

# SEEKING JUSTICE IN TEXAS

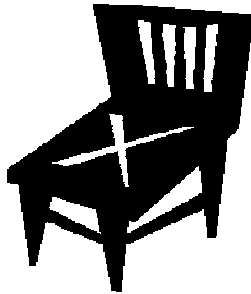
TEXAS COALITION TO ABOLISH THE DEATH PENALTY  
WORKING TO ABOLISH THE DEATH PENALTY IN TEXAS/SUMMER2006



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## A Note from the Chair Jimmie L. Coombes, President



### "Humane" vs. "Pain"

While doing research on the origin of the drug "formula" used in lethal injection executions in the United States, I came across this interesting statement: 'The representative who introduced the bill [specifying lethal injection for Texas executions] into the Texas House said, for example, that electrocution "is a very scary thing to see" and that he "voted for a **more humane treatment** because death is pretty final. That's enough of a penalty".' (emphasis added).

I have always believed that "humane" is one of those adjectives like "pregnant" or "dead". You can't be more or less of any of them. You either are or not. Yet, the reporter above stated that the representative wanted "a more humane" way to kill someone than electrocuting them. I find that idea incomprehensible.

Certainly, there has been a long societal evolution in the English speaking world away from more **painful** and towards less **painful** methods of state homicide. Hanging, Drawing and Quartering was certainly more **painful** than axe-beheading and hanging alone. Perhaps the electric chair and the gas chamber were less **painful** than the noose or the firing squad. Many people apparently believe that lethal injection is less **painful** than the gas chamber or electric chair. But **more humane?** I, for one, am not buying it.

Perhaps I am locked into a mindset that is far out of the mainstream, but in my world the word "more" cannot modify "humane". Further, in my world, killing a human being for any purpose (including the much-vaunted "good war") can never be considered humane. If a human being kills another human being, the act can be characterized in many ways. It may be self-defense. It may in some legal sense be called justified. It may be accidental. It may be done by a "good soldier" in a "good war". But it can in no case ever be characterized as humane. It is homicide, pure and simple, and the state should not hide behind the word "HUMANE" when it orders homicide committed on one of its citizens.

**Whatever else happens in the affairs of men, the death penalty must be abolished – (with apologies to Cato the Elder)**

## Impending Executions

Please note that dates are tentative.

### June

- 6th— Timothy Titsworth
- 20th—Lamont Reese
- 27th— Angel Resendiz

### July

- 19th— Mauriceo Brown
- 20th—Robert Anderson
- 25th—Allen Bridgers
- 26th—Newton Anderson

### August

- 3rd—William Wyatt, JR
- 17th—Richard Hinojosa
- 24th—Justin Fuller
- 30th—Billy Coble



## Capital Defense Workshop

On March 26, 2006, the Houston chapter of Texas Coalition to Abolish the Death Penalty along with Lamp of Hope and Texas Death Penalty Abolition Movement hosted a workshop with the goal of helping prisoners' families understand the legal process of capital trials and appeals. There was practical information given on how supporters can work effectively with the lawyers to help their loved ones navigate the treacherous waters of the legal system.

A very informative program was presented by Claudia Whitman, of the National Death Row Network of C.U.R.E. This training program is a joint project of GRASSROOTS INVESTIGATION PROJECT (GRIP), EQUAL JUSTICE USA/ QUIXOTE CENTER, AND NATIONAL DEATH ROW ASSISTANCE NETWORK OF CURE (NDRAN).

There was a very enthusiastic group attending – ready to learn. Some attendees came great distances to attend – one from Florida and several from other cities in Texas. In addition to the material presented in the workshop, it was a great opportunity to share information and experiences and to learn from the experiences of others. Everyone took a break at mid day to enjoy a light lunch and then plunged back in.

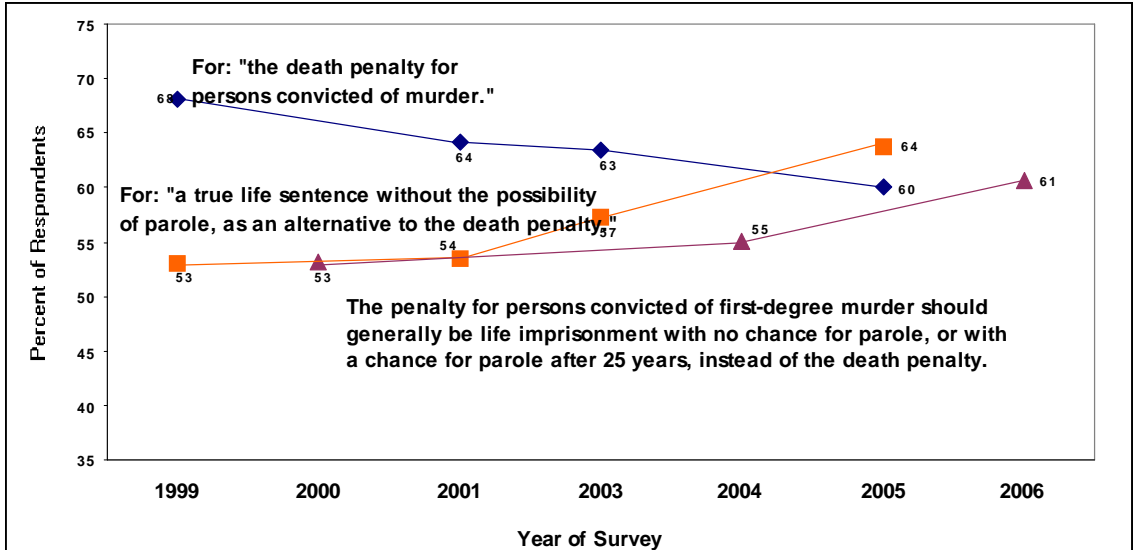
**Nancy Bailey**  
**PO Box 1566**  
**Bellaire, TX**  
**77402-1566**

Everyone learned that a great source of valuable information is the Capital Defense Handbook for Defendants and Their Families. Equally valuable is the NDRAN case summary form which prisoners can use to summarize their case in order to assist their attorneys or to communicate with potential future attorneys.

All in attendance realized what a good thing it would be for each death row prisoner to have these valuable tools, so in response to a joint request from all of the groups present, Claudia is arranging for each death row prisoner to be sent a handbook and summary form. It will arrive soon. A copy can be sent to a family member or supporter upon request. The address of NDRAN of CURE is on the bottom of page 3 of the handbook.

Those of us who attended received a lot of valuable information and realized we were very lucky to be able to bring this program to Houston.

**TX Board  
of Criminal Justice**  
**Board Meeting**  
**July 6 – 7, 2006**  
**Omni Hotel**  
**Austin Downtown,**  
**700 San Jacinto,**  
**Austin TX 78701**  
**[www.tdcj.state.tx.us](http://www.tdcj.state.tx.us)**



The data is based on the annual Houston Area Survey, which reaches successive scientifically selected representative samples of Harris County residents, interviewed by telephone in late February and early March of each year. We ask different questions in alternating years, and the excel chart (attached) shows the responses to the three questions we've been asking about the death penalty in every year since 1999 in which one or more of the questions was asked. It is pretty remarkable to see the consistent decline in support for the death penalty, regardless of the way the question is asked.

Professor Stephen L. Klineberg, Department of Sociology, Rice University  
[www.houstonareasurvey.org](http://www.houstonareasurvey.org)

Send Healing and Comfort to...  
Carol Byars of MVFR  
11826 Padok,  
Houston, TX 77044  
& Helga Dill of TX CURE  
2183 Buckingham Rd.,  
#342  
Richardson, TX  
75081-5499

## Christopher Ochoa, Exonerated in Texas, Earns Law Degree

MADISON - A Texas man who served 12 years in prison for a rape and murder he did not commit will graduate from the University of Wisconsin Law School on Friday, May 12.

Christopher Ochoa was freed from prison in 2001 with the help of the Wisconsin Innocence Project at the UW Law School. Faculty and students involved in the project began working on his case after Ochoa sent them a letter from prison saying he believed DNA testing would prove his innocence.

"A wrongfully convicted person must go through many, many years of therapy, after he or she is released, to learn how to socialize with society. I did not need many years of therapy, because the undergraduates, graduate students, faculty, administration...made me a part of their family," he says.

Coming to the university was a transforming experience, he says.

"They treated me like one of their own and treated me just like any other person in society, and because of that, I no longer am shy or distrust people. UW has helped me grow and adjust to the free world at a faster rate than normal," Ochoa says.

Keith Findley and John Pray, co-directors of the Wisconsin Innocence Project, say Ochoa's journey through the legal system has been remarkable. Pray was Ochoa's lead lawyer.

"Spending years in prison for a crime you didn't commit is a very damaging experience. That Chris was able to get out of prison, complete his undergraduate degree and then make it through law school speaks volumes about his character," Findley says. "We are so lucky to have had Chris as a client, a student - and soon, a colleague in the profession. He has taught us a lot about the criminal justice system, about what it means to be a lawyer, and about how to handle overwhelming adversity with strength, grace and compassion."

After gaining his freedom, Ochoa enrolled in law school in 2003. During the following year, he began working as a student in the Wisconsin Innocence Project, the same project he contacted from his prison cell years earlier.



Chris Ochoa stands with Jeanette Popp, the mother of a woman Ochoa was wrongly convicted of raping and murdering at a Pizza Hut in Austin, Texas. Another man later confessed to the crime and Popp worked to help clear Ochoa.

W-H-O-M-C-L-O-R-N  
M-O-Z-M-O-Z-Z

### [University of Houston Law School](#)

Texas Innocence Network  
David Dow, Professor  
100 Law Center  
Houston, TX 77204-6060

[Texas Center for Actual Innocence](#)  
University of Texas School of Law  
727 East Dean Keeton Street  
Austin, TX 78705

[West Texas Innocence Project](#)  
1304 Texas Avenue  
Lubbock, TX 79401

[South Texas Innocence Project](#)  
South Texas College of Law  
1303 San Jacinto  
Houston, TX 77002

Contact: Catherine Greene Burnett

### [MASS, Inc.](#)

Joyce Ann Brown  
6301 Gaston Avenue, Suite 300  
Dallas, TX 75214

### [Univ. of Wisconsin Law School](#)

Remington Ctr.  
975 Bascom Mall  
Madison, WI 53706 - screening  
questionnaire required

### [The Ohio Innocence Project](#)

University of Cincinnati -College of  
Law  
P.O. Box 210040  
Cincinnati, OH 45221-0040 - screen-  
ing questionnaire required

### [Innocence Project of Minnesota](#)

1536 Hewitt Avenue  
St. Paul, MN 55104 - letter about your  
case...

### [Innocence Project](#)

100 Fifth Avenue, 3rd Floor,  
New York, NY, 10011 with a brief  
factual summary of the case and a list  
of the evidence used against the de-  
fendant.

### [Centurion Ministries, Inc.](#)

221 Witherspoon Street,  
Princeton, New Jersey 08542-3215 -  
letter in own words about case...

### [Center on Wrongful Convictions](#)

Northwestern University School of Law  
357 East Chicago Avenue  
Chicago, Illinois 60611 - letter in own  
words about case...

### **Remember!**

- **Actual Innocence Required**
- **DNA could prove innocence**
- **Correspondence does not guarantee help**
- **Receive lots of letters so response time is varied**
- **This is not a complete list**
- **The inmate generally must contact the innocence organization.**

# TCADP Chapter News

Check with your chapter for dates and times of meetings!

**Austin Chapter...** Texas Conference of Churches. In January two members of the Austin Chapter participated in the Texas Conference of Churches Annual Assembly that was held in Houston. Members hosted a table at the conference with information about the death penalty and spoke individually with participants. Additionally, Bob Van Steenburg of the Austin Chapter and Vince Gonzales of the Lubbock Chapter conducted a one-hour workshop that discussed the faults and failures of the death penalty system in Texas. Approximately 25 conference attendees participated in the workshop.

**Strategy Day.** On March 4 the Austin chapter co-sponsored, with the Friends Meeting of Austin, a day for members of various faith communities to meet and discuss ways in which these communities could increase the numbers of people who speak out against the death penalty. The day was entitled "Austin Religious Response to the Death Penalty—Community Healing Without Resorting to Violence." Speakers included individuals who have lost family members to murder and execution, as well as individuals with family members on death row. Attendees developed several ideas to be carried on in their local communities.

**Quarterly Meeting.** John Niland of the Texas Defender Service (TDS) was the guest speaker at the quarterly meeting of the Austin Chapter held on April 6. Mr. Niland spoke about the several actions undertaken by TDS to improve the quality of defense provided to individuals charged in capital cases. He also addressed some of the unique aspects of the death penalty process in Texas. In addition, Mr. Niland provided insight into the process used by trial lawyers to qualify individuals for a jury in capital cases. **The next quarterly meeting will be Thursday, June 29 at 7 PM.** The location will be 2700 W. Anderson Lane, Austin.

"The Exonerated". When the Zach Scott Theater staged the play "The Exonerated" during March and April, TCADP information appeared in the performance program. Additionally, TCADP brochures were available for attendees in the theater lobby.

Bob Van Steenburg met with Bishop Gregory Aymond, Bishop of the Catholic Diocese of Austin, to present him a certificate from TCADP thanking him for his support of the Journey of Hope in October 2005. Bishop Aymond stated his desire to continue to support work against the death penalty and tentative plans were developed for future joint actions involving the Catholic Diocese and TCADP.

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**Beaumont Chapter...** The Lamar Student chapter of TCADP was recognized as most improved organization on the Lamar University campus. On the opening day of Black History Month, T J Geiger gave a rousing presentation on "Racism and the Death Penalty" to the Lamar University (LU) N.A.A.C.P. The LU Student government Association considered a statement of position offered by LU Students Against the Death Penalty endorsing a moratorium of the death penalty. Tabled due to confusion of rules. During National Crime Victims Week, Beaumont Chapter leaders met informally with John Sage, founder of Bridges to Life. A prisoner reentry program, BTL conducts restorative justice workshops where inmates meet with victims so as to help perpetrators of crime "understand how their acts affect others and to empower crime victims by telling their 'stories' of victimization." By meeting with John Sage we demonstrate our concern for victims of crime as well as for the new set of victims created every time the state conducts an execution.

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**North Texas Chapter (Dallas/Ft. Worth)...** will be planning for activities to commemorate the annual Fast and Vigil, held annually in front of the US Supreme Court. The action is to remember the June 29, 1972 Furman v Georgia SC decision. We will be continuing our public visibility campaign of billboard awareness to this issue.

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**El Pasoans Against the Death Penalty...** participated in their monthly vigil, see page 6 for a related article.



Bishop Aymond of the Austin Catholic Diocese receiving an Appreciation award from TCADP presented by Bob Van Steenburg, Austin Chapter leader.

El Pasoans Against the Death Penalty monthly courthouse vigil.



AL to R: Whitney Wright, Holly Dean, Kelly Epstein, and Nancy Bailey at the Houston Social Forum

## TCADP Chapter News Cont.

**Houston Chapter...** sponsored a news conference on behalf of death row prisoner Kevin Kincy on March 23.

The Houston Chapter of the TCADP, in conjunction with the Lamp of Hope Project and the Houston-based Texas Death Penalty Abolition Movement, sponsored a capital defense training workshop in Houston on March 26.

TCADP Houston passed out literature following the showing of "After Innocence" at the Greenway Theatre in Houston on March 23 and 25, and on May 7, distributed lots of literature and talked to a lot of people at the Voices Breaking Boundaries' 2006 event.

Dave Atwood spoke at multiple venues including the youth at All Saints Catholic Church in Houston, eight classes at St. Thomas High School, and Lions Clubs in Houston. He also participated with State Representative Dora Olivo in a panel discussion on the death penalty. The panel was sponsored by the Sun Group in Houston.

Dave participated in a conference titled "Voices in Solidarity: Resisting Torture and Punishment in U.S. Run Prisons at Home and Abroad" at the College of Santa Fe in New Mexico on April 28-30. He spoke about the brutal conditions on Texas Death Row.

Dave is working with the Catholic Church in Houston to implement the recently announced Catholic Campaign Against the Death Penalty and was elected President of the Houston Peace and Justice Center for 2006. The Houston Chapter of the TCADP is a member of the Houston Peace and Justice Center.

Nancy Bailey has accepted the position of Death Penalty Coordinator for Amnesty International 23 in Houston. The departure of Paul Kieniewicz, previous coordinator, who is returning to his native land Scotland will be sorely missed.

On April 29 and 30, the Houston Chapter participated in the Houston Social Forum, which was held at Texas Southern University. This was an opportunity for a multitude of progressive organizations to network with each other for the purpose of mutual education and support. Holly Dean and Nancy Bailey gave a workshop titled "Broken Justice - Why Texas has so many executions and what you can do about it" Several members staffed a table of literature over the two day period, where all of the participants visited the exhibits of other organizations. There were many interesting workshops to attend including one given by TDPAM on Prison Conditions, and one given by Ray Hill on Prison Reform Under the Texas Sunset Process.

**Rio Grande Valley Chapter...** has received fundraiser cards and will be selling those to be able to purchase a banner and a few more signs. Sylvia Garza will be at the University of Brownsville on the 28th of May to speak to a group of students regarding TCADP and our experience as family of the convicted men on death row. Sylvia will also be speaking at St. Anne's Catholic Church after every mass.

**San Antonio Chapter...** is planning a recruitment party, organized by current board members Roger Barnes and Rick Doucette, to be held in mid-Summer at Roger's home (date TBD). We're inviting many of the "usual suspects" that we know are against the death penalty and those who are already current or former TCADP members. Our goals are to, first, recruit as many as possible to become official, paying TCADP members. Secondly, we plan to talk about the kind of events we can hold and the groups we can engage in the San Antonio area that can promote abolition. Let us know if you would like to help or come on out.

**For more chapter activities and information,  
check out the TCADP website, [www.tcadp.org](http://www.tcadp.org)!**

### Austin

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(512) 258-6480  
austin@tcadp.org

### Beaumont

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beaumont@tcadp.org

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### Corpus Christi

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corpuschristi@tcadp.org

### Dallas/Ft. Worth

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(915) 872-8422  
elpaso@tcadp.org

### Houston

Nancy Bailey  
(281) 933-4925  
houston@tcadp.org

### Lubbock

Vince Gonzales  
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lubbock@tcadp.org

### San Antonio

Roger Barnes (210) 669-6107  
sanantonio@tcadp.org

### Rio Grande Valley—NEW!

Sylvia Garza  
riogrande@tcadp.org

### Victoria (Agape Chapter)

Sr. Elizabeth Riebschlaeger  
(361) 676-2921  
victoria@tcadp.org

## The Executioner, Black Hoods, and Lethal Injection

by Carol Tures

### The Handout for Passersby at El Paso Vigil, May 3, 2006

Sources: internet, California newspapers, Judge Fogel's opinion

Why does the executioner traditionally wear a black hood? In our culture, the person of the executioner is viewed with suspicion, and may even be despised. We have seen movies of hooded executioners at the chopping block centuries ago in England. In the days of the electric chair, the executioners were hidden from view in a room with electric switches. One was a "dummy" switch so that the executioners could each go home to their families after work and imagine that he was not the one who had actually killed someone. There was a variation for the firing squads: the prisoner was the one to wear the black hood and one of the guns had been loaded with blanks.

In Huntsville, where all Texas executions take place, the duties of executioner are shared by a "tie-down team." The team is usually made up of the same five individuals, they volunteer from among the prison staff, according to Carroll Pickett, "death house chaplain" for 13 years and accompanied 90 persons to the execution chamber. The idea is that it would be a smoother operation if the same group were to go through the trauma each time rather than spread it out.

There are curtains drawn

in front of the windows of two small rooms that look into the execution chamber. One room is for the family of the victim, the other for the family of the person to be executed. Other witnesses may be chosen as well. The curtains are not opened until the tie-down procedure has been completed and the person has been strapped down to the gurney and the IV's have been started in each arm. The persons who push the plungers to deliver the poison are concealed in a small room, with the very long, "jury-rigged" IV lines coming out of that room and over to the gurney and into the person's arms. The executioners are not identified in any way. In California no one is permitted in the room with the person being killed, to protect their identities. Instead, they stay in the former gas chamber that has been remodeled to hide them.

A wrinkle has developed in this "neat" system in California. A prisoner appealed to a federal district court with Judge Jeremy Fogel presiding, saying that the method of execution is cruel and unusual. After examining the government's write up of six of the last eight executions, Judge Fogel agreed that those prisoners showed signs that they might have been conscious. So on February 14, he temporarily stopped the execution of Michael Morales. Similar appeals

have been filed in other states.

What was cruel and unusual? And if we are going to kill a "bad" person, wouldn't painful be all right? Not exactly. We are not into torture, and California law does not allow "needless" pain and suffering. But isn't the lethal injection method calm and painless?

The argument is this: there is a three-drug "cocktail" that is used to kill in at least 25 states and just two drugs are used in 12 states. The process takes about 10 minutes. The first drug is a quick-acting, short-lived anesthetic, sodium thiopental. The second drug, pancuronium bromide, paralyzes the person's skeletal muscles but not the brain or nerves. If the first drug wore off or did not take effect, the person would feel a slow, extremely painful suffocation from the pancuronium bromide. The third, potassium chloride, stops the heart, excruciating if the person is still conscious. It is interesting that the word used by the media, "excruciating", comes from "to crucify."

The execution could be completed with a very large dose of the first drug alone; however, it would take 30-40 minutes and the families watching might see convulsive-type behavior, gasping, and evacuation of bladder and bowels by the person dying.



Members of El Pasoans Against the DP at the Courthouse Vigil.

A Tennessee judge, hearing a similar case, noted that the death is supposed to appear "serene" and "palatable" and pancuronium bromide is used for that purpose.

Carol Weihrer testified in the case of Abdur'Rahman that she underwent eye surgery with the first two drugs. When the first one quickly wore off and the second one took effect, she was in excruciating pain through the entire operation but was paralyzed and could not indicate this.

At the last session of the Texas Legislature, the second drug, pancuronium bromide was banned for use by veterinarians as inhumane. At least 21 state legislatures and the Veterinary Medicine Association have banned it.

Judge Fogel attempted to

Cont. pg 7

## The Executioner.... cont. from pg 6

remedy the California system by requiring that a person trained in anesthesia be in the execution chamber to check the effectiveness of the sodium thiopental throughout. Such persons could wear "appropriate clothing to protect their anonymity." (?)

Two anesthesiologists were hired to monitor the killing of Michael Morales, but they backed out the night before when they realized that if the sodium thiopental did not work, they would have to do something to either relieve the person's pain and save his life, or administer more lethal drugs to kill him. Physicians take an oath to "do no harm."

A second plan from Judge Fogel was for a medically trained person to be in the room and to administer one, large dose of the sodium thiopental with a syringe, and to stay there throughout. The long IV lines might be the cause of misdelivery of the drugs. No one on the prison staff, nurses or med techs, would volunteer, not even those who normally operate the IV tubes and plungers from a separate room. If they did, they would no longer be anonymous.

On May 2 and 3, Judge Fogel made further rulings. He spent hours doing interviews of executioners and staff at San Quentin

prison. He asked that the media be present, but the prison refused, saying that the executioners should be anonymous. A compromise was reached, in which two reporters went along, with the idea that they would later share information with the rest of the media. They were restrained by Judge Fogel from identifying any executioners.

Because we are Texans, we are all executioners. Shall we wear black hoods to protect our anonymity? Or shall we join the medical professionals and take an oath to "do no harm"?



## German Students Produce Documentary on the Death Penalty

German students, Jochen Cholin and Sebastian Mez, spent much of the month of March touring Texas while filming a documentary on the death penalty in America. They were accompanied by German abolitionist activist, Sertan Baykara.

The students interviewed many TCADP members in North Texas, Austin, San Antonio, Houston, and Huntsville, as well as many passersby on the streets. They contrasted abolitionist interviews with interviews with pro-death penalty individuals. While accompanying students attending Alternative Spring Break, the film makers spent time with a condemned prisoner and his family on the eve of his execution. They were able to capture on film and to report on the almost surreal horror of speaking with a healthy man, and then viewing his corpse in the funeral home a few hours later.

The students are producing the documentary for a college psychology project, but both Cholin and Mez have years of experience in the professional film industry. Baykara, who attended school in Corpus Christi, was the actual interviewer for the film trio. He visits America often to continue his abolitionist activism, and is a member of the German abolitionist organization, ALIVE. Cholin stated that even though he abhors crimes against children, he believes that everyone has the potential for rehabilitation. Mez, the youngest of the three, saw the film, "Dead Man Walking", when he was a youngster, and was appalled that a country with as much freedom as America could retain such a barbaric practice. He stated that prior to his first visit to New York, he was anxious—not that he would be mugged—but that he would be falsely accused, arrested, and put to death by the state.



Sebastian Mez, Sherry Coombes, Sertan Baykara, and Jochen Cholin.

## Vigils on Execution days – Statewide

**Huntsville**-Corner of 12th and Ave. I (in front of Walls Unit) at 5:15 p.m.

**Corpus Christi** -Sisters Of Incarnate Word Convent, 2930 Alameda, 6:00 pm

**Austin** -On Lavaca St. between 10th and 11th St. from 5:30 to 6:30 PM.

**Beaumont** - Diocese of Beaumont, Diocesan Pastoral Office, 703 Archie St. @ 4:00 p.m. on the day of an execution.

**College Station** - 5:30 to 6 PM, east of Texas A&M campus at the corner of Walton and Texas Ave.

**Dallas** - 5:30 pm, at the SMU Women's Center, 3116 Fondren Drive

**El Paso** - first Wednesday of every month, excluding summer, from noon to 1 p.m., in front of the El Paso County Courthouse.

**Houston** - In front of Unitarian Universalist Church, 5200 Fannin from 5:30 to 6:20 pm, period of silent meditation from 5:55 to 6:05.

**McKinney** - St. Gabriel the Archangel Catholic Community located at 110 St. Gabriel Way @ 6:00 p.m.

**San Antonio** - Archdiocese of San Antonio, in the St. Joseph Chapel at the Chancery, 2718 W. Woodlawn Ave. (1 mile east of Bandera Rd.) at 11:30 a.m. on the day of execution. Broadcast on Catholic Television of San Antonio (Time-Warner cable channel 15) at 12:30 p.m. and 6:30 p.m. on the day of execution.

**Spring** - Prayer Vigil at 6 PM at St Edward Catholic Community, 2601 Spring Stuebner Rd, Spring, TX 77389

## ALIVE e.V.—An Introduction

by Petra Herrmann

I got involved in the anti death penalty movement by accident. It was in 1998 when I read about a young man - Jimmy Dennis - claiming his innocence on a web-page on the internet. I got interested and wrote him, read his legal documents, visited him and his family. I started to believe in him and this was the beginning...

Two years later on August 28, 2000 - it was Jimmy's 30<sup>th</sup> birthday - I founded ALIVE e.V. - Coalition to Abolish the Death Penalty to help prisoners on death row and also to assist people on the outside who have befriended death row inmates.

ALIVE is a registered non-profit organization with headquarters in Germany. We are run by an elected board of three - Christel Stanke, Esther Grosse and me as chairwoman - and have over 200 members mainly in Germany and German speaking Europe. However we are open for people all over the world to join us.

ALIVE's work focuses on three main issues: First is the abolition of the death penalty worldwide. For this we create and sign petitions and speak out against the death penalty wherever and whenever we get a chance to do so.

Second is educational work. For this we have prepared various publications, organized events and go to schools and other places to speak about the death penalty.

The third and most time consuming part of our work is the direct support of prisoners under a death sentence. Our inmate care program called "Voices From Inside" offers several services to the inmates. Pen-friend-homepages on the internet, and a newsletter for the prisoners are only two examples of these services. It is important for us to encourage the inmates to get active. Therefore our policy is that we work with and not for the prisoner! We established an art contest in 2004. This year's contest is about "A Day on Death Row". We also help

the death row inmates to sell their artwork and have created a print-shop to help them publish their writings. Within the print-shop we create small booklets with their poetry or other writings.

Each of the more than 700 US death row prisoners who take part in our inmate care program receive a birthday and Christmas card.

If a prisoner is in need of special assistance for his/her case he/she can submit a request to become an official ALIVE campaign. Because our resources are very limited we can adopt only prisoners with blatant injustice in their case. The board members do research to get an insight in the cases and at the annual members meeting the members adopt new campaigns.

At the moment we are working on 10 campaigns. One is still pending and will be voted on at this year's annual meeting.

At the board members meeting last summer the

board decided to intensify campaign work and becoming more visible in the US. Following the board decision Christel Stanke went to Missouri to support one of our campaign prisoners - Marlin Gray - to his last day (October 2005). Esther Grosse and I went to Texas to attend the annual NCADP conference and to meet prisoners/attorneys of our campaigns and their family members.

We hope to be able to raise enough money to go on with this work and to come back to the US this fall.

We say Yes to punishment but strictly NO to the death penalty because every life is precious! Let's work together for a death penalty free world!

ALIVE e.V.

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gegen-  
todesstrafe.de

*ALIVE - Coalition to Abolish the Death Penalty e.V.*

[www.todesstrafe-usa.de](http://www.todesstrafe-usa.de)



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When you shop at Randalls or Tom Thumb, the company will donate 1% of your total bill to TCADP if you do the following:

- Get a Remarkable/Reward Card by filling out an application in the store.
- Activate the TCADP code number **9874** so that it is linked to the card. Both this step and step #1 can be done at the store's Courtesy Booth.
- Your grocery purchases will automatically deduct out 1% for TCADP. The total contributions are sent quarterly to the TCADP treasurer. **This is an easy way to help finance TCADP's many programs!**



## STARVIN' FOR JUSTICE 2006

### The 13th Annual Fast & Vigil to Abolish the Death Penalty @ the U.S. Supreme Court June 29th - July 2nd, 2006

On **June 29**, 1972, the U.S. Supreme Court ruled in *Furman v. Georgia* that the death penalty as it was then practiced was unconstitutional because it was random in its application. It was "arbitrary and capricious." The Court did not say that the death penalty was "cruel and unusual," and therefore a violation of the 8th amendment. So states were free to write new death penalty laws, and many states did so as quickly as possible. Florida was the first to write a new law, calling a special session of the legislature in November, 1972. Within a year Florida had its first death row prisoner. Other states wrote new laws, and by 1976, those new laws were being tested at the U.S. Supreme Court.

On **July 2**, 1976, the Court upheld the new laws with its decision in *Gregg v. Georgia*.

**REMEMBER June 29<sup>th</sup>.      REMEMBER July 2<sup>nd</sup>.**

### Visiting the Polunsky Unit

by Vicki McCuiston

One very early Friday morning I set out with Christina Lawson of Victims of Texas and we met up with Mary Felps, an Austin civil attorney to go inside the Polunsky Unit in Livingston Texas. We were there to assist Mary with legal issues she was addressing for several death row inmates. The rules and policies of the prison were an education. All money was to be converted into coins. No purses that were not clear. No open toed shoes. All paperwork must be on file for you to enter. Food that was purchased for the inmates we visited was to only be touched by the officers. It was the first week of the month, therefore Polaroid pictures could be purchased as well. We were in the prison from 9:00 am to 5:00 pm visiting with several death row inmates.

All of the men we visited were brought to a visiting cell in handcuffs, locked into the cell, and then bent over, sticking their hands through a low slot in the door so their handcuffs could be removed. All contact between visitor and inmate was via telephone and through glass. I was continually struck by the inhumanity of the arrangement as the men bent over to be cuffed before removal from the locked cell for a restroom break

I was deeply impressed by the three men I visited. Two of the three are on death row for Law of Parties cases - they did not actually kill anyone but had driven the car to the locations where crimes were then committed. We are waiting to execute and have executed inmates who have not killed anyone. Their great concern for the treatment of the mentally ill on death row was also quite compelling. Here they were spending years on death row, possibly facing the end of their appeals, and yet they were begging for help for the mentally ill, men who they say are continually mistreated, starved, and not cared for properly. They reported to me cases such as that of a mentally ill inmate banging his head against the wall until he knocked himself out, men who no longer talk, and a man who covers himself in feces and has been left without food since he no longer cleans himself.

One of the inmates I visited humbled me when he prayed for me.

That day I did not visit with the worst of the worst or any who would greatly diminish our society. That is not to say the men at Polunsky may not be guilty of crimes, but our death row is also made up of many who have grown up and matured on the row, found a spiritual faith on the row, educated themselves, have realized their wrongs, were poorly represented, have been mistreated by their families, and in some cases have been wrongly convicted.

How can we throw away these souls who express concern for others and who are even praying for us?

### Tentative Schedule for Texas Fast and Vigil

#### Austin

**Saturday - July 1st**

**Sunday - July 2nd**

**8:00 am to 10:00 pm**

**@ the State Capitol**

**Speakers, Music, Film**

**To register:**

[http://texasabolition.org/  
fastandvigil/](http://texasabolition.org/fastandvigil/)

#### San Antonio

**WAITING ON INFO!**

.....

**Tina Lawson of Victims of Texas will be speaking on the steps of the US Supreme Court during the 13th Annual Fast and Vigil on behalf of murder victim family members, and families of the executed!**

### Letter to Editor - Wimberley View

Published March 18, 2006

### YOUTH AGAINST CAPITAL PUNISHMENT

Please, please, please publish this letter because it will let everyone know the Texas government should stop capital punishment. Texas government should give people a second chance before they get executed. Doesn't anyone know parents tell their children "If someone does something bad to you, you shouldn't do anything bad to them? Don't execute people. It's very, very, very bad.

**Audrey & Colin, 8 yr old cousins**

Audrey first became interested in abolishing the death penalty in the spring when she saw a newscast about an execution. Typically she doesn't watch the news, and her family has never discussed this issue. She was appalled that TX kills people. She's now interested in the Federal court system and wants to know who's in charge. She is also trying to organize her elementary school in North Texas.

## Sunset Review of Criminal Justice in Texas!

The Texas Department of Criminal Justice, The Board of Pardons and Paroles, and the Correctional Managed Health Care Committee are currently under Sunset Review. The SUNSET PROCESS is guided by a 12-member body of legislators and public members appointed by the Lieutenant Governor and the Speaker of the House of Representatives. Assisting the Commission is a staff whose reports provide an assessment of an agency's programs, giving the Legislature the information needed to draw conclusions about the agencies under review. Public Testimony will be received November 14th and 15th, 2006 for these three agencies.

TCADP has been working with multiple organizations (TIFA, TX Cure, Texas Civil Rights Project, and several other sign on

groups) concerned about prison and death row conditions to compile a strong report for this review.

The TDCJ offender and employee grievance procedure is of great concern and will be strongly addressed, along with our concern for the mentally ill in Texas prisons, and the workings of the Board of Pardons and Parole.

It is also very important for concerned voters (YOU!) to contact the Senators and State Reps who serve on this Sunset Review and voice your concerns, particularly if you are in their district! The full report that we submit will be posted upon completion on the TCADP website for your review. If you have any questions for clarification on the issues please contact the Austin office, 512 441-1808, or info@tcadp.org.

Senate Members		Sunset Review Committee Members! Please call and write letters expressing your concern about :  death row conditions,  grievance procedures for inmates & employees of TDCJ,  care for the mentally ill,  the clemency process.  This process only occurs every 7 years, let's take advantage of it now!	House Members	
<b>Kim Brimer</b>			<b>Vicki Truitt</b>	
Chair <b>Fort Worth</b> 2005 - 2009				Vice Chair <b>Keller</b> 2003 - 2007
<b>Robert F. Deuell, M.D.</b>			<b>Byron Cook</b>	
<b>Greenville</b> 2005 - 2009				<b>Corsicana</b> 2005 - 2007
<b>Craig Estes</b>			<b>Dan Flynn</b>	
<b>Wichita Falls</b> 2005 - 2009				<b>Van</b> 2005 - 2009
<b>Eliot Shapleigh</b>			<b>Lois Kolkhorst</b>	
<b>El Paso</b> 2003 - 2007				<b>Brenham</b> 2005 - 2009
<b>John Whitmire</b>			<b>Ruth Jones McClendon</b>	
<b>Houston</b> 2003 - 2007				<b>San Antonio</b> 2005 - 2009
<b>Howard Wolf</b>			<b>Ike Sugg</b>	
<b>Austin</b> Public Member		N/A	<b>San Angelo</b> Public Member	



### Texas Coalition to Abolish the Death Penalty

602 W. 7th Street, Suite 202  
Austin, TX 78701  
(512) 441-1808

Annual Donation: \$30

Annual Joint/Organization Donation: \$50

Annual Sustaining Donation: \$100

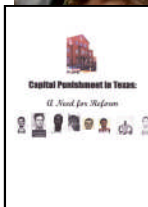
Business Level Donation: \$250

Mail name, address, and phone number with annual donation to Austin office to receive quarterly newsletters. All donations are tax-deductible, Thank you!

Newsletter Editor: Vicki McCuiston,  
info@tcadp.org, www.tcadp.org

## TCADP Intern Finishes Report!

Emily Kozora, finishing up her junior year at St. Edward's University in Austin, Texas, has completed writing a report about the discrepancies of the capital punishment system in Texas. Her research will be presented to Texas legislators in the Fall in the hope of educating others why the death penalty is a significant problem in our state. Emily will also be presenting the report at a Social Science Conference in Corpus Christi next school year, 2006-2007. Emily is set to graduate in May 2007 with a degree in Sociology and English Writing and has plans to go on to graduate school immediately thereafter. TCADP thanks Emily for her hard work and determination and wishes her well in her future.



## Letter from the Executive Committee of TCADP...

Are you feeling optimistic about the current state of the death penalty debate in Texas? We are. Working together with abolitionists and concerned citizens like you across the state and nation, and, indeed, around the globe, we have made a big impact in the recent past. Juveniles and the mentally retarded are no longer eligible for death sentences in America. Life without parole has been passed into law by the Texas legislature. And, the current extensive and supportive press coverage of egregious errors in the capital punishment system, as a whole, has been unprecedented.

It is imperative that we build on the momentum created by these successes and transform our hopes into further action! Our goals for the 2007 legislative sessions include efforts to challenge the death penalty on numerous fronts. We want: 1) To continue to urge the powers-that-be to impose a moratorium on executions in Texas until a study can be undertaken to extensively examine the problems in the system, 2) To introduce a bill to abolish the death penalty altogether in Texas, 3) To definitely define mental retardation, so that individuals in that category will be removed from death row, 4) To support legislation or judicial rulings to remove the mentally ill from death row and from future death sentences, 5) To support research and education in death penalty issues, and 6) To further our coalition building efforts with local and state organizations.

PLEASE MAKE AS GENEROUS A DONATION AS POSSIBLE TODAY!

In addition to a financial contribution, there are other important ways in which you can help:

- Urge friends and family members to sign moratorium/abolition petitions.
- Contact the TCADP chapter in your local area and volunteer your time to help with important efforts.
- Attend the next TCADP meeting in your area, and get involved!
- Become a pen pal with a death row inmate.

Thank you for supporting the statewide efforts of the Texas Coalition to Abolish the Death Penalty!

Sincerely,

Jim Coombes, President	Sherry Coombes, Treasurer
Curt Crum , Vice-President	Sister Elizabeth Riebschlaeger, Secretary
Rick Halperin, Past-President	Nancy Bailey, At Large
Dave Atwood, Founder	Rich Woodward, At Large

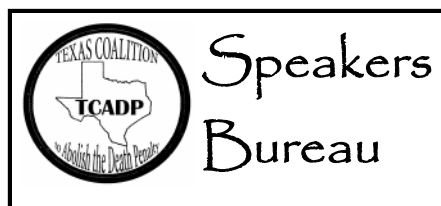
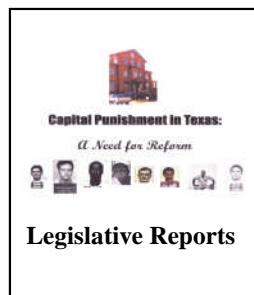
Yes, I want to keep up the momentum against the death penalty in Texas!

I want to donate \_\_\_\_\_\$75, \_\_\_\_\_\$100, \_\_\_\_\_\$250, \_\_\_\_\_\$500, \_\_\_\_\_ \$1000...

Wow! Thank you!

Your Funds help support...

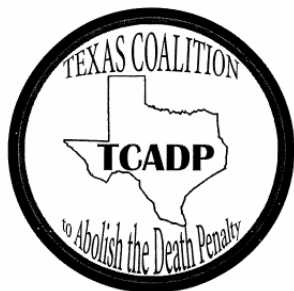
- Outreach
- Education
- Special Projects
- And More!



**TEXAS COALITION TO ABOLISH THE DEATH PENALTY**

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**Artists Response to the Death Penalty Great Success!**



The Texas Moratorium Network sponsored an artists response to the death penalty art exhibit at Austin's Lombardi Gallery from May 9 through May 23. Chosen from hundreds of entries from around the world, the juried show was pared to a chilling and profound one room grouping of paintings, item visuals, videos, and audios.

From the large canvas, "The End", by J. Hilmer, to the almost bizarre "Ms. Pickles 3<sup>rd</sup> Grade Class Presents the Death Penalty Movie" DVD by Stephanie Saint Sanchez, to the surreal "Last Supper Trading Cards" by Annie Fildmeier, the horror of capital punishment was portrayed to the viewer in a visceral panorama. The exhibit was visited by large numbers of people, many of whom left writ-

ten records of the effect the works had on them. Visitors to the show were also allowed to experience the real perspective/intent of the artists via a recorded message available by calling numbers from your cell phone.

**Consider bringing this art show to your town or area! Have interested galleries contact Scott Cobb of the Texas Moratorium Network, [scottcobb99@gmail.com](mailto:scottcobb99@gmail.com) or Gallery Lombardi 512 481-1088 for more information.**

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# JOIN TCADP TODAY!

Fill in the Information Below and Mail with Donation (see pg 10-11) to: TCADP 602 West 7th Street, Suite 202, Austin, TX 78701

Name: \_\_\_\_\_ Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Address: \_\_\_\_\_ Send me a \_\_\_\_\_ print newsletter and/or an \_\_\_\_\_ email newsletter

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