



Fall 2014

Seizing the Momentum

Texas Coalition to Abolish the Death Penalty

"Now I'm a Free Man. Now I Can Be With My Family."

On October 8, 2014, Manuel Velez - who once faced execution by the State of Texas - was released from prison in Huntsville. Later that day, he reunited with his family in Brownsville, including his elderly parents and his two sons, who are now 11 and 15 years old. Velez spent nine years in prison, including four years on death row. His freedom is a momentous outcome in a case that endured numerous legal twists and turns over the last decade.

The experience of Manuel Velez reflects everything that can go wrong in a death penalty case: incompetent legal representation, an unreliable and unrecorded police statement, prosecutorial misconduct, shoddy science, and false testimony by an "expert" witness regarding the likelihood of future dangerousness. In separate rulings in 2012 and 2013, the Texas Court of Criminal Appeals overturned both his death sentence and conviction. Last year, the Court agreed with a state district judge's assessment that Velez's defense attorneys failed to present critical medical evidence that supported his innocence in the tragic death of one-year-old Angel Gabriel Moreno, the child of his then-girlfriend, Acela Moreno.

According to the ACLU, which represented Velez in his appeals along with the law firms of Carrington, Coleman, Sloman & Blumenthal, LLP, and Lewis, Roca, Rothberger LLP, "Even after Velez's conviction was overturned, and in the face of overwhelming evidence of his innocence, the State refused to dismiss the murder charge against him unless he took a plea. Velez pleaded no contest to a lesser charge of injury to a child rather than face a new trial that could be plagued by the same injustices that sent him to death row."

The disturbing circumstances that sent Manuel Velez to death row are not unique. Earlier this fall, Henry Lee McCollum, North Carolina's longest serving death row inmate, and his half-brother Leon Brown, were exonerated and released from prison after serving 30 years for a rape and murder they did not commit and to which they falsely confessed as teenagers. A judge dismissed all charges against them after new DNA evidence proved their innocence.

The Death Penalty Information Center now counts 146 people who have been wrongfully convicted and released from death rows nationwide, including 12 in Texas. October 27th marks the four-year anniversary of Anthony Graves' exoneration after he spent 18 years in prison, including 12 years on death row, as an innocent man. There are dozens more individuals like Manuel Velez who made the difficult decision to take a plea in order to gain their freedom.

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Manuel Velez with his attorneys on the day of his release. Source: ACLU

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Thank You, Members, Donors, and Partners for Justice!

Scheduled Executions in 2015

January

14 Rodney Reed

15 Richard Vasquez

21 Arnold Prieto

28 Garcia White

February

4 Donald Newbury

10 Lester Bower Jr.

March

11 Manuel Vasquez

18 Randall Mays



From the Executive Director

Dear TCADP Members and Supporters,

This fall, it was my privilege to spend a week with one of my favorite people in the death penalty abolition movement: Juan Melendez, who was incarcerated for 17 years, 8 months and 1 day on death row in Florida as an innocent man. Juan traveled to Texas at TCADP's invitation and crisscrossed the Dallas-Fort Worth Metroplex with me. Over the course of 5 days and 10 events, he shared his incredible story of wrongful conviction and ultimate exoneration with hundreds of people of faith, students, and community members throughout the region.



Former Montague County District Attorney Tim Cole, who is now in private practice as a criminal defense attorney in Fort Worth, joined Juan for two events and spoke publicly for the first time about his opposition to the death penalty as a former prosecutor.

"Moving," "amazing," "informative," and "overwhelming" were just some of the ways audience members described Juan's story. One man exclaimed, "If every person who thinks they believe in the death penalty could hear Juan's story and meet him, their hearts would change!" In fact, several people reported to us that *they did change their minds* about the death penalty after attending one of our events in the Metroplex!

A special event featuring murder victim survivor Jan Brown and Texas death row exoneree Anthony Graves, which took place at St. Mary's Catholic Center in College Station in late September, inspired similar comments. One person told us that it was the first time she heard a victim say that she opposes the death penalty. Another said the event "popped my sheltered bubble. If there are cracks in the system, it's not worth keeping."

Juan, Jan, Anthony, and Tim constitute powerful voices in our quest to educate Texans about the realities of the death penalty. I am immeasurably grateful to them and to people like Linda White, Julie Caso, Helene Burns, and so many others who are willing to share their experiences with the criminal justice system with audiences throughout the state.

We know that humanizing the death penalty issue through these personal stories has the greatest impact on moving individuals to take action and become involved in our efforts. We all need to "pop our bubbles" from time to time.

With appreciation,

Follow TCADP on TWITTER!

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Breaking news, events,
things you should know!
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twitter



p.s. Check out the pictures from some of our recent events on page 5.

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.

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Fall 2014 Contributors: Vanessa Akins; Joyce Jagodzinski; Kay Leonard; Lindsey Pearlstein; Dorothy Van Soest

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Volunteers

Thanks so much to the following individuals who have volunteered in the TCADP Office or provided administrative support in recent months: Vanessa Akins and Mike Renquist.

We are immensely grateful for your assistance!



Save the date for these special events!

- December 7th marks the anniversary of the resumption of executions in Texas in 1982; look for TCADP's year-end report around this date.
- The TCADP 2015 Annual Conference will take place on Saturday, February 21, 2015 at St. David's Episcopal Church in downtown **Austin**.
- Faith Leader Advocacy Day on the Death Penalty will take place at the State Capitol in **Austin** on Monday, March 9, 2015.

More details coming soon.

Participate in these regular events!

- Bi-monthly luncheons take place in **Austin** on the fourth Wednesday of the month (January, March, May, July, September, and November - locations vary), with a special guest speaker and an opportunity to meet with other local supporters
- Bi-monthly luncheons take place in **Dallas** on the second Tuesday of the month (January, March, May, July, September, and November at various locations)
- Bi-monthly luncheons take place in **Houston** on the last Tuesday of the month (January, March, May, July, September, and November at St. Anne's Catholic Church)
- **El Pasoans Against the Death Penalty** meet on the last Tuesday of the month at 6:30 pm in the Pedro Maldonado room of St. Pius X Church, 1050 N. Clark
- Vigils take place throughout the state of Texas on the day and/or evening of executions. Visit <http://tcadp.org/get-involved/stop-executions/> for details.

More information is available at <http://tcadp.org/get-involved/attend-events/>.



**Connect with TCADP
on Facebook!**

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



TCADP Comings and Goings

The TCADP Office is humming these days with the addition of two extraordinary assistants! Lindsey Pearlstein joined our team in September as our Fall Advocacy Intern. Already, she has provided critical support for our recent speakers' tour and our Lobby Corps program, among many other tasks. Vanessa Akins began volunteering with us once a week in May and is a key member of our 2015 Annual Conference Committee. We are immensely grateful to both of them for sharing their time and talents with us. Learn more about Vanessa and Lindsey below.

TCADP also bids a fond farewell to Kay Duffy-Taylor, who recently resigned from the Board of Directors after two years of service. Kay and her husband are moving back to California after spending several years in San Antonio. We will miss her pragmatism, positivity, and loyalty. Thank you, Kay, for all of your contributions to TCADP and your commitment to ending the death penalty!

A note from Vanessa

I was born and raised in a small, rural, and conservative Texas town. When it came time to choose a college experience I sought out something completely different. I found myself drawn to a liberal arts program at St. Edward's University in Austin. During my senior year, I interned with The Wright House Wellness Center, focusing on community outreach. Additionally, I had an opportunity to work with my uncle, who built a legal career as a notable criminal defense attorney. My work with both my uncle and the Wright House gave me a front row seat to social injustice.

After graduating in 2009, I entered the teaching profession and worked in the Third Ward of Houston. The daily difficulties that my students experienced only brought into focus the inequities of being born into poverty. A brief hiatus in the world of corporate communication helped me realize that I needed to refocus my efforts and get back into non-profit work.

I moved back to the Hill Country, specifically, Wimberley, to figure out my next step in fighting social injustice. I sought out TCADP because I understand the inherent flaws of the legal system and the irrevocable damage they cause. Working with Kristin, the board, and other volunteers has been an incredible experience and I look forward to the work ahead.

- Vanessa Akins



A note from Lindsey

My name is Lindsey Pearlstein and I am the Fall 2014 TCADP intern! I am currently a sophomore at the University of Texas at Austin, majoring in education and pursuing a certificate in public policy.

I first became interested in human rights issues through the Social Justice and Leadership program at my high school. Through this, I learned about various world issues and how to implement change. My freshman year of college, I was accepted into the Bridging Disciplines Program, which allows students to pursue an inter-disciplinary certificate in a field outside of their major. I chose public policy because I want to make a difference with issues that are meaningful to me.

Growing up in Boston area, I assumed most people shared my position against the death penalty. (Massachusetts abolished the death penalty in 1984.) It was not until the Boston Marathon bombings that I started to become aware of the debates and realized this was truly a controversial issue.

This summer, I took a Texas Government class, and learned the true horrors of capital punishment. It struck a chord with me and I was inspired to do something about it. I wholeheartedly believe the death penalty is morally wrong and inhumane and it has been an incredibly rewarding experience for me to work with TCADP towards abolition.

I look forward to continuing the fight to transform the system, educate and engage new members, and to work together to end the death penalty in Texas.

- Lindsey Pearlstein





Photos from recent events, including: death row exoneree Anthony Graves with murder victim survivor Jan Brown in College Station; death row exoneree Juan Melendez's speaking tour of the Dallas-Fort Worth Metroplex with Former District Attorney Tim Cole; Young Americans for Liberty at Texas State University with TCADP Board Member Helene Burns; and TCADP's Fair & Just Luncheon in Houston with Julie Caso. More photos are available on our Facebook page.

Manuel Velez, continued from page 1

We know that other innocent people continue to languish behind bars. New research published this summer suggests that over four percent of all those sentenced to death in the United States from 1973 through 2004 were innocent. This is more than double the percentage of those actually exonerated and freed from death row during the same period.

The case of Manuel Velez is yet one more example of the problems with the death penalty in Texas and the egregious mistakes that can occur within a system that has the power to take the life of an individual. As our friend Juan Melendez says, "You can always release an innocent man from prison, but you can never release an innocent man from the grave."

Please join TCADP in congratulating the ACLU and all of the attorneys whose hard work resulted in freedom for Manuel Velez. Let his story inspire all of us to redouble our efforts to secure the end of the death penalty in Texas.



Letter From St. Gabriel's Ministry to the Imprisoned

Greetings,

My name is Kay Leonard and I am a member of the Ministry to the Imprisoned at St. Gabriel the Archangel in McKinney, Texas. Kristin invited our ministry to share a little something about our outreach to Texas' death row inmates. This seems the perfect time to do so as 2014 marks the 10th anniversary of our ministry sending birthday greetings to our brothers and sisters on Texas' death row. In the beginning, it was our desire to let these ladies and gentlemen know that they were not forgotten, and that someone was praying for them not only on their birthday, but throughout the year. Little did we know where this would lead! Each year, we've been given new chances to meet many men and women through pen-pal relationships, formed beautiful friendships, shared great moments of joy, and wept bitter tears of sorrow as we have lost far too many of our brothers and sisters.

One important focus of our ministry is to raise awareness of the many issues plaguing the death penalty. This is done by open discussions, inviting speakers to our community, and sharing the real truth about the death penalty every time we are given the opportunity to do so. The last Sunday of each month preceding a scheduled execution we host a prayer vigil. We meet to lift up not only the men and women facing execution, but to also remember the victims and their families in their prayers.

We would like to invite anyone reading this newsletter to consider joining our ministry! First and foremost, we currently have a waiting list of people on death row and in General Population that are in need of pen-pals. Would you please pray about this very unique need? If you are interested in our pen-pal ministry, please contact me at ministryimprison@aol.com.

Several times a year, we meet as a group to individually sign birthday cards that are mailed to each death row inmate on his or her birthday. If you live close enough to McKinney, please consider joining us for this night of friendship and outreach. Want to stay alerted of the next card signing or vigil? Send me an email and we will add you to our ministry list. Regardless of where your home may be in Texas, please join with us in living out the spirit of what Jesus taught in Hebrews 13:3 "Continue to remember those in prison as if you were together with them in prison, and those who are mistreated as if you yourselves were suffering."



Kay Leonard with members of the Ministry to the Imprisoned

Register Today!

I want to "shift the ground" beneath the death penalty in Texas!

_____ \$50 TCADP Member
(After December 31, \$55)

_____ \$55 Non-Member
(After December 31, \$60)

_____ \$20 Student
(After December 31, \$25)

_____ \$35 Luncheon ticket only

_____ Enclosed is an additional contribution
toward the conference.

**Lunch
preference:**
Vegan
Vegetarian
No restrictions

Rates will increase again after February 13, 2015.

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

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

TCADP 2015 Annual Conference
February 21, 2015 8:00 AM to 5:30 PM
St. David's Episcopal Church
Austin, Texas

Name(s): _____

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Credit Card Type: _____ Exp Date: _____

Card Number: _____

Registration includes continental breakfast and lunch.

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



What is *Just Mercy* about?

Here's my two sentence description: *Just Mercy* tells the story of a family that is shattered by the heinous murder of their youngest daughter, Veronica, and how they struggle to come to terms with their shock and grief. When Veronica's mother goes to witness the execution of the woman who murdered her daughter and something unexpected happens, she's launched on a quest that unearths life-altering truths about herself, her dead daughter, the other members of her family, and her own relationship with the killer.

Can you tell us a little about how you got to this point? What led you to write this novel?

Just Mercy was conceived in September of 1997 when I read a newspaper article about a mother awaiting the execution of the man who brutally murdered her three children in their beds after watching a horror movie with them earlier that same evening. The questions I asked myself then are the questions at the heart of *Just Mercy* now: What would I do if my child were murdered? What lengths would I go to for justice?

I had questions about the murderer, too. Why did he do it? What life circumstances led him from birth to death row and his eventual execution? Another newspaper article the day after the execution provided some information about him—at birth the umbilical cord wrapped around his throat for several minutes and caused permanent brain damage, at age six he sexually propositioned nurses, he was teased and tormented in school and attempted suicide several times—but I wanted to know more.

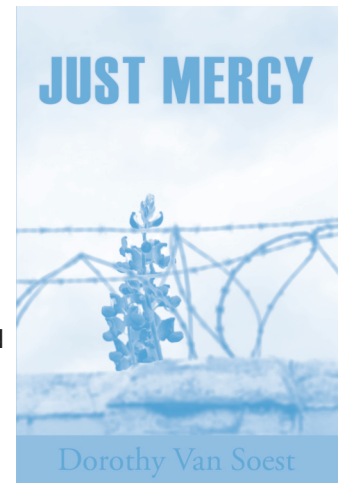
By the end of 1997, a record 37 men had been executed by the state of Texas, half of all the executions carried out in the United States that year. I wanted to know more about those men, too. Since I was an academic, an associate dean at The University of Texas at Austin at the time, I decided to study the life stories of those 37 men. Little did I know when conducting that investigation that the seeds of *Just Mercy* had been firmly planted in the novelist that was lurking deep inside me.

How did you develop your main characters? Are they based on real people?

All of the characters and situations in *Just Mercy* are fictional although all the characters were inspired by and some were initially based on real people. Raelynn Blackwell, the woman who killed Veronica Baker in *Just Mercy*, is a composite of Karla Faye Tucker, the woman who murdered two people with a pickaxe and later was converted and became a model death row prisoner, and of some of the men in my 37 men study. Bernadette Baker, Veronica's mother, was inspired by the story of one particular woman who participated in a victim offender dialogue program on death row, although, over time, she took on a distinct personality of her own. Regis Dorfman, the man who facilitates Bernadette's healing process in *Just Mercy*, is the character I would say is most closely based on a real person, a man named David Doerfler who was the director of the Texas Department of Criminal Justice's Victim Offender Dialogue Mediation Program when I lived in Texas.

Why did you make the murderer in your story female?

When Karla Faye Tucker was executed on February 3, 1998, almost two thousand people from all over the world came to Texas to protest her execution. I think I wanted the murderer in *Just Mercy* to be a woman partly because of the profound impact Karla Faye's tragic life story and transformation had on me and partly because I wanted the stories of women on death row to be a more visible part of the narrative about the death penalty.



Apprentice House Publishers is offering a 20% discount on *Just Mercy* through December 1, 2014, if you purchase it directly from them.

Go to www.apprenticehouse.com and use discount code AH20 at checkout.



What role does restorative justice play in your novel?

The power of restorative justice to bring about forgiveness and healing is the major theme of *Just Mercy*. At the same time that I was conducting the 37 men study, I was also learning more about Restorative Justice and Victim Offender Mediation/Dialogue Programs in Texas. My book was inspired by the stories I heard about victims' family members and death row inmates who found the courage to face each other in dialogue and by the people who facilitated their healing.



Why did you decide to write a fictional story about the death penalty instead of writing non-fiction, which you wrote for most of your career?

My decision to write fiction grew out of a growing conviction that people become empowered to work for personal and social change, not through objective data and studies, but through personal connections that lead them to care enough to take action. Instead of conducting research about complex and controversial issues like the death penalty, I want to show how ordinary people—like Bernadette in *Just Mercy*—find the courage to embrace the rough places of life and make deeply personal and moral choices that transform themselves and the world in important ways. I believe that in the world of story we are moved emotionally, drop our intellectual guard, and allow ourselves to be changed.

Have you had a lot of support in writing this novel and has it been well received?

So many people helped me while I was writing this book that I couldn't possibly mention them all. Support has come from a broad and diverse range of people—those intimately involved with the execution process in Texas—those with legal expertise—victim's family members—other writers and storytellers—the restorative justice community—members of my writing group, my editor, participants in the Boulder writers' retreat each year—you name it.

I'm very encouraged at this early stage in the book's release by the many positive reviews, the selection or nomination by university programs of *Just Mercy* as a book to be read by all incoming freshmen, faculty who are including it as required reading in their course, and the interest and support of restorative justice/dialogue and death penalty organizations and groups around the county. As awareness of the book broadens, I hope it will also be well received by the general reading public and book clubs.

Why do you think we need to abolish the death penalty?

In the past I would have answered that question by citing facts and figures about how costly, inefficient and inhumane the death penalty is, all of which are very important arguments, but now I believe we need to abolish the death penalty because each of us, whether we are aware of it or not, is negatively impacted and dehumanized by its existence.



Dorothy Van Soest is a writer, social worker, and political and community activist. A retired professor and university dean, she holds an undergraduate degree in English Literature and a Masters and PhD in Social Work. She is currently Professor Emeritus at the University of Washington, with a research-based publication record of nine books and over fifty journal articles, essays, and book chapters that tackle complex and controversial issues related to violence, oppression, and injustice. Her debut novel, *Just Mercy*, was informed by her widely acclaimed investigation of the lives of thirty-seven men who were executed by Texas in 1997 and her knowledge of the Texas Department of Criminal Justice's Restorative Dialogue program. Dorothy Van Soest lives in Seattle, Washington, where she is currently working on her next novel, a mystery inspired by her experiences with the child welfare system. Her website is www.dorothyvansoest.com

Thank You for Your Generous Support

Page 9, Fall 2014



TCADP thanks the following individuals and organizations for your generous contributions between July 23 and October 28, 2014. 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 your spouse/partner off of this list. We apologize in advance if we missed anyone.

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TCADP 2015 Annual Conference Death Penalty Fault Lines: A Seismic Shift in Ground

Saturday, February 21, 2015, 8:00 AM to 5:30 PM

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

Registration Options:

- By mail (see form on page 6)
- Online at www.tcadp.org/donate
- By phone (call the TCADP office at 512-441-1808)

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

Advance Registration by December 31, 2014:

TCADP Member \$50 / Non-Member \$55
Student \$20

Pre-Registration by February 13, 2015:

TCADP Member \$55 / Non-Member \$60
Student \$25

After February 13, 2015:

TCADP Member \$60 / Non-Member \$70
Student \$25

Registration fee includes continental breakfast and lunch.

Luncheon Ticket Only — Keynote and Awards

12:00 to 2:00pm (Must purchase by February 13) \$35

More information:

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