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Music with a Message

Please join us
on June 16th
at the
Showbox
Music
Club in
downtown
Seattle to listen to the
music of Steve Earle and
words of Sister Helen
Prejean.



Tickets are \$22.50 in
advance and \$25 at the
door. Please contact the
Showbox at 206.628.3151
to purchase your tickets.

Legislative Session Wrap-up

By Alice Curtis

Anti-Terrorism Bill Fails in State Legislature

The Washington State Legislature's attempt to pass an anti-terrorism bill was defeated this session. The legislation, which was supported by Governor Gary Locke and Attorney General Christine Gregoire, was opposed by the King County Bar Association, the Quakers, the ACLU, and death penalty opponents. Senator Adam Kline, an opponent of capital punishment, was instrumental in defeating the bill, which would have expanded application of the death penalty in Washington State in addition to significantly impacting civil liberties.

Survey of State Legislators' Opinions on Death Penalty

In preparation for the next legislative session, the WCADP Legislative Committee is coordinating a survey of Washington State legislators regarding their opinions about the death penalty. Our goal is to identify potential backers of abolition or a moratorium, and to identify legislators who are unsure about the issue, and who might benefit from more information. Once legislators are identified, volunteers will contact their own legislators and gather information using a prepared script. Originally, we had hoped to have interviews take place in person, but we have found that submitting the questions by phone or by e-mail is also effective. The most important thing is having a member of the legislator's district make the contact. The personal contact is what makes the difference in getting a useful response.

We are still in need of volunteers to make contact with their legislators. Once you volunteer, you will be provided a questionnaire by snail mail or by e-mail (whichever you prefer). You can then contact your legislators and ask them the questions directly or submit them to the legislators by mail or e-mail. After you hear back, you can forward your results to WCADP Legislative Committee and we will tally the results. It is helpful to have the script followed as closely as possible, so that our results will be consistent and useful. The good news is that the results we have received so far have been very enlightening. But we need a lot more information. The only legislative districts from which we have received responses from all three legislators (two Representatives and one Senator) are Districts 27 and 45. Results from all other districts are incomplete. If you would like to help with this effort, please contact Alice Curtis, Legislative Committee Chair, at alismcurtis@earthlink.net or 360.943.4076.

New Contact Info

In addition to the new e-mail and web address announced in the Winter 02 newsletter, we also now have a new mailing address and fax number. Our new address is PO Box 3045, Seattle, Washington 98114-3045 and our new fax number is 425.696.3275. We look forward to hearing from you at our new location.

New Online Giving



Have you visited our website lately? There's now a new way you can help

WCADP meet its mission. We've provided a link on our website for you to make a donation or become a member through a secure transaction. Check it out today at www.abolishdeathpenalty.org.

100th Person Freed

Ray Krone was released from Arizona's death row on April 8 after being exonerated by DNA testing. Krone was the 100th known person to be exonerated and released from a death row in the U.S. since the death penalty was reinstated in 1972. These exonerations underscore the problems in our nation's capital punishment system.

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President's Message

By Adam Vogt

In many ways, 2001 was a disappointing year for opponents of the death penalty. Timothy McVeigh became the first person executed by the federal government in 38 years, while our own state executed its third person since the reinstatement of capital punishment. After several years of progress, many abolitionists felt deflated.

However, out of these events and the news coverage they generated, there are many signs of progress. Recent polls show that support for the death penalty is slipping. In Illinois, a majority of panel members reviewing the state's use of the death penalty recently urged an end to capital punishment. Stories of the wrongly accused appear on the news every day. And the international community steadfastly refuses to turn over suspects to the United States for fear of them facing the death penalty.

The more this topic appears in the headlines, the better our chances of abolishing the death penalty. For it is our belief at the Coalition that the more people learn about capital punishment, the less they will support it.

Exciting things are also happening in our organization. We are extremely pleased to have hired a new office manager, Megan Davis. We have a vigorous new steering committee. Finally, we have an active program of events and speaking engagements.

We thank the many loyal supporters who have helped us over the years. We hope you will continue to support us as we work to build a stronger voice for abolition in Washington state.

Reflections from Durban

In April, WCADP hosted the nationally touring exhibit *Reflections from Durban* in partnership with nine other local not-for-profit organizations. The exhibit visually encapsulates the fight for equality waged by activists around the world and provides a context to better understand their common struggles.

On April 21 at an event linked to the exhibit, Judith Kay, WCADP Secretary, and Harriet Walden of Mothers for Police Accountability, spoke on the topic of "Death Penalty and Racism: Bias or Policy?". Judith explained that crime has historically been, and continues to be, defined in large part by race, class or economic status. She linked this to the undeniably biased way that the death penalty affects people of color in the U.S. Ms. Walden spoke about her own experiences with racism and the criminal justice system and gave a historical account of the use of lynching and its relationship to the death penalty.

Participants reflected on their hope regarding needed changes in how the United States addresses racism and the death penalty.

Death Row Update

Washington Cases

There are currently nine men on death row in Washington; however, this number fluctuates because prosecutors continue to seek death and the appeals process is not only capable of releasing inmates from death row but also putting them back.

Cases in limbo include...

- Even though **Gary Benn** prevailed in the 9th Circuit Court of Appeals, the State will appeal that ruling to the U.S. Supreme Court.
- **Richard Clark** doesn't have a sentencing retrial date in Snohomish County Superior Court as of this printing.
- Pierce County announced that they will not seek the death penalty against **Henry Marshall** after the remand to determine whether he was competent.
- **Blake Pirtle**'s death sentence was overturned by the federal district court in Spokane, but the State appealed the decision to the 9th Circuit Court of Appeals. All briefs have been filed so Pirtle is waiting for a date for argument.

Off of Death Row for Good...

- On March 22, Kitsap County Prosecutor Russ Hauge took the death penalty off the table for **Brian Lord** because of the substantial likelihood that Lord's conviction would be overturned again. If that happened, the State would have to try him a third time. Support from the victim's mother also assisted the prosecutor's decision—she wants this case to be done with.
- **Kwan Fai "Willie" Mak** was sentenced to life without the possibility of parole after King Co. Superior Court Judge Inveen ruled that findings from the 1983 jury trial would not provide a basis for the State to seek death. It's worth noting that it wouldn't have taken 19 years to impose a final sentence, if we didn't have the death penalty.

Nationally

Not Just in Illinois...

On May 9, Gov. Parris Glendening imposed a moratorium on executions in Maryland until the state completes a study of whether there is racial bias in the use of the death penalty. Glendening also stayed the execution of **Wesley Baker** and said he would stay any other executions that come before him in his eight months left in office.

Death Penalty is Unconstitutional...

On April 25, U.S. District Court Judge Jed Rakoff said he is prepared to rule the federal death penalty unconstitutional unless the government can adequately explain why so many death row inmates have turned out to be innocent. Rakoff wrote in *U.S. v. Quinones*, that innocent people are being put to death "with a frequency far greater than previously supposed."

Judges or Juries to Decide...

The U.S. Supreme Court is expected to decide whether a defendant's constitutional right to a jury trial means that only a jury can impose a death sentence (*Ring v. Arizona*). Currently, judges decide the sentence of defendants in nine states even though juries are responsible for deciding guilt or innocence. This ruling could affect almost 800 death sentences nationally.

Spring 2002

Liebman Report Released

Why There Is So Much Error in Capital Cases

A follow-up to the report, "A Broken System: Error Rates in Capital Cases 1973-1995" was released earlier this spring. The report entitled "A Broken System II: Why There Is So Much Error in Capital Cases", was authored by Professor James Liebman and a team of Columbia University researchers.



According to Professor Liebman and the research team, the first study aimed to determine the numbers and types of errors made in the death penalty cases that were included in the study. This recent report speaks more to the types of mistakes that are made and why they are made. The report also identifies potential solutions to the mistakes and problems.

The study found that 75% of the state and federal reversals (where data was available) were because of incompetent defense attorneys, police or prosecutor misconduct, or misinformed and biased judges or juries. The main finding of the study according to the research team was that the more often states and counties sentence people to death, the more often they get it wrong.

The report also points to four key factors which lead to errors in addition to the rate at which states utilize the death penalty. These include: homicide risk to whites and blacks; the size of the black population; the rate at which police catch and punish criminals; and politically motivated judges.

For more information on this report and the complete report, please visit www.law.columbia.edu/brokensystem2/

WASHINGTON
COALITION TO

**ABOLISH
THE DEATH
PENALTY**

*Washington Coalition to
Abolish the Death Penalty
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Another Successful Abolition Day Dinner

Our annual Abolition Day Dinner benefit was held at Town Hall in Seattle on February 27. The dinner was attended by 130 people. Of a number of auction items, the favorite was a dinner for four at Salty's on Alki with Sister Helen Prejean. We thank all of the generous donors and attendees who made the event possible.

The 2002 Ruth Evans Volunteer of the Year Award was presented to Jeanette Star Howard. Jeanette was a member of WCADP's Steering Committee for nine years and in 1994 she founded the Coalition's Death Row Support Project which has become the vital link between the organization and those condemned to death by the state. Jeanette's compassion for individuals on death row, and her passion for ending state supported executions were evident as she spoke about her personal fight to abolish the death penalty, including her personal experience of losing her fiancé to murder.

The 2002 Abolitionist of the Year Award, went to Speedy Rice. Thomas H. "Speedy" Rice began his legal career in aviation law in 1986. In 1993 he began teaching at Gonzaga Law School in Spokane and founded Gonzaga's International Criminal Justice Law Clinic. He is the leading expert on international death penalty issues for the National Association of Criminal Defense Lawyers and, in that role, Mr. Rice led the legal effort for clemency for James Elledge who was executed by the State of Washington last year. Mr. Rice spoke of his work aimed at putting international pressure on the United States to abolish the death penalty.

The evening ended with an impassioned Keynote Address by Stephen Bright, Director of The Southern Center for Human Rights. He is an internationally acclaimed advocate for those who face state-sanctioned executions. Mr. Bright has taught courses at Yale, Harvard, Georgetown and several other Universities where he lectures law students on capital punishment, criminal procedure and prisoners' rights'. He spoke with great hope about current work regarding the death penalty and two specific populations—youth and the mentally ill.