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A 501(c)(3) organization | Fall 2010

Kansas Coalition Against the Death Penalty

It DOES Happen Here: Innocent but Convicted

Imagine being held behind bars for years upon years for a crime you didn't commit. It may sound like a horror story from the likes of Alfred Hitchcock or Steven King, but that is the reality for countless Americans, not to mention those where there is startling proof that innocent men have been executed.

Please be sure to mark your calendars for Saturday, November 6, 2010. That

is the day that Kansas Coalition Against the Death Penalty will host our Annual Meeting.

This year, we are focusing on flaws in the system. The presentation program is called, "It DOES happen here: Innocent but Convicted." The presentations will begin at 3:30 pm, with a short business meeting for KCADP members beginning at 3:00pm. Other groups that will be joining us include Missourians for Alternatives to the Death Penalty, ACLU of KS

and Western MO, and Amnesty International Kansas City and University of Kansas chapters. Special guest speakers this year will be Eddie Lowery and Darryl Burton.

Mr. Lowery spent a decade in Lansing Correctional Facility for a rape that he did not commit. Eddie was exonerated in 2003 with help from the Innocence Project and his attorney based in Manhattan, KS.

Mr. Burton spent nearly a quarter of a century in a Missouri prison before his name was cleared in 2008.

These gentlemen's stories are fascinating, and it brings forward the concept that the criminal justice system in Kansas is, contrary to what proponents of the death penalty claim, terribly flawed. **As long as the death penalty is an option in our state, the chance of executing an innocent person is an unacceptable risk.**



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YOU ARE INVITED

The KCADP Annual Meeting
will be on NOV. 6, 2010 at 3:00pm

St. Andrew Christian Church
13890 W. 127th Street, Olathe, KS

Special guests are
Eddie Lowery and Darryl Burton

See you there!

From the Coordinator...by Donna Schneweis, KCADP Coordinator

Recently I had the opportunity to see the play "Dead Man Walking" at Hesston College. Director Laura Kraybill's cast did an excellent job with this intense production. The play showed profoundly the impact of homicide on the grieving families and the impact on society as the death penalty was pursued.

After the theatrical production, some people participated in a "talk back" session. In addition to the play, the death penalty was incorporated into other academic classes as part of the overall campus project. The whole goal was to get information and conversation flowing in the campus community and beyond. Discourse about the death penalty is something that should be happening all throughout Kansas. It may be unsettling to talk about, but capital punishment is done in our names and alternatives already exist that provide for public safety.

What can you do to help bring the conversation about the death penalty to your community?

KCADP has a variety of excellent DVDs and videos that provide a starter for discussion. We can link you with speakers on a variety of aspects of capital punishment. KCADP is updating its

website to provide even more resources for persons who want to know more about the death penalty.

It's the voices from our communities, talking with each other and with our legislators, that will move Kansas into the ranks of

the abolition states. We've never needed your help more.

What can YOU do to make the conversations happen?

Donna Schneweis at a Kansas City event this summer.
Photo by Kathleen Holmes



Upcoming Events in Kansas:

October 28: Showing of the film, "No Tomorrow" at Manhattan Public Library 6:30pm. Donna Schneweis to speak afterward. This is a FREE event.

November 6: KCADP Annual Meeting in KC with special guest speakers Eddie Lowery—KS felony exoneree, and Darryl Burton who served time in MO before his name was cleared. KCADP members meeting at 3pm and presentations at 3:30pm. FREE and open to the public.

November 18, 19, 20: Bud Welch coming to North Central Kansas—stay tuned for details!

December 7: Donna Schneweis and Rebecca Woodman speaking at League of Women Voters meeting at Westminster Presbyterian Church at 13th & Boswell in Topeka. Presentations at noon. This meeting is open to the public.

Dead Wrong: Executing the Innocent

On October 19, the PBS series “Frontline” featured the story of Cameron Todd Willingham, a Texas man who was executed in 2004 for the murder of his three children. However, before Willingham was executed, key evidence came to light that not only was Willingham not guilty of arson, but that the fire that killed his three children was actually an accident.

Willingham’s case is the basis of the National Coalition to Abolish the Death Penalty’s “Shouting from the Rooftops” campaign. This name was chosen because of Supreme Court Justice Scalia’s opinion in the case of *Kansas v. Marsh* that “It should be noted at the outset that the dissent does not discuss a single case--not one--in which it is clear that a person was executed for a crime he did not commit. If such an event had occurred in recent years, we would not have to hunt for it; the innocent's name would be shouted from the rooftops by the abolition lobby.”

We are shouting. And this is not an isolated case. According to arson expert Dr. Gerald Hurst, “I can guarantee you we've got at least a couple of hundred people in prison in [Texas] alone for accidental fires, and we need to get them out.” These people have a chance at the error in their cases being corrected. For Cameron Todd Willingham, there is no way to undo the mistake because he has been executed.

As long as the death penalty is an option in Kansas or ANY state, the chances of another tragedy like this occurring again are very real.



To view this program in its entirety, please visit:
<http://www.pbs.org/wgbh/pages/frontline/death-by-fire/>

To get learn more about NCADP’s “Shouting from the Rooftops” campaign, please visit:
<http://www.ncadp.org/index.cfm?content=96>

Changes in KCADP bylaws

The Kansas Coalition Against the Death Penalty is in the process of revising its bylaws. At the annual meeting on November 6 the proposed bylaws will be presented to members for their approval. The bylaws are being updated to better correspond to where the organization is now.

The current bylaws are those written at the time of KCADP's founding in 1989.

Any KCADP member who wishes to receive a copy of the proposed bylaws may make such a request either by email (kcadp@att.net) or postal mail: PO Box 2065, Topeka, KS 66601. In your request, please list your name as well as postal address.

Thank you to Hesston College for their participation in the *Dead Man Walking School Theatre Project*.

All performances were a huge success, and KCADP speakers were thrilled with the talk-back sessions that took place immediately following each performance.

If your school is interested in bring this important production back to Kansas, please contact KCADP at kcadp@att.net or 785-235-2237 and we will connect you with the right people!

Working with border states for greater results



As you might be aware, KCADP has been active at an unprecedented level in 2010. Events, contributions, and public awareness that the death penalty is flawed policy are all indicators of the culture of abolition that our state is exhibiting. One of the ways that we are going the extra mile to make this movement more effective is by working with our neighbors to the east, Missouriians for Alternatives to the Death Penalty (MADP) and south, Oklahoma Coalition Against the Death Penalty (OCADP).

If you are a member in the Kansas City area—or any where along the Kansas-Missouri border—we invite you to become members of both organizations. You can find out more information about MADP on their website: www.madpmo.org or by calling: (816) 931-4177. If you along the southern Kansas border, please stop by the OCADP website at <http://www.okcadp.org/>. *Working together we are stronger!*



THE DEATH PENALTY: AN HISTORICAL AND THEOLOGICAL SURVEY

By James Megivern, Review by Marilyn J. Trechter, KCADP member and volunteer

In this book, Mr. Megivern gives a very complete history of the practice of executions through the centuries. One may be surprised, if not totally dismayed to discover that in many instances executions were not used to punish those who had committed capital crimes such as murder, rape, or kidnapping, but because of who they were or who they were associated with.

The book is very interesting when one discovers that people often execute those who do not seem to be like themselves. The criteria may or may not have fit a crime but may have been very subjective. It depended on who society in that locality considered as a threat.

Society was often intertwined with the religious establishment. Because of this Heretics, Jews, Witches, and homosexuals were considered deviant and were subject to possible execution.

Today a disproportionate amount of the poor and minorities are executed. Megivern argues that this is often because they may not have adequate and qualified counsel, and those questioning them may not be able to get past their own bias to conduct a fair investigation.

I recommend this book to anyone seeking to know how we came to the place where we are today and understand why this scourge must be abolished.

Problems with the death penalty in Kansas

- *Jury Misconduct – 1999/Sedgwick County/Gavin Scott
- *Prosecutorial Misconduct – 2001/Crawford County/Gary Kleypas
- *Cost – 2004/Legislative Post Audit report/the death penalty can cost up to 70% more
- *Judicial Error – 2004/Michael Marsh/Sedgwick County
- *Disparity of Application – Persons who go to trial on capital murder charges in Sedgwick County are more likely to get a death sentence than those in Wyandotte County.
- *Withheld Evidence – 2006/Bob Fox/Seward County.
- *Inadequate Assistance of Counsel—2009/Phillip Cheatham/Shawnee County.

These are the findings of state courts and agencies, and not merely claims of those concerned about the death penalty. It is a serious problem when a state with so few death sentences has this many confirmed problems. For more information on any of these cases, please contact KCADP at (785) 235-2237, or kcadp@att.net. Also, please visit our website at www.kscadp.org.

WANTED

Active
or retired
law enforcement
officers
who are opposed
to the
death penalty.

Please contact KCADP if you or anyone you know falls into this group. Thank you!

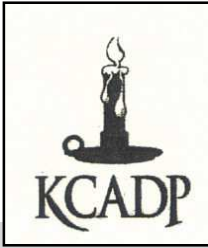
WE WANT YOU!

TO JOIN THE ABOLITION MOVEMENT.

1. CONTACT YOUR STATE LEGISLATORS.
2. WRITE LETTERS TO THE EDITOR.
3. ASK YOUR FRIENDS TO JOIN KCADP.
4. HOST AN EVENT IN YOUR COMMUNITY.
5. MAKE A CONTRIBUTION.

  Secure Payments

*We now accept Paypal, so making a contribution is easier than ever! Please visit our website at www.kscadp.org and give as generously as you are able. We are a 501(c)(3) organization, and contributions are tax deductible. To send us a check, please see the page 6. **Thank you for your continued support!***



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*Why do we kill people
who kill people
to show that
killing people is wrong?*

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Find us on FACEBOOK!
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If you want to receive your newsletter via email, please use the form below to send us your name, email address, and postal address so we can take you off the postal mailing list and add you to the email list.

If you enjoy the newsletter and want to support the anti-death penalty effort financially, please use the form below to send a donation. If you want a receipt for tax purposes please check the appropriate box. Make checks out to: **KCADP**. *We thank you for your support!*

<p><u>Please send my newsletter by email:</u></p> <p>NAME: _____</p> <p>EMAIL: _____</p> <p>STREET ADDRESS: _____</p> <p>CITY: _____</p> <p>ZIPCODE: _____</p> <p>Phone: _____</p>	<p><u>I would like to donate to KCADP:</u></p> <p>ENCLOSED FIND \$ _____</p> <p>NAME: _____</p> <p>STREET ADDRESS _____</p> <p>CITY: _____</p> <p>ZIPCODE: _____</p> <p>PLEASE SEND ME A TAX RECEIPT _____</p> <p>(Please note that we are a 501c3 not for profit organization. Contributions are tax-deductible.)</p>
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