



2006 Spring/Summer Newsletter

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Washington Coalition to Abolish the Death Penalty

P. O. Box 3045
Seattle, WA 98114

(206) 622-8952
www.abolishdeathpenalty.org
info@abolishdeathpenalty.org

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Founded in 1984, WCADP is a statewide 501(c)(3) non-profit organization comprised of individuals and organizations. WCADP is dedicated to public education and activism to abolish the death penalty.

Editor: Andrea Crabtree
Layout: Jeff Wilson

The end is in sight

by Jeff Ellis, WCADP President

In *Furman v. Georgia* in 1972, the United States Supreme Court invalidated all then-existing death penalty laws based on the inherent arbitrariness of their application. One justice noted that the death penalty was imposed in such a wanton and freakish manner that it was like “getting struck by lightning.” Most observers at the time concluded that there would never again be an execution in the United States. They were wrong. In 1976, in *Gregg v. Georgia*, the Court upheld Georgia’s new capital-sentencing procedures, concluding that they had sufficiently reduced the problem of arbitrary and capricious imposition of death associated with earlier statutes.

Washington’s current death penalty law was enacted in 1981. In the 25 years since, the Washington Supreme Court has heard a number of constitutional challenges to the application of that law. Despite the passion and logic of those arguments, no challenge has garnered the support of even a minority of the court.

Until now! On March 30, 2006, the Washington Supreme Court affirmed Davya Cross’ death sentence in a 5-4 vote. While the majority opinion certainly is disappointing to Mr. Cross, his defense team and those of us who do not want Mr. Cross killed in our name, find the dissent authored by Justice Charles Johnson and joined in by three other justices remark-

able. Read narrowly, the dissent simply concludes that Cross’ death sentence is disproportionate compared to the life sentences imposed for this State’s mass murderers, most notoriously—Gary Ridgway. In other words, Cross should not be under a sentence of death. However, read as a whole, the opinion goes much, much further. In fact, the four dissenting justices conclude that our death penalty laws are completely broken and cannot be fixed.

The *Cross* dissent echoes the words written in *Furman* over thirty years ago: “No rational explanation exists to explain why some individuals escape the penalty of death and others do not.” “They are symptoms of a system where statutory comparability defies rational explanation.” And, most significantly: “The death penalty is like lightning, randomly striking some defendants and not others.” These words signal that for four justices, this State’s experiment with the death penalty has failed and should now be over. Considering that the majority included one justice who has since retired, the current count is 4-4, with one undecided.

With the end of the death penalty in this state in sight, we must work harder than ever. It does not matter whether abolition comes from the Court or the Legislature. All that matters is that we abolish the death penalty before another life is taken by the State.

“The death penalty is like lightning, randomly striking some defendants and not others.” These words signal that for four justices, this State’s experiment with the death penalty has failed and should now be over.

2006 Abolition Day Dinner



Kay Engel, 2006 Volunteer of the Year

Approximately 120 people gathered in downtown Seattle on Saturday, March 4th, for the annual WCADP Abolition Day Dinner. As always, it was good to be in the company of so many people who actively support and work for the abolition of the death penalty in our state.

Kay Engel, a long-time activist, was honored as Volunteer of the Year. Kay has been instrumental in outreach efforts to the community and to the legislature. Kay's commitment, perseverance, knowledge, and wisdom have been real assets to our movement. (Unfortunately, Kay was unable to attend. She is pictured above tabling at Ethic Fest.)

Andrea Crabtree, who has served as the WCADP President for three years, was honored as Abolitionist of the Year. Although Andrea would have preferred to receive this honor in the year that

the death penalty is actually abolished in Washington, her outstanding leadership has helped move us closer to the day when abolition will finally become a reality.

The evening featured a silent auction that gave attendees the opportunity to take home some great artwork, books, and services while at the same time supporting the work of the Coalition. Additional financial donations were also received with great appreciation.

Keynote speaker Bud Welch shared his very personal story of how his daughter's death in the Oklahoma City bombing moved him from merely opposing the death penalty to becoming one of the abolition movements' most dedicated and articulate activists. With a father's pride, Bud related stories of his daughter, and with great compassion, he talked about the reconciliation between himself and the father of Timothy McVeigh.

The Abolition Day dinner and auction are made possible each year by a dedicated group of volunteers, which was anchored this year by Angela Krisinger. Other volunteers who assisted with the dinner include Andrea Crabtree, Brenda Collier, Séan Walsh, Tom Wagner, Judith Kay, Jim Basden, Eula Garrison, and Anisa Ralls.

We hope to see a sell-out crowd at the dinner next year, when we return to the traditional Friday night schedule and our live auction.

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*A very special THANK YOU to our former VP and Annual Dinner/Auction Extraordinaire Angela Krisinger for all her hard work and dedication to the cause and the event. She has been instrumental in the success of the past three fundraisers.

This year, she and her family had to run out the door before the night was over to catch a flight so she missed the gratitude and accolades flowing from guests and co-organizers.

Thanks Angela! We truly appreciate your significant contribution.

Glen Anderson 16 years with WCADP

The WCADP wishes to acknowledge the contributions of Glen Anderson, who has recently ended his 16-year tenure on the Steering Committee because of his many other commitments to social justice organizations.

Glen was a co-founder in 1989 of Olympians Against the Death Penalty (OADP), which was a member organization of WCADP. OADP eventually was absorbed into the Olympia Fellowship of Reconciliation (FOR) Committee for Alternatives to the Death Penalty. Olympia FOR, which was founded by Glen in 1976, is a long-time member organization of WCADP.

Glen has been of great benefit to the WCADP with his institutional memory, his advocacy for grass-roots activism, his fundraising leadership, his many public speaking engagements, and his expertise in personnel which helped contribute to the hiring of our outstanding current Office Manager.

Glen's wisdom, knowledge, and sharp wit will be missed at Steering Committee meetings. His abolition work continues in the South Sound with his on-going participation in the Olympia FOR Committee for Alternatives to the Death Penalty.

Clark spared the death penalty

A big congratulations goes out to Jeff Ellis, Kevin Cole, Casey Stamm, and the entire defense team. They have successfully negotiated a LWOP (Life Without Parole) sentence for their client, Richard Clark. Mr. Clark was convicted and sentenced to death over ten years ago. The death sentence was reversed on appeal and remanded back to the trial court. The elected official continuously and consis-

Continued, see "Clark" on Page 4...

Why I am an Abolitionist

Dave Avolio is a longtime activist working tirelessly to seek the end of the Death Penalty. In addition to arranging local actions, Dave attended the national fast and vigil in Washington, DC (see WCADP Autumn 2005 newsletter).

There are many reasons for opposition to the death penalty. Most of them have to do with the way the system is practiced in our society. For example, it is very expensive, it has a high rate of error, and it places an unfair burden on the poor and minorities.

Proponents of capital punishment hold the view that with additional legislation, these problems can be either eliminated or reduced to acceptable levels. Opponents hold the view that the system is fundamentally unfair and fatally flawed.

In the case of *Callins v. Collins*, on February 22, 1994, Justice Harry Blackmun offered this statement in his dissent:

“From this day forward, I no longer shall tinker with the machinery of death. For more than twenty years I have endeavored – indeed, I have struggled – along with the majority of this Court, to develop procedural and substantive rules that would lend more than appearance of fairness to the death penalty.”

While I agree with the many procedural reasons for opposition, they aren't my main reason for becoming an abolitionist.

Even if the system could be made perfect in every way it would still be wrong to take the lives of fellow human beings. My belief is based on my Christian faith even though I'm confident that people of different faith traditions hold to the same moral values.

As a Christian, I begin with the Ten Commandments where in both Exodus 20:13 and Deuteronomy 5:17 we read “Do not commit murder.”* In the Old Testament we find a dozen or more capital offenses including not only murder but

adultery and blasphemy. Only murder remains as a reason for execution in contemporary society.

It would appear that we do not feel bound by Mosaic Law. The process of “evolving standards of decency,” under way for many centuries, continues in our own time. Christians must look to the New Testament and the teaching and actions of Jesus for guidance on this issue.

The Gospels consistently offer a message of love, forgiveness, and redemption, and proscribe judgment and vengeance. Without going into an exhaustive study of Jesus' teaching, one passage stands out as being particularly relevant to the death penalty.

In the Gospel of John, we read of a group of zealous prosecutors who bring to Jesus a woman caught in adultery. They press him to comment on the stoning they plan, hoping to entrap him into committing blasphemy. He avoided the trap and changed the course of human history when he told them:

“Let whichever of you is free from sin throw the first stone at her.” John 8:7.*

Christian theology holds that we are all sinners, so it is clear that we are obligated to not use capital punishment.

My opposition is not a “stand alone” issue. Rather, it is a part of the greater issue of violence in all its many forms. We are a violent society that holds to the value that violence is an appropriate and effective means of achieving what we want, both collectively and individually. We think of it as all right to use violence if it is controlled to some degree. We think of it as a sort of Botox, a deadly poison that can give us a younger face if administered with care.

Unfortunately violence is more like heroin. It produces euphoria, denial, and

addiction. As we increasingly use violence as a matter of public policy, we wonder why domestic violence is on the rise and why we have drive-by shootings.

We teach our beautiful, innocent young men to kill and then wonder why they attack their wives when they return from battle. We ignore the fact that the states that use the death penalty sparingly have a much lower incidence of violent crime than those that execute with abandon, and yet we cling to the myth that capital punishment provides an effective deterrent to the crime of murder.

No matter how it is presented and practiced, it cannot be denied that violence breeds violence. It is neither appropriate nor effective as an instrument of public policy.

Proponents of the death penalty say we need it to bring “closure” to the families and friends of the victims of homicide. I really don't know what “closure” means, but I find it inconceivable that an execution would in any way reduce my grief for one I had lost.

What I do know is that each execution produces another set of grieving families and friends. Whose death will be required to bring “closure” to them?

The death penalty is a huge stumbling block which impedes our efforts to reduce violence in our society and the world. It stands alone as a legally sanctioned institution which by its very existence, contributes to the cycle of violence in our lives.

No nation which systematically kills its own citizens can ever speak with any moral authority to the other nations of the world. I don't expect to live to see violence completely eliminated, but it is my hope and prayer that I will live to see the death penalty abolished in America. History seems to be on the side of abolition. I think my goal is achievable.

*Scriptural references are from *The Revised English Bible*.

DEATH ROW UPDATE

Currently under sentence of death

Dayva Cross: A King County jury sentenced Mr. Cross to death on June 22, 2001. On March 30, 2006, the Washington Supreme Court, in a deeply divided 5 - 4 decision, upheld Mr. Cross' death sentence. The four dissenting justices concluded that Washington's death penalty system, as currently functioning, was flawed and arbitrary. *State v. Cross*, ___ Wn.2d ___, 132 P.3rd 80 (2006). In April, Cross filed a motion for reconsideration.

Clark Elmore: On May 3, 1996, Mr. Elmore was sentenced to death in Whatcom County. The sentence is still being reviewed under a Personal Restraint Petition.

Jonathan Gentry: A Kitsap County jury sentenced Mr. Gentry to death on July 22, 1991. The case is currently pending review in the U.S. District Court in Seattle. On March 6 - 9, 2006, a reference hearing was held where evidence was introduced that potentially undermines the legitimacy of the conviction and sentence.

Allen Gregory: Mr. Gregory's death sentence, which was imposed on May 25, 2001, is presently under review by the Washington Supreme Court. On March 29, 2005, an order was entered directing the superior court to conduct an in camera review of the dependency files in dependency proceedings that were pending at the time of trial to determine whether relevant evidence existed.

Darold Stenson: Mr. Stenson's death sentence, which was imposed on August 17, 1994, is under review by the Federal Court twelve years later. Briefing on the Personal Restraint Petition is being filed in the 9th Circuit Court of Appeals.

Dwayne Woods: Mr. Woods' sentence is on review by the Federal Court after being sentenced to death on June 25, 1997. On June 16, 2005, the Washington Supreme Court denied his Personal Restraint Petition. *In re Woods*, 154 Wn.2d 400, 114 P.3d 607 (2005). On Feb. 3, 2006, a Motion to Continue Stay of Execution was granted while review is sought. In April 2006, Woods was appointed new counsel.

Robert Yates: A Pierce County jury sentenced Mr. Yates to death on October 9, 2002. The sentence is currently on direct review by the Washington Supreme Court. Briefs are still being filed, with the appellant's reply brief due June 30, 2006.

Reversals, but could face the death penalty again

Cal Brown: Mr. Brown was convicted and sentenced to death by a King County jury on January 28, 1994. On December 8, 2005, the 9th Circuit Court of Appeals overturned his death sentence because the trial court erroneously excluded a juror. The government has made a motion for reconsideration, which means the King County Prosecutor's Office cannot make a decision regarding whether or not to file a death notice for some time.

Cecil Davis: A Pierce County jury sentenced Mr. Davis to death on February 23, 1998. After 8+ years on appeal, the Washington Supreme Court overturned his death sentence due to error of the trial court for keeping Mr. Davis shackled before the jury. Pierce County Prosecutors have filed a new death notice and trial is set for October 2006.

Under threat of death sentence

Although you could look at this list and think there are not many death row inmates in Washington, you must also keep in mind that the threat of additional death sentences continues:

- A death notice was filed in Pierce County against Jeremy Hosford. Trial is scheduled for August 21, 2006.
- Notices are pending against Ki Ho Lee for an incident on December 25, 2005, and David Sanchez Ramos, Joshua Owen, Terrance Scott, and Casey Spence for an incident on July 20, 2005; both crimes in Pierce County.
- In Yakima County, notice is pending against Jose Luis Sanchez, Jr. and Mario Mendez.
- A death notice could be filed against Michael Lindsey and Darlene McClellan in Klickitat County.
- In Mason County, notice is pending against Bryan Matsen.

Clark

...Continued from Page 2

tently maintained that death was the appropriate punishment and thus filed the death notice. The defense team raised numerous innovative legal challenges, one of which was a great argument directed at the constitutionality of Washington's death penalty statute as it relates to the mental retardation section.

However, after much work and preparation, the Clark Team was able to get the death notice withdrawn. Mr. Clark received a LWOP sentence just a few weeks before trial was scheduled to start.

On a more systemic observation: of the 19 death sentences that have been reversed, now 18 have resulted in a sentence of life without parole. Congratulations and fantastic job!

Science journal recommends, “Let the death penalty die a natural death.”

A recent editorial in *Nature*, the international weekly journal of science, called on scientists and doctors to refuse to participate in executions: “Don’t advise, don’t prescribe, don’t inject. Let the death penalty die a natural death.” Noting that courts are now considering whether the death penalty by lethal injection should be outlawed as inhumane, the editorial points out that the procedure was largely developed without the input of physicians, nurses, or scientists. It also notes that research has shown that prisoners might still be conscious, though paralyzed, when potassium chloride goes through their veins and stops their heart. Their editorial states:

Can the death penalty by lethal injection, as practiced in 37 US states, be outlawed as inhumane? The courts are considering this question, which can be separated from the more familiar one about the morality of capital punishment.

Their judgments are complicated by the fact that, since the procedure came into use three decades ago, few physicians, nurses, or scientists have had anything to do with it. Physicians and nurses are ethically barred from assisting. Yet it is the dominant method in the United States, and has been used to kill more than 800 prisoners there.

Some information has emerged on the workings of the three-drug injection, however. One analysis (L.G. Koniaris et al. *Lancet* 365, 1412-1414; 2005) suggests that 43% of prisoners might still be conscious, although totally paralyzed, when the potassium chloride rips through their veins on the way to stopping their heart.

There are powerful arguments for abandoning the death penalty, regardless of its morality. DNA, for example, has helped prove many death-row inmates innocent, exposing the flaws of an irreversible sanction. And statistical analyses indicate that the death penalty is disproportionately administered to minority populations.

Earlier this year, a California court told state authorities that they must persuade an anesthetist to oversee an execution, come up with a new protocol for lethal injections - or face a hearing on whether the punishment is inhumane. The last option looks likely.

If suitably qualified individuals refuse to help prepare a new protocol, the state will face the prospect of continuing to use amateurs to kill people with arbitrary and outmoded technology.

Scientists often abjure political activities, and could in this case argue that they are merely providing a basis from which policy-makers can make decisions. But this decision must be taken by the physicians and scientists themselves. All that is required is a refusal to participate. Men and women of science and medicine should stand shoulder to shoulder on this. Don’t advise, don’t prescribe, don’t inject. Let the death penalty die a natural death. (*Nature*, May 4, 2006)

[Many thanks to the Death Penalty Information Center – www.dpic.org – for notifying us of this article]

Kenneth Starr says death penalty system not working

Former special prosecutor Kenneth Starr recently voiced concerns about the way the death penalty is being applied. Starr, who now serves as Dean of the Pepperdine Law School, is assisting in the representation of death row inmate Michael Morales. (Morales was scheduled for execution on February 21 in California.)

Starr said, “Society is not equipped to handle death penalty cases because of resources. Large law firms are not willing at this stage to take these cases on, at a cost of many thousands of dollars, in order to make sure that if the public wants the death penalty, it is not administered with arbitrariness and caprice.”

He said he supports capital punishment, “reserved for the most heinous crimes but enshrouded with the most exquisite safeguards. ... This is not frontier justice.”

Regarding his client who is facing execution, Starr said, “It will be an act of illegality for this execution to go forward next week, and people should be upset about that.”

[Note: Mr. Morales’ execution was postponed so that a hearing could be held regarding the legality of lethal injection. At the time this newsletter was published that hearing had not been held.]

About Legislation

by Amy Luftig

Update: Last Year's Legislative Session

In the 2005-2006 biennium, death penalty abolition advocates including WCADP, Amnesty International, the Catholic Conference, Lutheran Public Policy, and ACLU worked to introduce and advocate for two pieces of legislation that would have abolished or limited the applicability of the death penalty in Washington. The first bill, HB 2025/SB 6067, would have abolished the death penalty outright in Washington. A link to the bill can be found at <http://www.leg.wa.gov/pub/billinfo/2005-06/Pdf/Bills/Senate%20Bills/6067.pdf>. The (identical) bills were sponsored by Seattle legislators Rep. Ed Murray (D-43) and Sen. Adam Kline (D-37), respectively. Both bills were referred to their respective Judiciary committee and did not receive a public hearing or a vote.

HB 3230, sponsored by Rep. Chris Stow (R-10), would have required that DNA evidence be presented prior to the imposition of the death penalty. The bill received a public hearing on January 31st but was not put to a vote by the committee. A copy of that bill can be found at <http://www.leg.wa.gov/pub/billinfo/2005-06/Pdf/Bills/House%20Bills/3230.pdf>.

Looking Forward: This Year, Next Year, and Beyond

Momentum is building among the public and abolitionists to pursue legislation that would abolish or limit the death penalty in Washington. A growing coalition of abolitionists is already gearing up for next year's session and has created a monthly policy and legislation work group to address language and strategy for next year's legislative session. The coalition is made up of individuals including WCADP, Amnesty International, ACLU, the Catholic Conference, Lutheran Public Policy, Washington Association of Criminal Defense Lawyers (WACDL), Washington Defenders Association (WDA), and other legal counsel who have been instrumental in developing anti-death penalty legislation. In April, members of this coalition journeyed to Olympia to meet with staff at Governor Gregoire's office to discuss the realities of the death penalty in Washington as well as our policy priorities for 2007. It is unclear whether Governor Gregoire's personally supports or opposes the death penalty - however, it seems that she would be willing to support whatever position the legislature takes on this issue. [See the response from her staff on the next page.] Most likely Governor Gregoire will not actively support - nor would she veto - our legislation were it to pass.

Death Penalty and Mental Illness

Sen. Adam Kline (D-37), Chair of the Senate Judiciary Committee is interested in working with our policy group to give our bills a hearing. Of most interest to the Senator is a bill, already drafted, that would prohibit execution of the mentally ill.

In 2002, in *Atkins v. Virginia*, the U.S. Supreme Court held that executing those with mental retardation constitutes excessive punishment. The Court reasoned that mental retardation diminishes personal culpability and renders the death penalty for this category of offenders difficult to justify on deterrence and retribution grounds. By this same logic, applying the death penalty to those with severe mental illness must be considered excessive punishment. It is inconsistent to exempt people with mental retardation from the death penalty while those with serious mental illness remain exposed to it. Senator Kline agrees with this position and has agreed to help our group move this message – and the bill – forward next year.

Legislative Study Committee on the Death Penalty

On March 30, 2006, the Washington Supreme Court upheld the death sentence of Dayva Cross by a 5-4 decision. The defense team for Cross, who is accused of murdering his wife and two step-daughters, made the case that the disproportionality of the death penalty in Washington State is unconstitutional.

The four-justice dissent simultaneously attacked both the proportionality review process and core existence of Washington's death penalty system. The four dissenting justices wrote: "The death penalty is like lightning, randomly striking some defendants and not others. ...on what basis do we determine on whom it is imposed? No rational explanation exists to explain why some individuals escape the penalty of death and others do not." In addition, the dissenting justices agreed that the same factors that let the 1972 Supreme Court to abolish capital punishment—namely, that it is arbitrary and random—continue to apply in full force in Washington. Never before in Washington's history has the death penalty system been criticized or questioned to this degree.

Our coalition may soon be asking the legislature to develop a study committee to explore the concerns of these four justices, and perhaps enact a moratorium on executions while they do. We are confident that this legislative committee, if formed, will find out what we already know – that the death penalty is simply too flawed to be fixed in Washington.

Governor Gregoire answers on the death penalty

WCADP members are engaged in discussions with the governor's staff regarding the death penalty. We are encouraged by their willingness to discuss this issue further, but know there is much work to be done (see below). The good news is that we have common goals of "making sure we are fair and consistent" and creating "a state where it is safe to live, work, and raise a family." We know that in order to accomplish these goals, we must abolish the death penalty.

Via E-Mail:

Thank you for contacting Governor Gregoire with your concerns about the use of the death penalty in the state of Washington and your request for a moratorium.

Although no execution dates are now scheduled in Washington, the Governor does not support a moratorium. Throughout her years of public service, she has supported swift, strong punishment for criminals, and she believes the death penalty is an appropriate punishment for extremely heinous crimes by adults. However, she does not take execution lightly. It is the ultimate punishment, and as a society we must be careful about administering the death penalty, making sure we are fair and consistent. Capital punishment is the law in our state, and as governor, she is sworn to uphold the law. The goal of our justice system must be to create a state where it is safe to live, work, and raise a family.

There are a number of safeguards in place to ensure that an innocent person is not wrongfully sentenced or put to death in capital punishment cases. First of all, the judge is responsible for appointing the attorney, and the State Supreme Court has established a rule encouraging judges to appoint experienced lawyers in death penalty cases. She supports this principle and believes that trial judges should conscientiously carry out this duty.

New laws facilitate DNA testing in cases involving the death penalty or life imprisonment, where such evidence is available and relevant. She does not believe anyone should be denied a DNA test in those circumstances, and she does not know of any case in Washington where such a denial has occurred. The Governor is open to proposals for additional legislation to ensure the availability of DNA testing if it is needed.

When a defendant is convicted of aggravated first-degree murder, the jury then has the task of determining whether the penalty is to be death or life imprisonment. Those are the only sentencing options after such a conviction, and the jury is made fully aware of them. The penalty proceeding after conviction is for the purpose of deciding which penalty to impose. The judge imposes the penalty determined by the jury.

Again, Governor Gregoire appreciates hearing your concerns about the death penalty.

Sincerely,
Constituent Services
Office of the Governor

Public Opinion New Gallup poll reveals growing number of Americans favors life without parole

A May 2006 Gallup Poll examining American opinion about the death penalty found that when given a choice between the sentencing options of life without parole and the death penalty, **only 47% of respondents chose capital punishment, the lowest percentage in two decades.** Forty-eight percent favored life without parole for those convicted of murder. The poll also revealed that overall support for the death penalty remains low at 65%, down significantly from 1994 when 80% supported capital punishment.

When asked whether the death penalty deters murder, 64% of those polled stated that it does not; only 34% believe it does deter. This is a dramatic shift from the 1980s and early 1990s, when the majority of Americans still believed that the death penalty prevented murder. 63% of those polled believe that an innocent person has been executed in the past 5 years, an increase over previous results.

[Gallup News Service, June 1, 2006. Emphasis added.]

Reflections on Death Penalty Vigil

by Tom Wagner

On December 10th of this past year, members of the WCADP, along with other concerned citizens, held a vigil on the capital steps in Olympia to mark the 1000th execution in the United States since its reinstatement in 1976. Actually, at the time of the vigil, we had already reached the 1001st!

About five of us showed up a half hour before the vigil was to begin to set up the 1001 candles that would symbolize the occasion. As we quickly learned, thirty minutes was not nearly enough time to set up 1001 candles. For me, along with the others, this became the signifying moment of the vigil. I realized each candle, lit and placed among the others, not only represented a human being killed in my name, it represented a mother and father who lost their child. It represented a brother or sister who lost their sibling, a child who lost their parent. It also represented the family of the victim who was given the false assurance that death to the perpetrator would offer closure and healing, and the shattering loss of life to their family.

The hour and a half of our candle placing was an important reminder to our state and nation. As executions become a “routine” aspect of American life, let us not forget the erosion this practice places on our national soul, not only for those directly effected but for society as a whole as well.



WCADP members lighting candles at the State Capitol in Olympia

Donor Directed Giving

At the WCADP, we have been fortunate to receive significant support from several of our members through their donor directed giving programs. Every year longtime benefactor and friend of WCADP, Phyllis Hatfield, directs the Washington Women’s Foundation to make a substantial grant to the WCADP from the funds she has entrusted with them.

Similarly, George Welch and Sarah Hayes have established the Welch-Hayes Peace and Justice Fund, in memory of Sarah’s mother Ronnie Welch, with the

American Friends Service Committee. Their fund has regularly made sizeable grants to WCADP since 2000 and will continue to do so for many years to come.

There are many such opportunities to give in this manner. The organizations in our area include the Washington Women’s Foundation, the Seattle Community Foundation, the Greater Tacoma Community Foundation, and many more. Donors place large, one-time gifts with the community foundation and then direct how that money is dispersed over

time. For scores of donors this is a safe, simple, and tax-deductible way to manage their philanthropic giving.

If you are working with a community foundation, or know someone who is, we ask that you consider including the WCADP in your giving plan. Your gift will have a terrific impact on our ability to continue the fight to abolish the death penalty. To make a gift, or for more information about the work we do—please contact the WCADP office at either (206) 622-8952 or info@abolishdeathpenalty.org.

Ask and you shall receive!

While attending the Annual Dinner, Dave and Chari Avolio heard of WCADP’s need for a new printer. Without further prompting and within one week of the event, Dave Avolio showed up at the WCADP office with a brand new HP Laser Printer/Fax/Scanner valued at \$500. In the non-profit world you learn to “make do” with what you have. Thanks to the Avolio’s, we no longer have to wish for something better. As Office Manager Jeff Wilson said, “This generous gift increases our productivity and gives us a new tool for our work in abolishing the death penalty.” Our thanks go out to Dave and Chari Avolio!

New Steering Committee members

Anisa Ralls

My name is Anisa Ralls and I am a new member of the Steering Committee. I have been interested in the work of the Washington Coalition to Abolish the Death Penalty for a few years and have received emails, but just never found the time to get involved in any way. In January, I decided to attend the conference on Mental Illness and the Death Penalty and joined the Steering Committee at the annual meeting. This issue in particular is one that I am passionate about.

I am a therapist at Catholic Community Services and have worked in the mental health field for almost 10 years, most recently for NAMI Greater Seattle. I am excited to be on the Steering Committee and to finally be involved in this wonderful organization!

Amy Luftig

Amy Luftig comes to the steering committee as the Death Penalty Abolition Coordinator for Amnesty International. Amy has been Amnesty's Death Penalty coordinator for two years. Her focus is on policy and legislation, and she is especially interested in working with the WCADP steering committee to introduce and pass legislation that will abolish or limit applicability of the Death Penalty in Washington. Amy lives in Seattle and is a lobbyist and deputy policy director for Planned Parenthood in Washington.

James Basden

I'm an army veteran and trained as Military Policeman, although my career has been a truck mechanic. I was involved in a serious traffic accident in 1967. My training as a military policeman and the experience with the accident left me with three firm beliefs: the right to remain silent, innocent until proven guilty and the right to due process.

In 1992 my brother was involved in a crime with two other people. Each were charged with murder and conspiracy. The other two are in prison and my brother received the death penalty. He was executed in North Carolina on December 6th, 2002. Because of his story, I am against the death penalty. I wish to see it abolished.

I am not involved with the Coalition through law and politics, but because of the death penalty law and the politics surrounding it.

Mark Larrañaga

Mark is a law partner at Walsh and Larrañaga. Before joining the firm in 2005, he was a public defender at Northwest Defenders and then later The Public Defenders Association. In 2001, he was selected to run Washington State's first Death Penalty Assistance Center, which was created to provide resources, training, and consultation to capital defense attorneys throughout Washington State.

He has been deemed qualified by the Washington Supreme Court for appointment to capital cases, which is a requirement under court rule. He is an adjunct professor at Seattle University School of Law, where he teaches a course on Capital Punishment Jurisprudence. Mark is currently a member of the Washington State Bar Association's "Panel on Public Defense" and "Death Penalty" Sub-committee - which is reviewing various aspects of Washington's capital punishment system.

He was the recipient of the Washington Coalition to Abolish the Death Penalty's "Abolitionist of the Year" award in 2005.

New Voices

Another major newspaper calls for end to capital punishment

Reversing its long-standing support for capital punishment, the Spokane Spokesman-Review recently published an editorial calling for an end to capital punishment in the United States. The paper noted that the decision to change its stance on the death penalty came after careful consideration of growing evidence

that the newspaper's "expectations of fairness and justice" are not being met and that the death penalty's "drawbacks now outweigh its merits." Highlights from the editorial include:

"Because of the delays, the inconsistency, the drain on the public purse and the nightmarish possibility of executing

an innocent person, it is time for the United States to end the practice."

"Unfortunately, mistakes and vagaries are more common in death cases than many law-abiding citizens like to think..."

"For those to whom the death penalty is an inviting way to even the score, life in

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Another botched execution

On May 2, 2006, the execution of Joseph Clark in Ohio was delayed 90 minutes because the execution team was unable to find a suitable vein to deliver the lethal chemicals. After the team tried repeatedly to find a vein, Clark called out, "It's not working, it's not working."

The guards closed the curtains to block witnesses from viewing the execution chamber. Witnesses then heard Clark moaning and groaning from behind the curtain. The curtain later reopened after the execution team managed to find a vein in Clark's left arm and he was put to death.

Clark's execution proceeded despite the issuance of a stay based on a lethal injection challenge a few days earlier in another Ohio case by a federal court. (The Toledo Blade, May 2, 2006).

Nine inmates have been granted stays of execution this year based at least in part on challenges to lethal injection.

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prison with no parole may still be unsatisfying gruel. But the law is a compact that holds all of society to a set of expectations. Crime is a violation of the compact, a breakdown in social order. The court system is expected to restore order and to do it with efficiency and predictability. The goal is justice for all, not vengeance for some."

"Noting that serial killers like Gary Ridgway and Robert Yates, Jr. in Washington have been able to bargain for life sentences in exchange for information about their crimes, state Supreme Court Justice Charles Johnson wrote: 'No rational explanation exists to explain why some individuals escape the penalty of death and others do not.'"

"It's not the victim's responsibility to be calm and dispassionate, but it is the law's. Courts must deal firmly and decisively with murderers, but that isn't happening under a scheme that deals out death penalties with whimsical unpredictability and makes victims wait for years, even decades, for resolution.

The Washington Coalition to Abolish the Death Penalty is funded primarily through the support of individual donors like you. We sincerely believe in our motto: "It is easy to support the death penalty when you don't have the facts." That is why we are out at public events doing outreach and education. That is why we provide a speakers bureau to schools and other groups. That is why we work to educate our elected officials about this immoral practice. We need your help if we are to continue. Please consider clipping this form and mailing it in today with your gift. Every dollar we receive will bring us closer to that day when the death penalty is just a terrible memory.

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Resources

“Death Row USA” Spring 2006 report available

The latest edition of the NAACP Legal Defense Fund’s “Death Row USA” shows that the number of people on the death row in the United States is continuing to decline, falling to 3,370 as of April 1, 2006. The size of death row increased every year between 1976 and 2000, but since then it has been in a slow decline.

According to the report, the states with the largest decrease in death row population since January 1, 2006 are Texas (down by 5) and South Carolina (down by 3). California continues to have the nation’s largest death row population (652), followed by Texas (404), Florida (392), Pennsylvania (232), and Ohio (195).

Nationally, the racial composition of those on death row is 45% white, 42% black, and 10% latino/latina. Of jurisdictions with more than 10 people on death row, Texas (69%) and Pennsylvania (69%) continue to have the largest percentage of minorities on death row. Nearly 80% of the victims in crimes that resulted in executions were white.

Death Row USA is published quarterly by the NAACP Legal Defense Fund. The report contains the latest death row population figures, execution statistics, and an overview of the most recent legal developments related to capital punishment. These death row statistics may differ slightly from those compiled by the Bureau of Justice Statistics because of a difference in methodologies. For more information, go to: www.naacpldf.org/content/pdf/pubs/drusa/DRUSA_Spring_2006.pdf

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