. None of us has "earned the right" to revenge.

# Challenging the "Closure" Argument

*Two years ago, Article 3 interviewed Susan Bandes about her research into the idea that the death penalty provides closure to victims' families. Professor Bandes said that emphasis on closure is actually a relatively recent phenomenon and that its rise may be partly attributed to repetition of the idea in media stories.*

*This spring, two University of Louisville researchers published a study that further explores this idea.* Thomas Mowen and Ryan Schroeder found that as closure has become more common as a justification for the death penalty in the United States, victims' families have also increasingly questioned and even rejected the idea – but news coverage doesn't accurately reflect this. We spoke with Thomas Mowen and Ryan Schroeder to learn more.*

*What did your research focus on?*

**Thomas Mowen:** We were interested in the rise of the closure argument for the death penalty in the media and in the courtroom, on the one hand, and then we were interested in how victims' family members have reacted to that idea, on the other hand. Our goal was to track newspaper accounts of death penalty cases from 1990 to 2008 and see if we could find a trend in co-victim (victims' family member) opposition to the death penalty associated with the idea of closure.

*What did you find?*

**TM**: We found a pretty massive rise in the media's use of closure as a justification for the death penalty, during those years, but we *didn't* find a corresponding reaction from co-victims saying that they were receiving closure from the offender's execution. In fact, we found individuals who were pro-death penalty initially then going through the criminal justice process in a capital case and saying that they weren't receiving closure.

But newspaper articles weren't covering this as much. Pro-death penalty victims and victims saying they experienced closure were getting more media coverage than those who were against the death penalty or who were expressing that they did not receive closure from an execution.

**Ryan Schroeder:** This was notable: we found an *increase* in co-victims expressing opposition to the death penalty over that time period, but their view was covered in shorter articles that were in less prominent sections of the newspaper. So it appears that although victims are increasingly opposed to the death penalty, even in the face of the rise of the closure argument, those victims are not getting as much attention, or their cases are not getting as much attention, as those in which the victim wants the defendant to be executed.

*Let's take each part of this. First, you found that although closure has increasingly come to be used as a justification for the death penalty, there has also been a backlash, a counter voice, from victims' families saying, "No, we don't feel that way"?*

**RS:** Yes. As the common justification for the death penalty has shifted into one of closure or retribution, the state is essentially saying, "We don't want to execute these people but we have to in the name of victims; we have to serve justice for these people." With that as the justification, victims' families are basically left with the onus or the responsibility for the execution of that offender. The state's not doing it to save money, the state's not doing it to reduce crime; the state is doing it in the name of this victim's family, putting the responsibility on their shoulders, in a sense. But what if victims' families don't want that responsibility or don't want the execution done in their name or don't expect to receive closure from an execution? We found that in less than 7% of the reports we read did the victims' family members actually say that they expected to receive closure from the execution.

*Yet, as you said a moment ago, the newspaper coverage apparently makes it seem as if that feeling or expectation is much more common.*

* Mowen, Thomas J. and Ryan D. Schroeder. 2011. "Not In My Name: An Investigation of Victims' Family Clemency Movements and Court Appointed Closure." Western Criminology Review 12(1):65-81. (http://wcr.sonoma.edu/v12n1/Mowen.pdf).

**TM:** We found that pro-death penalty family members received significantly higher word count and had much higher placement in the newspaper. Those stories were more likely to show up on the front page of the newspaper, or to be in a section that is closer to the front of the paper. We found a pretty significant difference in terms of coverage.

*What effect does that have on public awareness and public opinion?*

**RS**: Are newspapers covering these two views differently because they want to advocate for the death penalty, or because the public wants to read about the justice being achieved through the criminal justice system? Is the media causing people to think one way or is this coverage a reflection of the way that people feel right now? We don't know. But it does seem clear that if stories where co-victims want the execution are getting lengthier and more prominent coverage, the casual reader of the newspaper is going to believe that this is what co-victims, more commonly, want.

*What to do, then? This goes beyond your study, but do you have any thoughts about how victim opposition to the death penalty can achieve wider recognition?*

**RS**: I think it's important for victims' families to continue to bring academic research into their arguments. As other arguments for the death penalty have fallen away because the research doesn't support them, the state has picked up the closure argument, and the population continues to buy it. So I think the more research we have, and the more victims' family members bring it to the courtroom and to their legislators, the more fuel they will have in their argument, one way or the other. That's what we're hoping to do here: offer an additional base of knowledge to help continue the conversation about capital punishment.

*So victims' families who are testifying against the death penalty, for example, might be able not only to express their own belief that an execution won't give them closure but will also be able to say, "studies have shown …"*

**RS:** Right, so instead of just bringing individual stories, there can also be evidence that can help support the big picture idea about co-victims and capital punishment.

**TM:** And if for example a legislator says, "I'm sympathetic to your cause but polls of my constituents say they overwhelmingly support the death penalty," people can respond by saying, "It could be that they want it because they see so much coverage or more prominent coverage of victims saying they want the death penalty, but if you dig deeper into the newspaper you see that there are lots of other stories of victims who don't want the offender executed."

*There are also stories that don't get covered at all.*

**RS**: Yes, prosecutors have an easier avenue to spread their message. They can call a news conference more easily. So that's part of the ongoing conversation: how victims' families can come together and call a news conference or otherwise get their stories out.

*Why do you think closure is so attractive as a justification for the death penalty?*

**TM**: I think it's ingrained in our culture, that we need justice. And then in our cultural narrative, that translates to the death penalty. Certainly, there are a lot of cultures out there that don't believe justice equals the death penalty. And of course in our culture we then contradict ourselves with the 99.5 percent of murderers who don't get the death penalty. So on the one hand we say, "The death penalty is necessary because it provides closure to victims' families," and then it seems we're saying to most victims' family members, "You're not deserving of this idea of closure."

*What questions in this area would you be interested to research next?*

**RS**: It would be interesting to look at the rise of victim opposition to the death penalty not just in news reports but also in institutional movements, to really study the development of groups like yours, tracing it over time. Are victims becoming more involved in the legislative process? Questions like that. With that kind of study, we would have more information about the breadth and depth of victim opposition to the death penalty.

**TM**: It would also be interesting to look at countries that have done a better job of considering victims and including them in the criminal justice system. And how is closure thought about? Are arguments for closure popular in other countries?

# 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 an op-ed in the 4/25/11 Tennessean by William W. McDermet:*

I vividly remember that November 1994 phone call from our Vermont brother. Following a brief greeting, Stewart said: "We think Jim is dead." My response was, "What you mean, you think?"

He related he had just received a call from the Topeka, Kan., police that a body had been found in Jim's apartment, and they believed it was Jim, but had yet to do fingerprinting. I recall putting my head down on the desk and crying. Stewart could only say, "I know, I know." Indeed it was Jim's body. On Nov. 12, 1994, the day after what would have been Jim's 45th birthday, we remembered him with a memorial service. The following Monday, we buried his broken body next to our grandmother in a small cemetery in Kiowa County, Kan. That weekend was painful beyond what any words could describe.

… Following Jim's death, and the sad experience of the trial, and knowing my beliefs, a relative asked me, "Now, what do you think about capital punishment?" I responded, "I'm still against it." And I am. How do I feel toward the person who murdered Jim? Anger. Anger, with a capital "A." Yet, would I feel better, or satisfied, if Jim's murderer was killed? No. …

*From an op-ed in the 4/14/11 Stamford (CT) Advocate by Catherine Ednie:*

I know all too well the horror of murder. My brother David Froehlich and four of his friends were murdered by their landlord, Geoff Ferguson in Georgetown, Connecticut in 1995. My experience with the prosecution of my brother's killer and my observance of our state's use of the death penalty has led me to the conclusion that Connecticut's death penalty divides and harms surviving family members.

First, the death penalty can divide the family and friends of victims at a time when they need each other the most. I can assure you that all family members who lose a loved one to murder want to recover their shattered sense of safety. We all want to know that the person who caused such irreparable harm is held accountable and kept from harming others. However that doesn't mean we're all on the same page about whether we'd favor the death penalty over life imprisonment.

When my brother was killed, I was very concerned that the case would become a capital case and potentially create a division between those of us who reject the death penalty and those who believe it is useful. All families represent many viewpoints about many issues, including capital punishment. No family needs to engage in the traumatic death penalty debate when we are at our most vulnerable. This can cause real additional lasting pain. …

*From the New York Times Editorial page, 4/29/11:*

As the country has increasingly turned against capital punishment as barbaric and horrifyingly prone to legal abuses, defenders are pointing to the emotional needs of the families of murder victims – "co-victims" to those who study crime – as justification. Many family members, however, have said they want no part of that.

When New Jersey abolished the death penalty in 2007 and New Mexico did in 2009, each did so with the support of co-victims. In Connecticut, the Legislature's joint Judiciary Committee has now approved a bill that would repeal that state's death penalty, again with the support of victims' families.

The family members say that rather than providing emotional closure, the long appeals process in death penalty cases is actually prolonging their suffering. They also say it wastes money and unjustifiably elevates some murders above others in importance. In an open letter to the Connecticut Legislature, relatives of murder victims – 76 parents, children and others – wrote that "the death penalty, rather than preventing violence, only perpetuates it and inflicts further pain on survivors."

Their arguments were a moving and effective part of the effort that led to the committee's repeal vote. Now Connecticut's leaders need to bring these arguments to a wider state audience. A March opinion poll in Connecticut showed that 48 percent of residents favored the death penalty over life without parole, up from 37 percent in 2005. …

*From an article in the 6/9/11 Cleveland Plain Dealer:*

Families of eight of the 11 women whose remains were found in and around Anthony Sowell's Cleveland home in 2009 are asking Cuyahoga County Prosecutor Bill Mason to spare them the agony of a lengthy trial by ending his pursuit of the death penalty for Sowell and accepting a guilty plea for a lifetime behind bars.

Jim Allen, the father of victim Leshanda Long, hand-delivered to Mason's office Thursday afternoon a petition signed by 18 members of the eight families. In the petition the families assert that they do not believe a long and expensive trial, followed by decades of appeals, would bring them any degree of closure or comfort.

"We do not want to be witnesses to a media spectacle where our loved ones' lives and the details of the horrendous criminal acts inflicted upon them are spotlighted," the petition reads. "The death penalty for Anthony Sowell is not necessary, or even desirable, in comparison to the grief we families will continue to suffer under the realities and uncertainties of the criminal justice system."

*From the 7/7/11 edition of The Union.com:*

A bill that seeks to abolish California's death penalty advanced Thursday after its first legislative hearing with support from the author of the state's death penalty and a former warden who presided over executions.

Sen. Loni Hancock, D-Berkeley, said she introduced the bill because California can no longer afford a capital punishment system that is both expensive and ineffective as it battles persistent multibillion-dollar budget deficits.

It has the backing of two Nevada County residents – Nick and Amanda Wilcox, whose 19-year-old daughter Laura was gunned down in 2001 by a mentally ill man, Scott Thorpe, in Grass Valley. The Wilcoxes traveled to the hearing Thursday in Sacramento to lend their support to the measure.

"We've been advocates for ending the death penalty for a long time," said Nick Wilcox.

"We add our voice because the death penalty is often justified in the name of victims, and not all victims support it," Amanda Wilcox said. "We were opposed to the death penalty before Laura was killed, and after she was killed it did not change our view. We don't believe in responding to violence with more violence."

Former Nevada County District Attorney Mike Ferguson did not seek the death penalty in Thorpe's case, which was in line with the family's wishes, Nick Wilcox said.

"We believe healing comes from within, not with what happens to the offender," Amanda Wilcox said. …

## MVFHR News Briefs

In recent months, MVFHR has presented at the "Human Rights: Right Here" Summit at Haverford College, at the International Institute for Restorative Practices conference in Halifax, Nova Scotia, as part of an "Unimpeachable Voices Against the Death Penalty" panel at Amnesty International's Annual General Meeting in San Francisco, and at a gathering about the global fight against the death penalty organized by the European Institute on Democracy and Human Rights.

Since our last newsletter was published, we have added three new members to our online Gallery of Victims' Stories, and members have testified and given public presentations against the death penalty all around the U.S., from Connecticut and New Hampshire to Maryland and Mississippi to Montana and Utah.

And just as this newsletter is in the mail, MVFHR is moving to a new office at the Non-Profit Center of Boston, which houses several social justice non-profits in the area. We are excited about this new home.

# Seeing Murder as a Human Rights Violation

*Adapted from a talk that Walter Long, founder of the Texas After Violence Project, gave at the 3rd National Restorative Justice Conference in North Carolina in June. For more see www.texasafterviolence.org and our interview in Article 3's Spring/Summer 2009 issue (at mvfhr.org).*

We're all victimized by a violent system. The Texas After Violence Project does not advocate the abolition of the death penalty, but maintains a baseline position (about which it hopes all can agree) that human violence is wrong and should be prevented. I look at murder and the death penalty in that light: each debases human dignity to the greatest degree, evoking terror and rendering the human being totally helpless. To quote former U.S. Supreme Court Justice William Brennan, who was describing execution, both murder and execution "treat members of the human race as non-humans, as objects to be toyed with and discarded." This denial of people as subjects is the course toward which all human violence tacks. In contrast, I believe that the restoration of the voices of persons silenced by violence tacks the other way and is a part of violence's remedy. Such a restoration means to me, in significant part, receiving and nourishing the voices of persons who have been affected by "private" as well as state violence.

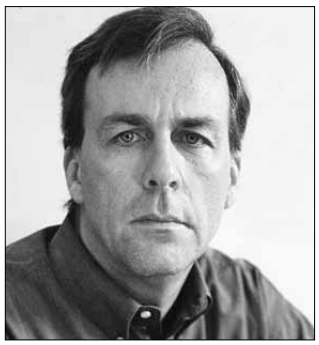
As I see it, murder (intentional homicide) by non-governmental persons is a human rights violation. Indeed, murder is a component of or companion to the worst governmental violations (e.g., genocide). But murder's status as a human rights violation in itself usually is not the focus. Google "murder – human – rights – violation" and you'll find entries about *execution and the death penalty* and government "sanctioned murder." You'll find little about murder committed by non-governmental persons. Yet, the U.N. Universal Declaration of Human Rights and the major multilateral U.N. treaties implicitly recognize murder as a violation of the most fundamental rights to life, dignity, and security of the person. Murder victims' survivors must find it difficult to be surrounded by anti-death penalty human rights rhetoric, while the human rights violation that set them on the course of being victims in the first place seems minimized.

Why isn't murder as a human rights violation better acknowledged? One reason is that international law historically has held governments –not individuals in their roles as private citizens – accountable for human rights violations. But I believe that murder also is not viewed as a human rights violation in the U.S. because our constitutional system prioritizes individual freedoms over other human needs that are essential human rights. Our legal and political culture has struggled to find a basis for obligating government to secure such needs that are basic to the dignity and life of its citizenry as safety, food, education, work, medical care, psychological care, and housing.

European governments have eliminated the death penalty in part because they have elevated the rights to dignity and life to the same level as liberty in their human rights jurisprudence. They have legally bound themselves to be responsive to crime victims' needs, recognizing that *they* (the democratic governments themselves standing for their communities) are implicated in a victim's loss and that that loss is a violation of the most fundamental rights. European governments apply tax dollars to help victims and survivors who have no other resources, because they consider themselves bound to compensate victims when the governments themselves have failed to prevent the crime with an effective criminal policy. From their perspective on the common good, they believe that it is both fair and necessary for the whole community to compensate its more vulnerable citizens.

Short of constitutional amendment in the United States, the enactment of federal and state legislation founded on the human rights to dignity and life would better ground U.S. governmental obligations to answer the needs of victims' surviving family members for such things as compensation and medical, psychological, and social assistance; the needs of defendants for just and nonlethal adjudication; and the need of our society to diminish violence through fair distribution of fundamental resources.

# Message from the Executive Director



I've spoken out against the death penalty so many times by now, but I can still remember the first time I stood up before New Hampshire lawmakers and gave my testimony on this issue. I remember telling the story of my father's murder and explaining that an execution was not what I wanted done in his name, or in mine.

At that time, I wasn't part of an organization of victims' family members. I don't think I'd even met another victim's family member who opposed the death penalty, outside of my own immediate family. But not long after, I met Walt Everett, whose son Scott had been murdered. Walt and I were at a New England-wide conference on the death penalty, and we were going to lead a session on "Working with Murder Victim Family Members Who Oppose the Death Penalty." It was a well-attended conference, but Walt and I were the only ones who went to the victim session.

These days I've been thinking a lot about Marie Deans, a pioneer in bringing victims' voices to the death penalty abolition movement, since she passed away last April. Marie once said to me, "If you're going to be a victim who speaks out against the death penalty, you have to be prepared sometimes to be the only one."

It's an interesting comment from someone who also spent so much energy trying to bring victims' family members together and to show that we're *not* alone in our opposition to the death penalty. But it's true: sometimes we do find ourselves in a situation where we're the only one expressing this view– or almost the only one, as Walt and I found that day.

MVFHR is about victims coming together and not having to be alone in their experience or in their opposition to the death penalty. But it's also about honoring the personal and individual courage that it takes to speak out, and never taking that choice for granted. At MVFHR we are moved and grateful each time a member says, "Yes, I will do it. Yes, count me in."

I know that you, too, honor the courage of those who are willing to speak about their most painful experiences in the hope that doing so will help to create a better world. Please show your support for MVFHR's work 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
Executive Director

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

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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**