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A 501(c)(3) organization | Spring 2011

# Kansas Coalition Against the Death Penalty

## UPDATE 2011: Death Penalty Abolition Bill in KS House

A bill to abolish the death penalty in Kansas was introduced in the Kansas House of Representatives on Friday, February 11, 2011. The bill, HB 2323, was sponsored by the House Corrections and Juvenile Justice Committee. **HB 2323 would replace the Kansas death penalty with life in prison without parole as the sentence for the crime of aggravated murder.**

“This legislation will enable Kansas law enforcement officials to use the existing sentence of life without parole to hold offenders accountable for their crimes and protect the public safety without the unacceptable risk of executing an innocent person,” said Donna Schneweis, the Board Chair of the Kansas Coalition Against the Death Penalty.

In Kansas capital cases to date, there have been well-documented errors, including judicial error, jury misconduct, prosecutorial misconduct, withheld evi-

dence, jury instruction issues, and ineffective assistance of counsel. The Kansas Supreme Court has vacated three death sentences due to such errors. HB 2323 would apply to crimes occurring July 1, 2011, and beyond. It has been assigned to House Federal and State Affairs Committee.

“The death penalty is rife with problems beyond those in the courtroom,” said Carolyn Zimmerman of Topeka, whose father was murdered in January 1969. **“The death penalty continues to impact the victims’ families long after a crime has occurred. A capital trial only prolongs a family’s pain and trauma, and rarely brings the closure families long for,”** said Zimmerman.

Last year, the Kansas Senate nearly voted to abolish the death penalty. The legislation failed on a 20-20 vote.

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**Congratulations to ICADP  
and Gov. Pat Quinn  
for abolishing  
the death penalty in Illinois!**

Contact KCADP to find out how  
**YOU** can make a difference in Kansas!

Call us at: (785) 23-KCADP  
or email us at: [info@ksabolition.org](mailto:info@ksabolition.org)

# From the Board Chair...

by Donna Schneweis

These are exciting times for supporters of death penalty abolition. Twenty five years ago, the emphasis was all on death penalty reinstatement and how fast states could do it. Not any more!

On March 9th, Illinois became the latest state to abolish the death penalty. In 2007, New Jersey abolished the death penalty. In 2009, it was New Mexico that ended capital punishment. The Montana Senate passed an abolition bill on February 15<sup>th</sup> and it's headed to the Montana House of Representatives. Abolition bills are underway in Connecticut and Maryland too. What is driving this movement?

Across the states, we have seen judges, prison officials, and others close up to the process speak publicly about the fatally flawed nature of the death penalty. They've been confronted with the risk of executing the innocent as well as seeing the arbitrary and inconsistent imposition of the death penalty. Prison staff have spoken to the toll it takes on them to be involved in executing.

Police chiefs in a national poll acknowledged it is not a deterrent. People recognize that long term incarceration provides public safety and avoids the dilemma of how to resurrect someone executed who was innocent. These practical concerns, combined with the moral objections held by others, have combined to bring about momentum for abolition.

Support for repeal in Kansas has continued to grow. In 2010, twelve Senate Republicans and eight Senate Democrats voted to abolish the death penalty. Just one more vote would have sent to the House. From conservative to liberal, from moderate to progressive, support for abolition spans the political spectrum in both the Kansas House and the Kansas Senate and across our communities.

Abolition didn't happen in Illinois, New Jersey, or New Mexico because of the lobbyists or political champions alone. Abolition happens when the people of the state are talking with their neighbors and making their thoughts known to their legislators.

**Let's move forward to abolition, Kansas!  
What will YOU do to help make it happen?**

## Sister Helen Prejean's Visit to Kansas

National anti-death penalty advocate Sister Helen Prejean visited Kansas in March to help raise awareness of death penalty abolition work in the state.



Sister Helen Prejean speaking at Washburn University in Topeka, on March 3, 2011. Photo by Sara Rogness. Used with permission.

During her visit, Sr. Helen attended a staged reading of the play *Dead Man Walking*, based on her book of the same name, at Washburn University. Following the reading, Sr. Helen led a discussion with more than 200 people in attendance about the Kansas death penalty and the affect the process can have on those involved, from the families of the victims and the incarcerated to the

attorneys, jurors and judges in the court room.

Sr. Helen also attended a luncheon hosted by the Washburn Law School Center for Excellence in Advocacy where she spoke to about 90 students and faculty.

Sr. Helen met with legislators, faith leaders and members of the media during her visit to discuss pending death penalty abolition legislation and what it will take to end the death penalty in Kansas.

"It's not going to take that much for Kansas to get rid of the death penalty if one thing happens," Sr. Helen said during her discussion at Washburn University. "It's you. The people have to start writing those letters and calling up those legislators."

If you were moved by Sr. Helen's words, we'd love to hear from you! To find out about how to get involved in our movement please contact KCADP at [info@ksabolition.org](mailto:info@ksabolition.org) or (785) 23-KCADP.

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# Feature: *Shifting Focus*

-contributed by Lori Baux  
*National Coalition to Abolish the Death Penalty*

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She was awakened by a phone call in the middle of the night. It was August of 1986 and Celeste Dixon was serving in the U.S. Navy, stationed in Puerto Rico. She remembers the call from base headquarters requesting she come in immediately. She pressed for a reason for the summons. She got a partial explanation – she had received a message through the Red Cross.

Celeste knew right away that this was bad news. Messages from the Red Cross meant that someone in her immediate family was either in serious condition or possibly dead. She recalls sorting through her thoughts on the fifteen minute drive in. *Who was it and what had happened?* She had a mother and father and siblings. As she remembers, the one person she did not really want to consider was her 53-year-old mother.

Sadly, the call did concern Celeste Dixon's mother, Marguerite. Celeste spoke with her sister on the phone and learned the terrible news that her mother was dead. Even more stunning, she had been murdered. Celeste recalls wondering, "Who would want to murder my mother?" She was granted emergency leave and returned home to Texas for two weeks. During those two weeks, a man was arrested in the case and charged with the murder of Marguerite Dixon.

Prosecutors talked with the Dixon family about pursuing a capital case. If successful, the result would be the death penalty. Looking back, Celeste doesn't remember having thought much about the death penalty before. But it seemed when prosecutors discussed the case, they were implying that only the death penalty would bring justice to the family. "Anger is a normal part of grieving. But when someone you love has been murdered, you are in shock but you do have this focus for your anger," Celeste recalls. She returned to Puerto Rico and served another seven months, then went back to Texas for the trial.

Celeste was the only immediate family member who was able to attend the trial every day, as her father and siblings were witnesses. It was important to Celeste to be there daily so that both the accused, Michael Richard,

and the jury would see her and understand the family's loss.

Yet it was during the trial that Celeste began a journey of change. Listening to the defendant's sister testify, Celeste learned some troubling details about Richard's life. Michael's sister testified about abuse and Celeste saw Richard's sister fighting to save her brother's life. Celeste was still very angry, but she began to see Richard as a human being.

The jury found Michael Richard guilty and the sentence was execution. Celeste's next memory was of her family gathering outside the courtroom, seemingly affirmed and satisfied that justice had been served. Then she saw Michael Richard's mother sobbing. Celeste Dixon remembers thinking, "We had just heard that the person who murdered my mother would die for his crime. Michael Richard's mother had just learned that her son would die."

Celeste was soon approached by one of the jurors who told her that some of the jurors had wanted to sentence Richard to life without parole. The juror said he had fought for the death penalty because he felt the family deserved it. This didn't sit quite right with Celeste. Shouldn't the sentencing be based on the law and not what a juror felt or imagined the family might want?

"We focus so much energy and money on punishment instead of on rehabilitation, safety and crime prevention."

-Celeste Dixon, Larned, KS

Over the following year, Celeste Dixon reflected on events and questioned her feelings about the death penalty. She thought about how the process really required that she spend her days actively promoting, even looking forward to, another person's death. And, if the execution

(Continued on page 4)

## BOOK REVIEW

### *THE RIDE: A SHOCKING MURDER AND A BEREAVED FATHER'S JOURNEY FROM RAGE TO REDEMPTION*

AUTHOR: Brian MacQuarrie

Reviewed by Marilyn J. Trechter, KCADP member and volunteer

This true story of immense pain began a little over thirteen years ago with the abduction, molestation and murder of Jeffrey John Curley. It is told in detail and is quite complete. The story recounts what happens to a family when one of their members, a young boy of ten is abducted and murdered.

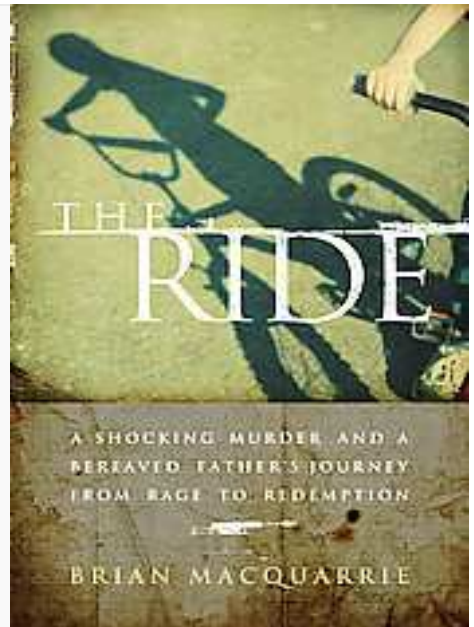
The Curley family goes through the trials and sentencing. Neither of the perpetrators is given the death penalty. This fact sends Robert Curley into a rage and he stated clearly he wants such people executed. These feelings of his are used by an elected official to attempt the passage of a law that would allow execution in the State of Massachusetts. Robert decides to be a part of the man's campaign no longer .

At that point Robert begins a roller coaster ride until he comes to the place where he faces his demons, receives treatment and becomes a national symbol of his reconsideration of the death penalty.

This book describes in detail victim impact in a way few do. We see Robert's journey but also that of Jeffrey's mom, who suffers cancer and diabetes. We also see the impact of the murder on Jeffrey's brother, especially after Robert reconsiders his stance on the death penalty. The separation this causes in the family is devastating.

I recommend this book to anyone who serves in this arena. I also think that all of us would be inspired to see this man's story and receive encouragement in our hard times.

*If you would like to contribute to the KCADP newsletter, please contact us at: [kcadp@att.net](mailto:kcadp@att.net). We reserve the right to edit for grammar, content, and space.*



(Feature...Continued from page 3)

was the serving of justice, it essentially demanded that she maintain her anger, keeping rage for years, until the execution. Celeste did not want to let anger control her life. And none of this would bring her mother back.

Michael Richard's IQ had been determined to be in the low to mid-sixties and this was an ongoing focus of his appeals. In 1992, his conviction was reversed because of an error made in the jury instructions. Three years later he was again convicted of killing Marguerite Dixon. Despite his limited intellect, the second trial also resulted in a death sentence even though prior to the Dixon shooting Richard had no record of violent offenses. In 2002, the U.S. Supreme Court banned the execution of people with

mental retardation. A hearing later that year in Texas determined that Richard did not meet the state's criteria. In 2007, Michael Richard was executed. Celeste Dixon opposes the death penalty. She has lived through the entire process, from the murder of her mother to the execution of her mother's killer. **"I think it's important for people to hear from victim family members who oppose the death penalty and why we do."**

Celeste would like to see money spent on capital cases redirected to more productive purposes. "I would like to see more services like grief counseling for the families. We focus so much energy and money on punishment instead of on rehabilitation, safety and crime prevention."



## Death Penalty Abolition Movement—National

Momentum is definitely in favor of death penalty abolition in 2011, with several states boasting victories over this broken policy.

Montana's Senate recently passed SB 185 to abolish the death penalty, and the bill must now go to the House. Nebraska just had hearings on their abolition bill. Connecticut's Governor promised that he would sign abolition legislation if it came to his desk. New Mexico just had reinstatement legislation tabled. Illinois abolished the death penalty on March 9th.

Kansas is on the forefront of this movement. Contact KCADP for ways you can be involved.

## JUAN MELENDEZ: INNOCENT



Death Row Inmate No. 6446

Juan Melendez spent 18 years on Death Row in Florida Prison.

## HE IS INNOCENT

Come and hear his "remarkable" story of life on Death Row.

**March 29<sup>th</sup> 2011**

Tuesday evening 7pm Hubbard Hall Room 208 at WSU

**March 30<sup>th</sup> 2011**

Wednesday Afternoon 2pm Hubbard Hall Room 211 at WSU



**CRIMINAL JUSTICE STUDENT ASSOCIATION**



## RESCHEDULE

The Wichita State University Criminal Justice Student Association has rescheduled the visit with Juan Melendez that was originally cancelled due to inclement weather back in February.

For more information on this visit, please call (316) 208-3756 or email: [Kimberly.grimes@wichita.edu](mailto:Kimberly.grimes@wichita.edu).

***Hope to see you there!***

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