



Seizing the Momentum

Winter 2017

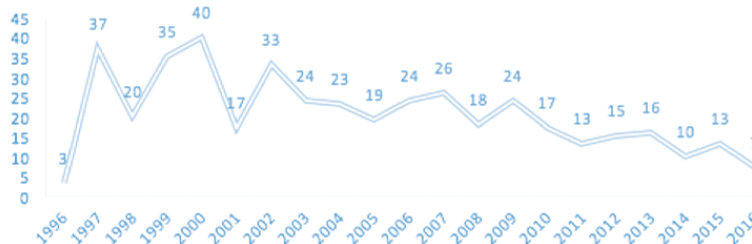
Texas Coalition to Abolish the Death Penalty

New Report Documents Historic Shifts in Texas Death Penalty Landscape

In 2016, new death sentences remained at their lowest level since the U.S. Supreme Court upheld the state's revised capital punishment statute in 1976. According to TCADP's year-end report, *Texas Death Penalty Developments in 2016: The Year in Review*, juries condemned three individuals to death and rejected the death penalty in a fourth case. In the last two years, juries rejected the death penalty in nearly as many cases as they imposed it.

The report, which was released on December 15, 2016, documents information on new death sentences, executions, and stays; reduced sentences; wrongful convictions; judicial developments; public opinion; and other issues affecting the administration of justice in Texas.

Executions in Texas



As the death penalty continues to fall out of favor, its use remains geographically isolated. Just seven counties – less than 3% of the 254 counties in Texas – account for approximately two-thirds of new death sentences since 2012. For the second consecutive year, however, jurors in Harris and Dallas Counties were not responsible for any new death sentences. These two counties, along with Bexar and Tarrant Counties, account for half of the death sentences imposed in Texas since 1974.

Of the three men sentenced to death last year, all are African-American. Over the last five years, 80% of all new death sentences in Texas have been imposed on people of color; more 60% of these death sentences were imposed on African-American defendants.

The State of Texas executed seven people in 2016, the lowest number of executions in two decades. There was an unusual six-month gap in executions, from April 6 to October 5, 2016.

Notably, it was the first year since 1984 that an African-American was not executed. While African-Americans comprise only 12.5% of the population in Texas, they constitute 44% of death row inmates, according to the Texas Department of Criminal Justice. Hispanics comprise 27.2% of individuals on death row (38.6% of population in Texas), and whites comprise 26.7% (43.5% of the Texas population).

Continued on page 2

Also in this issue:

TCADP 2017 Annual Conference: Keynote speaker, panelists, and award winners
Amplify Austin information
North Texas Roundup
Thank you, donors!

Scheduled Executions 2017

January

11– Christopher Wilkins (executed)
26– Terry Edwards

February

2– John Ramirez
7– Tilon Carter

March

7– Rolando Ruiz
14– James Bigby



Texas accounted for more than one-third of all U.S. executions, but, for the first time since 2002, it was not the nation's busiest execution chamber.

U.S. Executions in 2016	
Georgia	9
Texas	7
Alabama	2
Florida	1
Missouri	1
Total	20

Several of the men executed in Texas last year were barely legal adults at the time of the crime. The State also put to death individuals with evidence of severe mental illness, as well as someone who waived his appeals. Nearly half of the individuals executed by the State of Texas over the last two years had a significant impairment. This includes one individual with severe mental illness, and six men who were under the age of 21 at the time of their crimes.

A total of 12 individuals scheduled for execution last year received reprieves. Seven stays of execution came from the Texas Court of Criminal Appeals, the

state's highest criminal court.

The U.S. Supreme Court considered two death penalty cases from Texas during its October Term 2016; both cases originated in Harris County:

- On October 5, 2016, the Justices heard oral argument describing racial bias in the death penalty case of Duane Buck. Buck was condemned to death in Harris County in 1997 after his own trial attorneys inexplicably introduced testimony and a report from a psychologist, Dr. Walter Quijano, who stated Buck was more likely to be dangerous in the future because he is black. Buck's attorney argued that the use of Quijano's testimony was in direct violation of Buck's right to effective representation.
- On November 29, 2016 the Court heard oral argument in *Moore v. Texas*, a case that addresses Texas' unscientific standard for determining whether a person is intellectually disabled and therefore exempt from execution. *Moore v. Texas* asks the Court to decide if it is unconstitutional for Texas "to prohibit the use of current medical standards on intellectual disability, and require the use of outdated medical standards, in determining whether an individual may be executed."

Texas Death Penalty Developments in 2016: The Year in Review is available online at www.tcadp.org. Contact report author Kristin Houle at khoule@tcadp.org to receive a hard copy or a copy directly via email.

Maps illustrating death sentences by county are available at <http://tcadp.org/get-informed/death-sentences-by-county/1974-2016-county-map/> and <http://tcadp.org/get-informed/death-sentences-by-county/2012-2016-new-death-sentences/>.

Members of the TCADP Lobby Corps will deliver copies of the report to every legislative office at the State Capitol on January 24-25, 2017. We also intend to deliver copies to select District Attorney Offices in Texas. Contact Kristin at khoule@tcadp.org to learn more about these efforts.

In Memoriam: Joan Terrell



We were saddened to learn of the recent passing of long-time TCADP member **Joan Terrell**, of Houston. She was a mother, mentor, and source of counsel to many women, an independent leader who remained a staunch social justice advocate. Through their memberships in St. Joseph's Catholic Church and the Live Oak Friends Meeting, their work with the Houston Food Bank and TCADP, and most especially in the generous friendship they extended to everyone they met, Joan and her late husband, Burnham Terrell, touched countless lives.



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Seizing the Momentum

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TCADP would like to give a special thanks to Alan Knox, Jose Garibay, and Andrei Butuc for volunteering in the TCADP office!



Amplify Austin: Help TCADP five-peat!

Amplify Austin, a 24-hour online fundraising festival, will take place from 6 PM on March 2nd to 6 PM on March 3rd. You can help us win a \$1,000 bonus prize *for the fifth year in a row* by donating between 1:00 and 2:00 PM Central Time on Friday, March 3. Consider donating at:

1:13 PM for the 13 people exonerated from Texas death row

1:20 PM for the 20 jurisdictions (19 states and the District of Columbia) that don't allow the death penalty

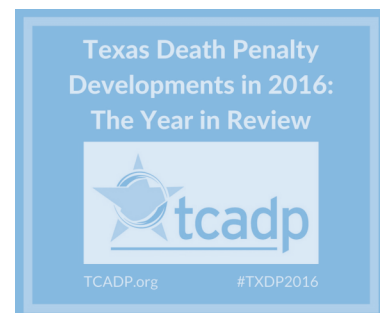
1:40 PM for the 140 countries that have abolished the death penalty in law or practice

1:56 PM for the 156 death row exonerations nationwide



For more information, visit
<http://amplifyatx.ilivehereigivehere.org/TCADP>

Want to see more coverage and images from our annual report? Visit Twitter and search using **#TXDP2016**



Connect with
**TCADP on
Facebook!**

View photos from our events, connect with more than 4,800 other supporters, and learn about important death penalty developments. "Like" us today!



TCADP 2017 Annual Conference: Moving to Higher Ground

The TCADP 2017 Annual Conference will take place on Saturday, February 18, 2017 at [St. David's Episcopal Church](#) in downtown Austin. The theme of *Moving to Higher Ground* promises reflection on how far we've come and direction as to where we need to go to fulfill our mission to end the death penalty in Texas. Registration is available online or by mailing in the form on Page 7 of this newsletter. Take advantage of pre-registration rates until February 8, 2017. If you can't join us for the full day, consider purchasing a [ticket](#) for our awards luncheon and keynote address.

Now in its 19th consecutive year, the TCADP Annual Conference is a must-attend event for everyone in the abolition movement in Texas. The conference features inspiring speakers, informative workshops, and great networking opportunities. [Here are some highlights of this year's program:](#)



Keynote Speaker: Brian Stolarz

Brian Stolarz served as habeas corpus counsel to [Alfred Dewayne Brown](#), who was exonerated in June 2015 after spending 10 years on Texas' death row. Stolarz received the 2015 Light of Justice Award from the Texas Defender Service for his efforts to secure justice for Mr. Brown, and his work on the case has been profiled in the *Washington Post* and the *Houston Chronicle*, and on the Today Show. His book about his relationship with Brown, [Grace and Justice on Death Row: The Race Against Time and Texas to Free an Innocent Man](#), is a *Washington Post* best-seller. Books will be available for purchase and signing during the conference.

Stolarz is the leader of LeClairRyan's Compliance, Investigations and White Collar team. He focuses his practice on white collar criminal defense, internal investigations, anti-bribery matters, government contracts, securities enforcement, and commercial litigation.

Stolarz has received several awards for his dedication to pro bono service, including the Pro Bono Legal Service Award from the John Carroll Society at a reception attended by the Chief Justice of the Supreme Court, Associate Justices, and the Archbishop of Washington, D.C. He is also the recipient of the 2014 Caritas Award, the highest honor awarded by Catholic Charities in the Archdiocese of Washington in recognition of professionals who advocate on behalf of vulnerable and oppressed populations.

The morning panel will focus on media coverage of the death penalty and will feature the following journalists:

- Pamela Colloff, *Texas Monthly*
- Jolie McCollough, *Texas Tribune*
- Ryan Poppe, *Texas Public Radio*
- TCADP 2015 Media Award Winner, Alex Hannaford will serve as moderator.

Here's a preview of some of the workshop sessions we'll be offering during the conference:

- The national death penalty landscape
- An in-depth look at wrongful convictions
- Mobilizing networks to create change
- Legislative advocacy
- The intersection of mental health and the criminal justice system

Thank you, 2017 Conference Sponsors!



John Mimbela, Mimbela Contractors Inc.



Lifespark: Movement against the death penalty

Know a company or organization interested in being a sponsor or purchasing a program ad? Visit <http://tcadp.org/what-we-do/annual-conference/> for more information.



The TCADP Board of Directors is delighted to announce the recipients of our **2017 Annual Awards**, which will be presented during the luncheon at our 2017 Annual Conference.



Appreciation Award

TCADP's Appreciation Award is bestowed upon individuals and organizations who have made significant – often selfless – contributions towards our efforts to end the death penalty in Texas. We are pleased to present our 2017 Appreciation Award to **Lindsey Pearlstein**, in gratitude for her hundreds of hours of volunteer service with TCADP as a full-time undergraduate student at the University of Texas-Austin.

Lindsey Pearlstein, an Elementary Education major and native of Massachusetts, served as TCADP's Advocacy Intern in the Fall of 2014 through the Bridging Disciplines Program. She then volunteered in our office on a regular basis the following two semesters, through the end of 2015. We are forever grateful to Lindsey for her contributions to our work and her commitment to social justice, and we can't wait to see how the next chapter of her life unfolds when she graduates in May 2017.



Courage Award

We are pleased to present our 2017 Courage Award to **Alfred Dewayne Brown** in recognition of the 10 years he spent as an innocent man on Texas' death row and his continued pursuit of justice and compensation from the State.

On June 8, 2015, the Harris County District Attorney's Office dismissed capital murder charges against Brown, who was wrongly convicted of the murders of Houston Police Officer Charles R. Clark and store clerk Alfredia Jones at a check-cashing business in 2003.

The Texas Court of Criminal Appeals overturned Brown's conviction and death sentence on November 5, 2014, after finding the Harris County District Attorney's Office withheld material evidence favorable to his case, specifically, a record of a phone call that corroborated his claim that he was at his girlfriend's apartment the morning the murders took place. In 2013, a homicide detective found a box of phone records in his garage that indicated Brown made the call exactly when he asserted. The file was never shared with Brown's defense counsel during his original trial.

Brown is the 13th person to be exonerated from death row in Texas. A total of 156 people have been exonerated from death rows nationwide since 1973.



David P. Atwood Founder's Award

The David P. Atwood Founder's Award was established by the TCADP Board of Directors in 2010 in honor of Houstonian Dave Atwood, who founded our organization more than 20 years ago. The award honors those who have made a lifelong commitment to justice. We are pleased to present the 2017 Founder's Award to **State Senator Eddie Lucio, Jr.** in honor of his many important contributions to the cause of ending the death penalty, particularly his sponsorship of the first death penalty repeal bill to be introduced in the Texas Senate and his advocacy for alternatives to the ultimate punishment.

A leader on education, healthcare and economic development, Senator Eddie Lucio, Jr. is the Chairman of the Senate Committee on Intergovernmental Relations and a former educator and coach. In the 79th Legislative session, he authored the bill establishing Life Without Parole in Texas, and in the 84th Legislative session, he authored SB 1661, a bill to repeal the death penalty in Texas.

As he prepares for the 85th Legislative Session, Senator Lucio is guided by the values he learned growing up in Brownsville, which were enriched as an educator and cultivated in the corridors of the State Capitol, putting people first and advocating for the hard-working families deep in the heart of Texas.



Thank You for Your Generous Support

TCADP thanks the following members who contributed between October 21, 2016 and January 18, 2017. Your financial support is critical to all of the activities and events described in this newsletter. Please let us know if we inadvertently left you or anyone in your household off of this list. We apologize in advance if we missed anyone.

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*Signifies Partners for Justice or Sustaining Members, TCADP's recurring giving programs

North Texas Roundup By Jason Redick

Page 7 / Winter 2017



As I counted the final days of 2016, I began to look at pictures, emails and posts from my work with TCADP for the year. We had one busy year together in North Texas! I am so thankful for all the working relationships that were created and sustained in 2016. One of the major takeaways I keep with me after reflection is the value and necessity of ongoing connection and relationships.

The holiday season is normally a time when faith communities and civic organizations focus inward, and it can be difficult to plan events. But this year we saw some fruit from long-standing relationships. The members of First Congregational Church of Fort Worth made death penalty abolition a major component of their Advent worship focus. I was even able to visit one Sunday and speak with a Sunday School class. They had planned a

church-wide activity where members personally signed birthday cards for people on Texas' death row. These actions came about from a sincere interest on the part of First Congregational Church leaders to humanize the death penalty issue for their congregants. What better way to humanize those on death row than to send them birthday cards, helping to celebrate their birth and life? I am thankful for the work and witness of First Congregational that is growing every day.

In addition, I spoke at the Chorizo and Menudo Breakfast of LULAC (League of United Latin American Citizens) in Fort Worth back in October and received support and encouragement from local members of an organization with a long-held position against the death penalty. In all, what I really take away from 2016 is that long-term, consistent working relationships are crucial to our efforts to end the death penalty. Whether you're a new supporter or long-term member, I hope our connection grows in 2017!

Register Today!

TCADP 2017 Annual Conference
February 18, 2017 8:00 AM to 4:00 PM
St. David's Episcopal Church
Austin, Texas

_____ \$60 TCADP Member

_____ \$80 Non-Member

_____ \$30 Student

_____ \$35 Luncheon ticket only

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toward the conference.

**Lunch
preference:**
Vegan
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No restrictions

Rates will increase after February 8, 2017.

Please make checks payable to TCADP or go online to
www.tcadp.org to register.

Mail payment and registration form to:
TCADP; 2709 S. Lamar; Austin, TX 78704.

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Registration includes breakfast tacos and lunch.

Questions? Contact the TCADP office at 512-441-1808.

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TCADP 2017 Annual Conference Moving to Higher Ground

Saturday, February 18, 2017, 8:00 AM to 4:00 PM

St. David's Episcopal Church
301 E. 8th Street, Austin, Texas

Registration Options:

- By mail (see form on page 7)
- Online at www.tcadp.org
- By phone (call the TCADP office at 512.441.1808)

- **General Membership Meeting**
- **Panel Discussion**
- **Keynote Speaker**
- **Annual Awards Luncheon**
- **Workshops**
- **Exhibitors**

Pre-Registration by February 8, 2017:

TCADP Member \$60 / Non-Member \$80
Student \$30

After February 8, 2017:

TCADP Member \$75 / Non-Member \$95
Student \$35

Registration fee includes breakfast tacos and lunch.

Luncheon Ticket Only — Keynote and Awards

12:30 to 2:30 PM (Must purchase by February 8th) \$35

More information:

<http://tcadp.org/what-we-do/annual-conference/>