



Summer 2015

Texas Coalition to Abolish the Death Penalty

Death penalty landscape continues to shift in first half of 2015

The first six months of 2015 have been a momentous time for anti-death penalty advocates. On the national level, it was hard to top the joy we felt when 30 Senators in Nebraska voted successfully to override their Governor's veto of LB 268, a bill that replaces the death penalty with life without the possibility of parole. With their vote on May 27, 2015, Nebraska became the first predominantly "red" state to abolish the death penalty in more than 40 years and the seventh state overall to abandon the death penalty in the last decade.

One of the concerns expressed again and again by Nebraska Senators was the risk of executing an innocent person. They cited the Death Penalty Information Center's (DPIC) list of more than 150 people released from death rows nationwide due to evidence of their wrongful conviction. Less than two weeks after Nebraska abolished the death penalty, DPIC added the 154th name to its list: Alfred Dewayne Brown, who spent a decade on death row in Texas.

"The death penalty, in and of itself, now likely constitutes a legally prohibited 'cruel and unusual punishment[t]' – U.S. Supreme Court Justice Stephen Breyer

Brown was convicted of the murders of Houston Police Officer Charles R. Clark and store clerk Alfredia Jones at a check-cashing business in 2003. He consistently maintained his innocence and claimed that phone records could support his alibi. The problem? Prosecutors withheld those phone records until 2013, when they were discovered in a homicide detective's garage.

Last November the Texas Court of Criminal Appeals overturned Brown's conviction and death sentence because of this prosecutorial misconduct. On June 9, 2015, the Harris County District Attorney's Office dismissed capital murder charges against him altogether after determining there was insufficient evidence to support another conviction. That same day, Alfred Dewayne Brown left the county jail in Houston as a free man. He is the 13th person in Texas to be exonerated from death row.

Just days after Brown's exoneration, we learned about a new development in the case of Texas' 12th death row exonoree, Anthony Graves. On June 12, 2015, the State Bar of Texas found Charles Sebesta, the former District Attorney of Burleson and Washington Counties, guilty of "professional misconduct" and disbarred him. During Graves' trial, Sebesta withheld critical information from the defense and allowed witnesses to give false testimony. His actions cost Anthony Graves nearly two decades of his life.

This story continues on page 2.

Also in this issue:

Texas death penalty developments
Meet our new board members
Welcome TCADP Summer Intern
Amy Elkins photography exhibit
Thank you, donors!

Scheduled Executions in 2015

July

16 Clifton Williams (Stay)

August

12 Daniel Lopez

13 Tracy Beatty

26 Bernardo Tercero

September

2 Joe Garza

29 Perry Williams

October

6: Juan Garcia

14: Licho Escamilla

28: Christopher Wilkins



Continued: Death penalty landscape continues to shift in first half of 2015

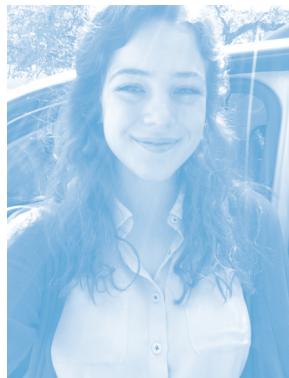
The most significant development to date this year in Texas, however, is what hasn't happened: **no one has been sentenced to death anywhere in the state in 2015.** In fact, it has now been more than seven months since jurors in Texas imposed a new death sentence. This is the first time in at least 20 years that the state has gone more than six months without a new death sentence.

U.S. Supreme Court Justice Stephen Breyer noted declining use of the death penalty in Texas in his dissenting opinion in the case of *Glossip v. Gross* (June 29, 2015), calling this trend towards fewer death sentences a "remarkable shift." In *Glossip*, a slim majority of Justices found that Oklahoma's use of the drug midazolam in its lethal injection protocol does not violate the Eighth Amendment of the Constitution. Justice Breyer, however, declared "that the death penalty, in and of itself, now likely constitutes a legally prohibited 'cruel and unusual punishment[!]' and asked for a full briefing on this Constitutional question.

What death penalty developments might occur in the second half of 2015? Stay tuned to TCADP to find out.

TCADP Welcomes Summer Intern, Julia Cantú

Earlier this summer, TCADP had the privilege of working with **Julia Cantú**. Her help with research, data-entry, and event planning was indispensable. She is a young, but knowledgeable and passionate advocate of the abolition movement. We will miss her dearly and we wish her the best of luck at Southern Methodist University. Learn more about Julia in her own words.



Hi! My name is **Julia Cantú** and I'm interning with TCADP this summer. I'm from San Antonio, Texas and recently graduated from Incarnate Word High School. In Fall 2015, I will be attending Southern Methodist University in Dallas, majoring in Human Rights and Music Performance. Additionally, I've been accepted into the Honors College and the Pre-Law Scholar Program. I hope to become an international civil rights attorney and promote the human rights of all people, especially the rights of women and girls to an education.

I first became interested in social justice issues through my work with Amnesty International. A few friends and I started a small Amnesty student group outside of school and had our meetings in my backyard my junior year of high school. We participated in letter writing campaigns and attended rallies and awareness events that brought my attention to the movement to abolish the death penalty.

Noticeably, where I grew up in San Antonio and at the Catholic schools I attended, the issue of the death penalty was cloudy and rarely discussed. Despite this, it always amazed me how involved the students in my community became in fighting injustices when there was a spark of motivation from a teacher or a fellow student. From this I learned that the most important thing in a social movement is to get the conversation started.

I'm very thankful for this opportunity to work with TCADP and am excited to see the changes we can make together in the fight to end capital punishment.

-Julia Cantú

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Seizing the Momentum

Seizing the Momentum is published quarterly by the Texas Coalition to Abolish the Death Penalty (TCADP) and distributed to TCADP members and allies. It is available online and twice a year in print.

Issue #49, Summer 2015: <http://tcadp.org/get-informed/newsletter-archives/>

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Texas Death Penalty Developments in 2015 (As of July 24, 2015)

Executions: 9 out of 18 nationwide

Scheduled executions: 8

States that have carried out executions this year: 5 (Texas, Missouri, Georgia, Oklahoma and Florida)

Individuals currently on death row: 260

Death row exonerations: 1 (13 total in Texas; 154 nationwide)

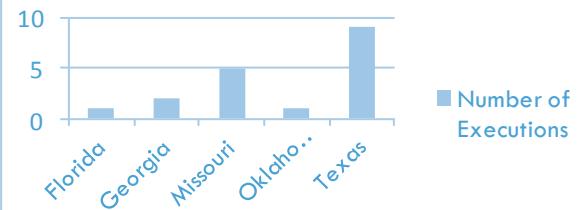
Prosecutors disbarred: 1

Jury rejections of the death penalty: 3 (including 2 in Nueces County)

New death sentences: 0

More information on specific cases is available at www.tcadp.org.

Executions in the US in 2015



Connect with TCADP on Facebook!

View photos from our events, connect with more than 4,000 other supporters, and learn about important death penalty developments. "Like" us today!



TCADP Welcomes New Board Members

TCADP is proud to introduce you to two new Board Members: **DJ Compton** and **Casey Magnuson**. Both women bring a wide variety of professional experiences and a vast knowledge of death penalty issues to the board.



DJ Compton

A 5th generation Texan, DJ worked for over 35 years for a large multi-national insurance company, most recently as Vice President of International Marketing. In that capacity over the last 10 years, DJ partnered with local offices in Latin America, Europe, and Asia to help develop marketing strategies and plans. Her work gave her the opportunity to live overseas twice, most recently in India where she worked with insurance regulators to develop marketing guidelines for the direct selling of insurance products. In 2014, she retired from corporate life and joined the TCADP Volunteer Lobby Corps in order to take a more active role in working towards the abolition of the death penalty in Texas. DJ is a member of the Dallas Friends Meeting (Religious Society of Friends – Quakers) and resides in Allen, Texas. DJ joined the TCADP Board in June 2015.



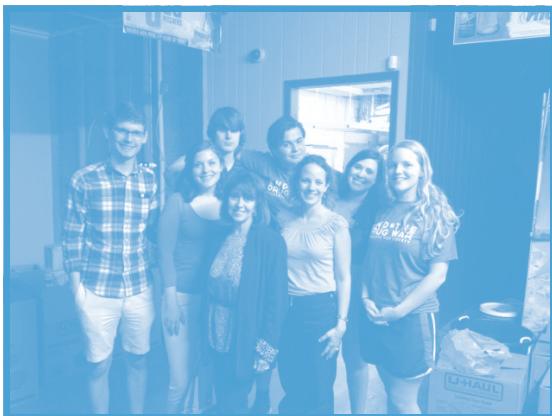
Casey Magnuson

Casey Magnuson was born and raised in Austin, only a 20-minute walk from the State Capitol. As far back as she can remember, she hung around the Capitol's chambers, halls, and offices and has been involved in the legislative process since the age of 13. Her legislative passion is in the Clean School Bus Program, Smoke-Free Texas, Public Education and Finance, Pro-Life Issues, and the Abolition of the Death Penalty. Casey utilized her experience to help the Clean School Bus Program be written into law in 2005 and funded in 2007, 2009, and 2011 with bipartisan support, and in 2009 she stepped out of her comfort zone and testified at a House Criminal Jurisprudence Committee about her personal experience with violent crime where she was approached by TCADP. Casey has worked on city council, mayoral, legislative, and presidential campaigns and enjoys meeting new people and traveling. She is a founding member of the TCADP Lobby Corps. Casey lives in San Antonio and joined the Board in June 2015.

Thank you, Helene

We would like to express our sincere gratitude to **Helene Burns** for her four years of service on the TCADP Board of Directors. Helene recently resigned from the Board due to extenuating circumstances, but plans to remain active in our efforts and will continue to share her powerful story as the survivor of a murder victim.

Thank you, Helene, for your generosity, friendship and your commitment to ending the death penalty!



Helene (front) with Young Americans for Liberty at Texas State University, September 2014



Helene (middle) with workshop co-facilitators Dorothy Van Soest and Alex Hannaford at TCADP 2015 Annual Conference



Amy Elkins: *Black is the Day, Black is the Night & Parting Words* by Vanessa Akins

During a recent visit to Houston, I had an opportunity to view **Amy Elkins** award winning exhibits, *Black is the Day, Black is the Night* and *Parting Words*, at the Houston Photography Center. Elkins is typically known for her work with portraiture. In these two series, Elkins uses a variety of styles to match the complicated subjects of life in prison and death row.

Several years ago, Elkins began correspondence with inmates serving life sentences and inmates on death row. As she learned more about the inmates, she developed images that represented the impact of their surroundings. Her work directly reflects the length of their time in prison and their many hours spent in solitary confinement. The series uniquely documents the people behind the sentences. It gives you an intimate look into the daily life, the harsh reality and effects of death row, and the perseverance of the human spirit.

While Elkins' subjects come from across the country, the sole focus of *Parting Words* is Texas' death row. After only three months of correspondence, Elkins received a return letter from the first man she wrote with the word "deceased" on the envelope. She then visited the labyrinth of a website that is the Texas Department of Criminal Justice online. During her research, she found the archives of last words from executed inmates. This inspired her to create her own archive, one of images and words. The inmates' images are formed by excerpts of their last words. A selection of her archive was displayed in rows. It was hard to ignore that the display was similar in size to a cell on death row.

My words can't convey the strength and impact of Elkins' work. Her pieces are haunting. Through her work, she manages to humanize a system that strips humanity from all involved. Although the exhibit is no longer showing in Houston, you can view the collection online at amyelkins.com.



From amyelkins.com, Four Years out of a Death Row Sentence (Forest). A pen pal 13 years into his death row sentence describes a childhood memory of taking refuge in the forest throughout his youth. This image was constructed out of appropriated images and compositing to account for the amount of years spent in prison.



From amyelkins.com, Nine Years out of a Death Row Sentence (Forest). A pen pal 13 years into his death row sentence describes a childhood memory of taking refuge in the forest throughout his youth. This image was constructed out of appropriated images and compositing to account for the amount of years spent in prison.

"I constructed images using formulas specific to each of their stories, age and years incarcerated. Through these formulas their portraits became more unrecognizable and their memories became more muddled, regurgitated and fictional with the endless passing years of their sentence. Stripped of personal context and placed in solitary cells, their sense of identity, memory and time couldn't help but mutate. I sent these images to them, they would critique them. This went on for years."

-Amy Elkins

Thank You for Your Generous Support

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TCADP thanks the following individuals and organizations for your generous contributions between April 23 and July 24, 2015. 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 Partner for Justice or
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giving programs



TCADP: Spring - Summer 2015

This past quarter was a busy one! Here are a few pictures of TCADP staff and members to show you what we've been up to around the state.



Thank you to everyone who attended and participated in these events and a special thanks to **Serena Sneeringer** for photos of TCADP at Houston Pride.