

ARTICLE 3



“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 10 • Spring/Summer 2010

After Abolition: Helping Families of the Executed



Tamara Chikunova

Abolition of the death penalty does not automatically eradicate the suffering of families of those who have already been executed. As MVFHR continues to document, executions harm surviving family members in ways that can linger long after the execution itself, and can even carry into the next generation. Thus,

even when executions are halted, work needs to be done to attend to the needs of the families for whom abolition did not come soon enough.

We recently spoke with MVFHR member Tamara Chikunova, founder of the Uzbekistan-based group Mothers Against the Death Penalty and Torture. Tamara’s son Dmitri was executed in 2000, and she was active in opposing the death penalty in Uzbekistan right up until it was abolished in June 2007 (the new law went into effect in early 2008).

Executions in Uzbekistan were carried out in great secrecy – Tamara says it is still impossible to determine how many occurred each year – and families were not

told the date of their loved one’s death nor where the bodies are now buried.

“The death certificates are official documents of the state, and it is very difficult to obtain them,” Tamara explains. “Our group continues to write and try to demand these certificates, and in this way we have been able to get them for three of our families. But many still do not have death certificates, and so far, none of the families has been told where their relatives are buried. This is torture for them, not to know. It is still a heartache for me that I have no idea where Dmitri is buried and cannot visit his grave.”

Surviving families also face prejudice from the society around them, Tamara says. “Even in cases where the relative was innocent, there is still prejudice against the family. For me personally, the main problem is not as much prejudice from people around me but rather the fact that I am *persona non grata* in the eyes of the authorities because of my activism. They were harassing and threatening me to such an extent that a little over a year ago I had to leave the country. I am now living in Germany, but that is not a permanent solution, and I don’t know what will come next. I know that it is impossible for me to go back to Uzbekistan because I would be arrested.”

Even from a distance, Tamara continues to work

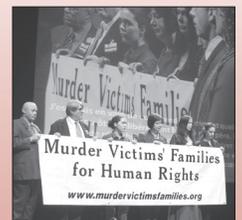
continued on page 2

Inside This Issue

Reaching Out to Victims in Taiwan	3
To See Each Other as Human Beings.....	4
MVFHR In Action.....	6



In The News	8
A Guide for Activists	10
New MVFHR Website	12



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.

Board of Directors

Bud Welch, President • Vicki Schieber, Chair • Robert Meeropol, Vice-Chair • Jeanne Bishop, Treasurer • Bill Babbitt • Rev. Walter Everett • Toshi Kazama • Bill Pelke • Marie Verzulli

Directors Emeriti

Jennifer Bishop-Jenkins • Tamara Chikunova • Bill Jenkins • Sr. Helen Prejean • Brian Roberts • Bonnita Spikes

Staff

Renny Cushing, Executive Director • Susannah Sheffer • Kate Lowenstein • Priscilla Caputo

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

After Abolition: Helping Families of the Executed*continued from page 1*

in support of the relatives of people who have been executed and the relatives of those whose death sentences were commuted to indeterminate prison sentences. Three years ago, Tamara came to the U.S. to speak along with other MVFHR members at an International Women's Peace Conference in Dallas, Texas. "When I met American women whose loved ones had been executed," Tamara says now, "I saw that we had one common problem shared by all. My heart is with the families in America and in other countries where people are still being executed. It's important not to forget but to continue the fight."

As MVFHR's work in this area has shown, family members of people who have been executed may suffer in a variety of ways, including experiencing post-traumatic symptoms, and there is much that victim assistants, educators, mental health professionals, and others can be prepared to do for these survivors – now and after abolition. In our 2006 report *Creating More Victims: How Executions Hurt the Families Left Behind*, we suggested that families of executed persons ought to be considered victims under the UN Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power. This past February, at the 4th World Congress Against the Death Penalty, Renny Cushing was able to speak briefly about this idea with three people who are in a real position to consider it: Navanethem Pillay, the UN High Commissioner for Human Rights, Mariana Peña, who represents the International Federation for Human Rights (FIDH) at the victims' rights working group of the International Criminal Court, and Renate Wohlwend, Rapporteur on death penalty of the Parliamentary Assembly of the Council of Europe. We are encouraged by the positive response and ready to pursue this idea further.

Many thanks to Stefano Argentino of the Sant Egidio community for serving as language interpreter during our conversation with Tamara Chikunova.

Reaching Out to Victims in Taiwan

We spoke with Lin Hsinyi, Executive Director of the Taiwan Alliance to End the Death Penalty, about the role of victims' families in the effort to oppose the death penalty in Taiwan, province of China. Here is an edited transcript of Hsinyi's comments:



Lin Hsinyi speaking at an MVFHR event

The goal of the Taiwan Alliance to End the Death Penalty (TAEDP) is to abolish the death penalty in Taiwan and, if we can, to contribute to other countries' efforts. Right now we are trying to promote alternatives to the death penalty, trying to help death row inmates get better legal representation, and trying to educate and have a dialogue with the public about the issue of the death penalty.

A lot of people think of life without the possibility of parole as an alternative to the death penalty, but for us, that's not enough. We want to help people feel safe, and we believe we need to show more, offer more, than LWOP. That's why our proposed alternative measures include prison reform and victims' compensation. We try to do the research and understand what other countries offer in this area, both legally and in terms of social welfare policies.

In Taiwan, we do have a Victims' Compensation Act that allows the family of a murder victim to receive up to two million Taiwan dollars (about \$62,500 U.S.), but that includes funeral costs, so it doesn't go very far. We are trying to increase what is available at the state level, and also trying to help vic-

tims' families get jobs, help with children's education, and help with mental health services if that is wanted. We are also interested in helping victims' families participate in the legal system. This is not easy, because some victims don't want to participate. But for those who do, they need legal representation, and we are trying to understand how to make that available. We are talking with the Ministry of Justice and other organizations that care about victims' interests, because we know we are not the experts in this area.

In Taiwan, the biggest voice of victims is for the death penalty, and a lot of people think that all victims want the death penalty. Meeting members of MVFHR has really opened our eyes. I think I first heard this perspective at the 2nd World Congress Against the Death Penalty in 2004. I heard testimony from a victim's family member saying, "Don't kill in my name." I was very touched, and it was then that I first understood that not all victims support the death penalty. Then we at TAEDP met Toshi Kazama, because of his photographs of Taiwan's death

row, and we had our first collaboration with him when we invited him to Taiwan. He introduced us further to MVFHR, and we arranged for Renny Cushing and Toshi to come speak to several audiences, and then later for Toshi and Bud Welch to speak.

I think that for many in the audiences, it was their first time hearing this message. For the ordinary audience, it's a surprise to hear, but I think gradually they start to think about it. Through these events we have tried to contact local victims and find out who is opposed to the death penalty. It's not easy; we have found some, but not all want to speak out. Some don't feel safe speaking out, and some have just not yet had a chance and don't yet have much experience speaking publicly to an audience. One man whose wife had been murdered spoke out when he first joined us but then he received some criticism and became more reluctant.

But even when they don't want to speak publicly, it is still very good for them to meet members of MVFHR because they can say, "There is someone else who thinks like me; I'm not the only one." Because this is so valuable, we are having members of MVFHR return to Taiwan this year.

[Several MVFHR members will be addressing audiences in Japan, Taiwan, and South Korea in late June-early July 2010.]

To see each other as human beings

What follows is an edited transcript of a talk given by MVFHR member Jo Berry and Pat Magee, the man who planted the bomb that killed Jo Berry's father. Jo and Pat delivered this talk as part of the Voices of Experience – Words of Victims evening at the 4th World Congress Against the Death Penalty in February.

Jo Berry: My story begins the day my father, Sir Anthony Berry, was blown up by an IRA bomb as he was attending the Conservative party conference in Brighton, England, October 12, 1984. I was 27 years old when he was killed. I adored my Dad. We had become very close, and the trauma, loss, and devastation were immense. It was such a public death, and the violence was incomprehensible to me. And yet two days after the bomb, I made an inner commitment to find a way to bring something positive out of the tragedy, to go on a journey of giving up blame, a journey of understanding.

During the years 1985 and '86 I went to Northern Ireland many times, meeting courageous people on both sides who shared their story of being affected by the conflict. I was beginning to understand the conditions that would lead someone to join the IRA. It was only after the peace process in 1999 that I got the opportunity I needed for healing my own trauma and I first went to a victims group. I also met men who had been in different paramilitary groups and this was preparing me to meet Pat Magee. I wanted to hear his story, to see him as a human being.



Jo Berry and Pat Magee outside the hotel where the bomb blast took place

I was very scared as I went to the meeting, wondering if I was making the worst mistake of my life. Our first conversation lasted three hours and there was an intensity that is hard to explain. I started by asking him questions, listening to his reasons for joining the IRA and why he thought the bomb was a good strategy that had led to the peace process. He told me he was not a violent man, but the situation in his community showed him that violence was the only way that they could be heard. I found his justification emotionally hard but that was what I had expected. I asked him other questions and began to be able to glimpse the man behind the “terrorist.” I shared a little about my wonderful father and the journey I had been on. I was thinking to myself privately that I wouldn't be back for a second visit. Given his justifications for what he had done, it would not be necessary to see him again.

But then something happened. He took off his glasses, rubbed his eyes, and said, “I have never met someone like you, so open and with

so much dignity. I want to hear your anger, I want to hear your pain.” I knew then that another journey had begun. Pat had taken off his political hat, opened up and become a vulnerable human being. We talked very differently now, and in some ways it was even more challenging. I wanted to leave, thinking *what am I doing talking to the man who killed my father*, yet something strong in me wanted to engage at this very human level. As we left, Pat said, “I am sorry for killing your father,” and I said, “I am glad it's you.” Strange words, but what I meant was that I acknowledged his willingness to engage with me. Many wouldn't have.

I was very disoriented after this meeting, felt like I had broken a taboo of society, wondered if I had betrayed my father. But more than all of this I know it was a powerful step in my healing and my personal way of ending the cycle of violence and revenge in myself. I have felt the pain of wanting to act on revenge, to make someone hurt as much as me. It is a powerful impulse, which tells me I will feel better. But I also know that it would hurt me even more and cost me some of my humanity. It is a choice. I have faced my pain, felt the enormity of it, cried, and raged, and I know only by taking responsibility can I make it better. I have had the level of support that I have needed for me to be heard; I have been lucky. We need to make sure all victims have the right type of support.

I am very glad Pat was not killed

through the death penalty, for that would have robbed me of healing the most broken relationship I had, of helping me understand the roots of violence, of transforming in me the need to seek revenge.

Pat Magee: ...For 27 years I was a committed member of the IRA. I spent a total of 17 years either interned or sentenced because of my involvement. I was released on license from life imprisonment in 1999 under the terms of the Belfast Agreement, a political compromise achieved after decades of violence which held and continues to hold the hope that political progress is achievable through purely open, democratic, constitutional means.

In this new political dispensation the legacy of the conflict could now be addressed, in terms of the many outstanding issues and grievances needing resolution if we are all to move on and build a peaceful future together. Reconciling with the victims of our actions is a vital part of that legacy.

In that light, as an individual, I agreed to meet Jo. I agreed readily enough to meet her, believing that as a former IRA volunteer I was politically obligated to explain our political beliefs and aspirations, motivations, and values to anyone willing to listen and to engage in dialogue.

So, on the day, I was there to explain, in essence to justify, the armed struggle, and specifically why Brighton. But something happened during that first encounter. Jo's openness, calmness, her apparent lack of hostility – in fact her willingness to listen and to try to

understand – disarmed me. Had Jo instead shown anger, however justifiable, it would for me have been easier to cope with. The *political hat* would have remained firmly attached.

But in the presence of such composure and decency, as I said, I felt disarmed. It was a cathartic moment. It didn't matter that as a former member of the IRA I could politically justify my past actions in terms of the legitimacy of the struggle. As an individual I carried the heavy weight of knowing I had caused profound hurt to this woman. I expressed a need to really hear what she had to say and to help her come to terms with her loss, if that were possible.

A political obligation henceforth became a personal obligation. I now realized more fully that I was guilty of something I had attributed to the other. Our enemies demonized, dehumanized, marginalized, reduced us. I was also guilty of adhering to a reduced view and of not perceiving the other's full humanity, instead apprehending our enemies in terms of their uniform or solely from their political colors. I began from that moment to see Jo's father in a fuller light and to begin the process of understanding his view. All that I came to admire and respect in Jo was surely due in part to his gift of values so apparent in her. And that was a measure of the loss. Jo's loss of her father; her daughters' loss of a grandfather. But loss also in terms of my own humanity. For war does rob combatants of something of what it is to be human, of an essential capacity to empathize and to see the world through the eyes of others.

As a consequence of this moment of insight, what began as perhaps a one-off encounter became a process of further meetings and a real need to listen, to be heard, to understand.

And, of course, I come full circle back to the reality that none of this process of an exploration leading to understanding would have happened had the death penalty been in place at the time of my capture in 1985.

After one of our earliest meetings, Jo told me that her 7-year-old daughter had asked, "Has Pat said he is sorry?"

Jo replied, "Yes, Pat is sorry."

Her daughter asked, "Does this mean that Granddad Tony can come back now?" Out of the mouths of children!

And, of course, no matter what we can achieve as two human beings meeting after a terrible event, the loss remains. Neither forgiveness nor understanding can fully embrace that loss. The hope lies in the fact that we continue to meet in order to further this mutually healing, restorative action. I now understand that had I known Jo's father we might have sat and talked, perhaps agreed on many things. And where we might disagree, begin a dialogue towards accommodation. I think of the many political obstacles, the social barriers, all the hindrances in the way of simple human communication. The differences between Jo and me remain profound and yet we continue to meet. Surely there is a lesson there applicable to the wider scale?

MVFHR in Action

A sampling of MVFHR's work in recent months

Giving Testimony

This legislative season, MVFHR members have testified, provided materials, and met with lawmakers in Kansas, Kentucky, New Hampshire, California, Washington, Montana, Maryland, and Pennsylvania, and in many cases also offered public presentations in conjunction with these efforts. Here are a couple of excerpts from victims' testimony:

On the myth of "closure":

"You legislators hear a lot about the phrase, 'Victims needing closure.' I'm here to tell you, that is nothing but a myth perpetuated by politicians and news media. Six months after the bombing a poll taken in Oklahoma City of victims' families and survivors showed that 85% wanted the death penalty for Tim McVeigh. Six years later that figure had dropped to nearly half, and now most of those who supported his execution came to believe it was a mistake. In other words, they didn't feel any better after Tim McVeigh was taken from his cell and killed."

– *Bud Welch, spoken testimony in Kansas*

On the need for treatment and prevention:

"I am aware that Washington state has recently witnessed the appalling murders of law enforcement officers by three separate assailants. While two of the offenders were killed before they could be arrested, it appears from news reports

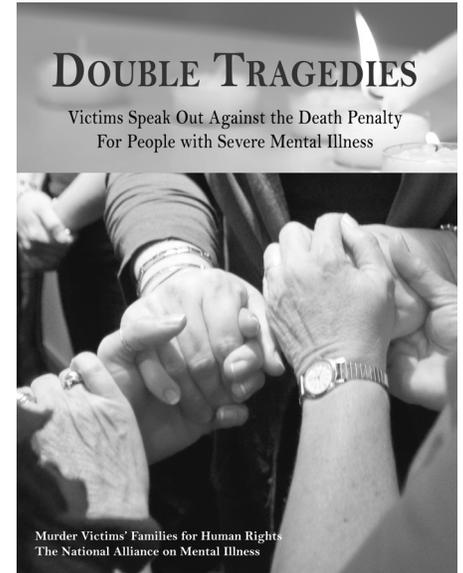
that some or all of the offenders were severely mentally ill. While not all people with mental illness commit murders, these events demonstrate that failing to provide adequate mental health treatment to people in our communities can have tragic consequences.... Working for prevention through treatment of mental illness prior to a murder being committed rather than expending precious state resources on the death penalty will make us all safer." – *Renny Cushing, written testimony in Washington state*

Not just elimination of the death penalty:

"I support [legislation that expands the training for law enforcement regarding the needs of victims' families] as a step on the path to justice and healing for victims. I am honored to do so so that our state can move beyond vague sentiments about being tough on crime and seeking justice for victims and look closely at what actions would prevent violence or help victims heal in the aftermath of violence. In honor of my daughter, my family is committed to seeking not just the elimination of the death penalty, but meaningful change which truly serves the needs of survivors." – *Vicki Schieber, oral and written testimony in Maryland*

Prevention, Not Execution project

We have continued to distribute the report *Double Tragedies*:



Victims Speak Out Against the Death Penalty for People with Severe Mental Illness following its release last July, and have received great help in this regard from members of our partner organization, the National Alliance on Mental Illness. As well, we have worked with colleagues at the Kentucky Coalition to Abolish the Death Penalty to bring the report to the attention of lawmakers there, as they consider a bill that would eliminate the death penalty for people with severe mental illness. Also as part of the "Prevention, Not Execution" project, and at the request of attorneys for Washington, D.C. "sniper" John Muhammad, we provided oral testimony about victim opposition to the death penalty for people with severe mental illness, which then received coverage in a Reuters news story.

As part of our campaign to educate audiences about this issue,



Photo by Cécile Thimoreau

Bill Babbitt (top) and
Bob Curley speaking at
the "Words of Victims"
evening



Photo by Cécile Thimoreau



Photo by Toshi Kazama

Victims' family members on stage at the "Voices of Experience – Words of Victims" evening at the 4th World Congress Against the Death Penalty

we offered a session on mental illness and the death penalty to students participating in Texas's Anti-Death Penalty Alternative Spring Break, showing excerpts from the "Prevention, Not Execution" press conference that was held in San Antonio in October 2008 so that students could hear and discuss the powerful testimony offered by family members of victims killed by an individual with severe mental illness and family members of individuals with severe mental illness who have been executed. We have supported and provided speakers for alternative spring break for the past several years, and always welcome the chance to meet with young activists.

Working toward Worldwide Abolition

Twelve U.S. members (including staff) traveled to Geneva, Switzerland

in February to represent MVFHR at the 4th World Congress Against the Death Penalty. The World Congress was a wonderful opportunity to meet with members and colleagues from around the world. Because the assumption that all victims' families want the death penalty is common across national borders, it was important that MVFHR was able to bring to the World Congress another view and a heightened awareness about the needs of victims' families in the aftermath of murder. MVFHR members spoke as part of a roundtable on violence, victims, and the death penalty, presented information and recommendations during an educational "poster session," and then offered testimony at the powerful Voices of Experience – Words of Victims event. At one point during that event, all the victims' family members stood together on the stage and, one by one, stepped to the microphone to

name their murdered loved one and declare their opposition to the death penalty (see photo).

Also in recent months, MVFHR members have participated in Cities for Life - Cities Against the Death Penalty events in Italy and Belgium, gave a series of speaking events in the United Kingdom that reached a total of 4,500 listeners, and addressed public audiences in Japan and mainland China, where several reported afterward that they had changed their minds about their support of the death penalty after hearing the presentation.

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 UK Guardian, 3/1/10:

Most debates about the criminal justice system and restorative justice are criticised for not focusing enough on the impact that violence has on victims and their families. Those objections multiply tenfold when the issue at hand is capital punishment: bring up the subject and many death penalty supporters will say that executions are the only way to meet survivors' needs for justice and closure, and that to oppose capital punishment is to be anti-victim. "What if it was your own son or mother?" they ask. "Wouldn't you want the perpetrator to die at the hands of our justice system?"

As it turns out, the truth is rather different. During last week's fourth world congress against death penalty in Geneva, the voices of murder victims' families painted a picture seldom seen in the media. For a variety of reasons, a growing number of families do not support capital punishment. However, all families face decades of legal appeals over the execution of the perpetrator – a truly agonising wait for anyone seeking closure....

The majority of speakers in Geneva agreed that if civil society wants to fight the feeling of abandonment faced by survivors of violence, the state should shoulder compensation when the perpetrator cannot do so. In that vein, pro-victim lawmaking is making progress: the ICC allowed the creation of a trust fund for victims and families of victims of crimes to allocate some form

of reparation when the convicted person does not have sufficient assets to provide reparation. In the US, the Crime Victims Equality Act provides that crime victims shall be treated equally under the law regardless of their position on the death penalty, has been passed and [the] legislature recently adopted an important new victim rights bills in New Hampshire, which will expand victims' compensation fund coverage.

From the New Hampshire Union Leader, 2/6/10:

Andrea Leblanc, whose husband, a UNH professor, was killed on a jet flown into the World Trade Center on 9/11, called for repeal of the capital punishment.

"The death penalty is not about justice, it's about revenge," she said. "Violence begets violence."

Anne Lyczak of West Lebanon, whose husband was murdered in a random shooting in Portsmouth 16 years ago, also urged repeal.

"It is my belief that it is never right to take anyone's life. By using the death penalty we lower ourselves to the level of the person guilty of murder," she said, noting she too was shot at the night of the murder.

She said reliance on the death penalty would "distract attention from the social conditions that contribute to crime."

From the Evansville (IN) Courier & Press, 9/6/09:

If Mary Winnecke wished death upon Eric Wrinkles, it would be easy

to understand why. Wrinkles is a death-row inmate at Indiana State Prison in Michigan City. He stands convicted of killing three people, including Winnecke's daughter, Natalie Fulkerson.

Natalie was only 26. Her death left behind two orphaned children and a world of pain for surviving loved ones. And Eric Wrinkles was the cause of it all.

But to understand why Winnecke wants Wrinkles to live – well, that's the story.

Winnecke says her Catholic faith compels her to oppose the death penalty and to pray for her daughter's killer. She does not believe the state should put Wrinkles to death, even though he ended Natalie's life.

"What right do they have to kill in her name?" Winnecke said. ...

Winnecke holds Wrinkles fully responsible for his crimes.

"He deserves to spend his life in jail. He murdered three people. All his rights should be taken away," Winnecke said.

Even so, thinking of Wrinkles' execution fills Winnecke with dread.

"It's not going to bring me peace. It's not going to bring me nothing. ... It's just going to be a horrible day, the day he dies," Winnecke said.

From the Gazette.net, 10/28/09:

As a mother who lost a son to murder, my heart goes out the family of [Correctional] Officer [David] McGuinn, whose alleged killers [are] still facing death for killing this correctional officer in 2006. It has been

over three years and this case has yet to go to trial – precisely because it is a death penalty case.

If we are serious about helping victims' families, we should go ahead and repeal the death penalty, sparing them the agonizing wait for cases to come to an end. Eliminating the death penalty will also save the state money that could be reinvested to provide more meaningful care for the families of murder victims, something I know from personal experience is lacking now. – Vivian Penda

From the Nebraska Independent, 10/1/09:

[Miriam] Kelle is the sister of James Thimm, who was brutally tortured and murdered by death row inmate Michael Ryan as part of the Rulo cult murders. ... Kelle said Ryan's conviction and time on death row have split the family. She said she is in the minority who do not want to see Ryan executed, even though there is no doubt that he committed what she considers to be the most heinous murder in Nebraska history.

Kelle said that for a long time, she kept that minority opinion to herself. But she said she never felt comfortable with Ryan's death sentence and, for her own sake, she needed to start talking about her feelings. ...

After her talk, Kelle told *The Independent* that one thing that finally tipped her toward making her opposition to the death penalty known is when she learned how much money has been spent on trying to put Ryan to death.

"It's \$2.43 million and it's not over with yet," she said. Kelle said

that is more than enough money to have imprisoned Ryan for life without parole.

As a nurse, Kelle said, she thinks about the good that the remainder of that \$2.43 million could have done, whether it be in the areas of violence prevention programs or other programs that could have beneficial effects for the state's residents....

From Bethesda magazine, January 2010:

Nearly a dozen years have passed since the Schiebers' 23-year-old daughter, a first-year doctoral candidate at the Wharton School of the University of Pennsylvania, was strangled by a serial rapist who climbed in through the balcony door of her Philadelphia brownstone apartment. Four years later, Shannon's killer was caught and convicted. But the Schiebers, citing personal and religious objections to the death penalty, refused to press for his execution. He was sentenced to life in prison without parole.

...Believing that the best way to honor Shannon's memory was to uphold the moral principles with which her daughter was raised, Schieber quit her marketing job four years ago in order to devote herself to the campaign to end capital punishment.

From an Op-ed by Judy Kerr in the San Jose Mercury News, 2/17/10:

When I hear stories of inmates on death row for murders that happened decades ago, I am filled with rage against the death penalty, but not for the reasons you might think. ...

My brother, Robert James Kerr, would have been 50 years old, and I would have been celebrating with

him. But in 2003 he was severely beaten, strangled and left shirtless and shoeless on the side of the road 30 miles from his apartment. His bank accounts were raided during the three weeks that authorities took to identify his body. There is surveillance video of someone repeatedly using his ATM card after his death.

His killer remains free.

There are over one thousand unsolved murders such as Bob's each year in California. Yet counties are closing cold case units, rape evidence kits are left unprocessed and lawmakers are cutting corrections budgets. We have more people in prison in California than in most countries in the world, but still a thousand families each year are left to fear and wonder and grieve. ...

One billion dollars will go into death penalty appeals, trials and housing in the next five years in California. While we spend millions on the death penalty every year, literally thousands of killers walk the streets. We spend so much money and focus so much attention on a few aging convicts when these resources would be better spent on law enforcement, state crime labs and investigations to bring murderers to justice.

Revenge sounds sweet at first, but in reality families pay the real price. Our pain, suffering and doubt are prolonged endlessly, our communities remain at risk and killers roam free. The truth is California's death penalty wastes precious funds and does not deter crime. It does even less to bring healing to families and survivors....

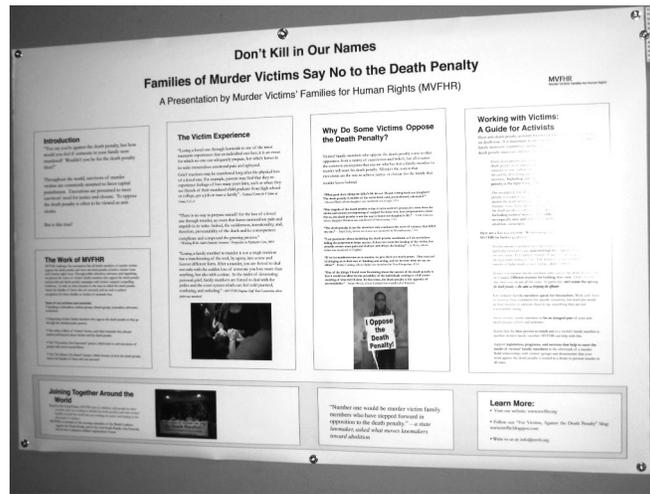
Working with Victims' Families: A Guide for Activists

At the 4th World Congress Against the Death Penalty in February, MVFHR offered a “poster session” that gave some introductory information about the victim experience, the perspective of victims' families who oppose the death penalty, the work of MVFHR, and some recommendations for anti-death penalty activists about working with victims' families. We reprint the “Working with Victims' Families: A Guide for Activists” section here so that others may photocopy it or otherwise make good use of it.

Most anti-death penalty activism focuses on the offender, the person on death row. It is important to incorporate an awareness of victims' family members' experience, perspective, and testimony into anti-death penalty materials and activities because:

Every death penalty story is also the story of a crime that occurred. A death penalty story does not begin with an execution or a death sentence or even with an arrest. It begins with a murder victim's loss of life and the devastating impact that that loss has on the surviving family members. **Including victims' stories when talking about the death penalty is the right thing to do.**

The assumption that all victims'



family members support the death penalty is common across national borders. We cannot expect to abolish the death penalty without presenting an alternative view. Victims' voices have a powerful effect – lawmakers have voted against the death penalty as a result of hearing victims' testify for abolition. **Including victims' stories when working for abolition is strategically wise and is essential to bringing new people into the abolition movement.**

Here are a few suggestions. We encourage activists to consult with MVFHR for further guidance.

In educational or political materials about the death penalty or about a particular prisoner's case, **acknowledge the original murder.** Give the victim's name. For example, instead of saying “Eric Jones, who is facing a death sentence,” say “Eric Jones, who was convicted of the murder of John Smith, is now facing a death sentence ...”

Realize that victims' family members who oppose the death penalty will have **many different reasons for holding that view.** Don't assume that their reasons are all the same. In particular, **don't assume that opposing the death penalty is the same as forgiving the offender.**

Let victims' family members speak for themselves. Work with them to develop their statements for specific situations, but don't put words in their mouths or pressure them to say something they are not comfortable saying.

Invite victims' family members to **be an integral part** of your anti-death penalty efforts and activities.

Know that the **best person to reach out** to a victim's family member is another victim's family member. MVFHR can help with this.

Support **legislation, programs, and services that help to meet the needs of victims' family members** in the aftermath of a murder. Build relationships with victims' groups and demonstrate that your work against the death penalty is rooted in a desire to prevent murder in all cases.

Standing Together

Standing on the stage at the Bâtiment des Forces Motrices, an historic theatre in Geneva, Switzerland, I watched as, one by one, my fellow MVFHR members stepped to the microphone to name their murdered loved one and declare their opposition to the death penalty. Each brief statement contained so much: the irreplaceable loss represented by each victim's name, and then the individual journeys that brought each particular survivor to this stage at this moment, speaking publicly against the death penalty before an international audience.

It's really true: there is so much power in coming together. Each of us has to figure out, in our own deeply personal way, how we will respond in the aftermath of a family tragedy. But then when we stand together, as we did that night, something happens that is even more powerful than any of us by ourselves. When we stand holding the MVFHR banner – and by that I mean, when we speak with a collective voice, as part of a sustained group effort – we give each other strength and demonstrate that victim opposition to the death penalty is more than one individual's unusual choice.

As you've read in this issue of *Article 3*, at the 4th World Congress Against the Death Penalty we were able to make connections with victims' family members and new allies from many different countries. We were able to bring our voices and our message to activists who had not previously considered what it means to oppose the death penalty from a victim perspective. We were moved and energized by the variety of people who told us they

wanted to become more familiar with MVFHR, to join with us, to work with us, to help us and to seek our help –

like the families of the executed Tamara Chikunova talks about in this issue of *Article 3*, or the victims' families in Taiwan who are just beginning to feel that they can speak out, to name just a couple of examples.

We need your help to continue building MVFHR and welcoming more and more people to stand with us and declare their opposition to the death penalty – at home in our local communities and at the national and international level. 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 donate online at www.mvfhr.org.

In gratitude and solidarity,



Renny Cushing
Executive Director



Renny Cushing on stage with other MVFHR members. See also the photo on p. 7



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



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