



# **I want to end the death penalty. What should I do?**

*A toolkit for activists*

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**Justice Without Vengeance  
End the Death Penalty in Nebraska Now!**

January 1, 2008

Dear Concerned Nebraskan,

When New Jersey abolished the death penalty in that state in December it was the most powerful of many recent examples of how the tide is turning in this country against capital punishment.

This is certainly true in Nebraska. In the 2007 session of our state legislature a bill (LB 476) to repeal the death penalty failed to advance by one vote.

A March-April 2007 poll found that a majority of Nebraskans, 51 percent, supports repeal of the death penalty and replacing it with life imprisonment, while just 41 percent opposed such a plan.

With this wind in our sails we can learn some important lessons from the success in New Jersey on how to end this relic from the past.

Like in Nebraska, abolitionists in New Jersey worked for years to get to this point. What began as an all-volunteer effort with money raised from bake sales grew into a statewide effort with a full-time staff and paid lobbyists. Along the way a rag-tag but determined handful of activists grew into a well-organized and influential force.

Powerful voices on this issue were given a prominent place. These included prosecutors, police officers and murder victim's family members. The involvement of clergy was an important part of their success. The approach was kept always non-partisan and respectful of those who disagreed, with an emphasis on winning hearts and minds, not scoring points or venting.

There was a focus on regular constituent contact with state legislators because these lawmakers are the ones who have the power to vote to end the death penalty. A clear, consistent message that the death penalty was a failed policy was conveyed at every opportunity – in the media, civic group luncheons, coffeehouse gatherings, congregational forums, high school and college classes, street festivals, house parties, libraries and meeting halls.

This is the sort of effective grassroots activism we are carrying out here in Nebraska. This is a time when what each of us does can make a decisive difference. In that spirit we have created this Activist Toolkit. Many thanks to Amnesty International for some of the material used to produce this handbook! We hope it helps concerned people like yourself have the tools you need to educate, advocate and organize.

Together we will make this happen.

In solidarity,

Amy Miller  
Chair, Nebraskans Against the Death Penalty

## **What should you do? Start by writing your state senator.**

Grand Island state Sen. Ray Aguilar, who was one of a number of pro-death penalty state senators who changed their minds during last year's legislative debate, told the Associated Press in December that the 2008 session might be "the best chance Nebraska would have to repeal" the death penalty.

**Let your state senator know you would like 2008 to be the year Nebraska ends the death penalty. Write a brief, polite, thoughtful, heartfelt letter stating your support for repeal of the death penalty. Consider setting up a time for a fact-to-face conversation.**

*How to contact your senator if you know who she or he is:*

### **Mailing Addresses For Senators:**

Senator (fill in name, and, if you know it, the District #), State Capitol, P.O. Box 94604, Lincoln, NE 68509-4604

### **By Phone:**

Call the Capitol Operator, 402/471-2311, and ask for your senator's office

### **By Email:**

The email for all Senators, except Senator Chambers who has no public email, is the first letter of their first name, followed by the complete spelling of their last name and @leg.ne.gov. For example: the email for Senator Bill Avery is: bavery@leg.ne.gov.

*What to do if you don't know your state senator's name:*

The Project Vote Smart website has that information at [www.votesmart.org](http://www.votesmart.org)

Or go to [nebraskalegislature.gov](http://nebraskalegislature.gov), click on the link on the top, "Senators," and go to the link on the left-hand side "Find Your Senator."

Hand written letters are particularly effective. Be brief and respectful. Find common ground even if you disagree. (Such as, "We're both concerned about finding effective solutions to the over 16,000 murders in this country each year."). Tell them what makes this important to you personally. Make sure your point is clear. In a few lines, thank your senator for taking the death penalty seriously, and express your support for ending the death penalty in Nebraska.

Senators are particularly influenced by their own constituents, people they personally know, other community leaders and those they have something in common with (membership in the same church, civic club, occupation, etc.) Mention your connection if you have one.

**Now that you've written, the next step is to convince others to write as well!**

## Write a letter to the editor or opinion page column

Below is an example of how a couple of the facts from those provided in this toolkit were turned into a letter to the editor that was printed in the Lincoln Journal Star. (They make good messages to send to your state senators, as well.) All you have to do is pick a fact you want to educate the public on, rewrite it in your own words and add a personal angle to it. You're most likely to influence if you keep it short and positive. Typically this means 150-250 words. (Be sure to include your address and phone number. This personal information won't be published in the newspaper. It's just so the newspaper can verify the letter's authenticity.)

Dear editor:

As a taxpayer I am concerned that our state government uses its revenue in the most effective way. That's why I was heartened to read that the New Jersey legislature voted in December to end the death penalty in their state.

The New Jersey vote came after a thorough review of the use of the death penalty. Their Death Penalty Study Commission included representatives of law enforcement, prosecutors, and victims' family members. They found the death penalty to be a failed policy that is exorbitantly expensive. Not only is it costly but despite countless reform efforts the use of the death penalty remains arbitrary, full of errors, hard on murder victims' families and fails to deter those who would commit this horrific crime.

I'm pleased to read that the Nebraska legislature will be considering following New Jersey's example. The money spent on pursuing death sentences would better be used for tax relief or supporting victims' services and effective crime prevention measures.

Mark Weddleton  
835 Garfield Street, Lincoln, NE 68502  
402-499-6672

If you have more to say, contact the opinion page editor to see if they'll run a guest column from you. These should usually be no longer than 650-700 words. See the example in this packet of the column Lori Jensen got published in the *North Platte Telegraph*.

The following website has links to on-line editions of many Nebraska newspapers if you want to find out guidelines for submitting a letter to the editor to the one in your hometown: [www.shgresources.com/ne/newspapers](http://www.shgresources.com/ne/newspapers) . Here's where to send your letters to some papers:

Omaha World Herald [pulse@owh.com](mailto:pulse@owh.com)  
Lincoln Journal Star [oped@journalstar.com](mailto:oped@journalstar.com)  
Grand Island Independent [www.theindependent.com/aboutus/letters.shtml](http://www.theindependent.com/aboutus/letters.shtml)  
Kearney Hub [www.kearneyhub.com](http://www.kearneyhub.com)  
North Platte Telegraph [www.nptelegraph.com](http://www.nptelegraph.com)  
Norfolk Daily News [feedback@norfolkdailynews.com](mailto:feedback@norfolkdailynews.com)  
Fremont Tribune [tribnews@ftrib.com](mailto:tribnews@ftrib.com)  
Columbus Telegram [jdean@columbustelegram.com](mailto:jdean@columbustelegram.com)  
McCook Daily Gazette [editor@mccookgazette.com](mailto:editor@mccookgazette.com)  
Scottsbluff Star Herald [steve.frederick@starherald.com](mailto:steve.frederick@starherald.com)  
Hastings Tribune [tribune@hastingstribune.com](mailto:tribune@hastingstribune.com)  
The Reader [letters@thereader.com](mailto:letters@thereader.com)  
Southwest Nebraska News [GM@swnebr.net](mailto:GM@swnebr.net)  
The Chadron Record [george.ledbetter@lee.net](mailto:george.ledbetter@lee.net)

## Organize “Community Conversations on the Death Penalty”

Local organizing committees have sprouted up throughout the state to organize respectful community conversations on the death penalty. They also have taken on themselves to reach out to new people to encourage a steady, thoughtful flow of letters and calls to senators. You don't have to do it alone! Nebraskans Against the Death Penalty can connect you with other concerned people in your area.

Here are some of the things done by local groups: Omaha activists organized a holiday legislator letter writing party which also collected gifts for children of inmates. In North Platte constituent contact led to state Senator Hansen setting up a Town Hall meeting on the death penalty. In Chadron a member of the Rotary Club arranged for an NADP speaker at one of their luncheons. In Hastings supporters set up a table on campus and distributed the NADP brochure that is part of this resource packet. The local group in Grand Island invited someone who has been touched by the tragedy of murder to speak on “One Family’s Path to Forgiveness” and set up showings of Sr. Helen Prejean’s DVD exploring the death penalty. Scottsbluff abolitionists are organizing a book discussion on John Grisham’s *The Innocent Man*. Lincolmites approached the NAACP chapter to encourage their involvement.

One-on-one contact with people you know is very effective. Talk to your family members and canvas your workplace, neighborhood or dorm. Everywhere you go, ask people to write their state senator. (Hint: It helps to provide stationary, addresses and stamps right on the spot!)

NADP would like to help. Contact Richard Hargesheimer (402.477.7596, [rshargy@neb.rr.com](mailto:rshargy@neb.rr.com)) or Mark Weddleton (402.499.6672, [mweddleton@gmail.com](mailto:mweddleton@gmail.com))

## Involve Communities of Faith

Communities of faith were vital to the successful effort to end the death penalty in New Jersey. Whether it's educating their members on their denomination's teachings on the death penalty or organizing congregants to send letters in support of repeal to their state senators, communities of faith are an increasingly active part of this movement in Nebraska, as well.

The overwhelming majority of denominations oppose the death penalty. For the official positions of many go to: [www.deathpenaltyinfo.org/article.php?did=2249](http://www.deathpenaltyinfo.org/article.php?did=2249) .

Some examples include the Evangelical Lutheran Church in America (ELCA), which states that “Lutheran Christians have called for an assault on the root causes of violent crime, an assault for which executions are no substitute.”

The U.S. Conference of Catholic Bishops says “our society has adequate alternative means today to protect society from violent crime without resorting to capital punishment.”

The United Methodist Church states that “the death penalty denies the power of Christ to redeem, restore and transform all human beings.”

We've included an excellent brochure from the Mennonites. For help engaging your faith in the movement to secure justice without vengeance, contact Nebraskans Against the Death Penalty's Faith Based Coordinator, Roger Furrer, 402.788.2778, [roger@ludditesonline.com](mailto:roger@ludditesonline.com).

## How to Create a Supportive Space for Discussion

Open discussion is one of the best ways to change minds on this issue. That's why local groups have put a focus on organizing open "Community Conversations on the Death Penalty." Giving people a chance to express their viewpoints on this emotional and volatile topic in a respectful environment opens them to hearing what others have to say, leading to greater understanding.

Here are some suggestions for creating a supportive space in which all can feel at ease in expressing their opinions for a productive discussion:

- Spend time preparing yourself for the role of discussion facilitator. This means planning an agenda, considering possible time limits, preparing thoughtful questions, etc.
- Begin the session by welcoming all participants and explaining the intention of the discussion. Review the agenda, agree on time limits, and explain the following ground rules for considerate interaction:
  - Speak from your own experience.
  - Actively listen to other participants and consider what they are communicating.
  - Do not interrupt anyone or personally attack those who offer differing opinions.
- Allow those participating in the discussion to introduce themselves. You might suggest a creative icebreaker so that people can get to know each other before becoming involved in a heated discussion. This personal contact will help humanize the discourse.
- Be prepared to initiate the discussion and to keep it flowing. One tactic is to read from books, articles, and letters to the editor, quotes from well-known people, or other statements that raise different points of view, in order to elicit responses from the group.
- Include as many of the participants as possible. Each participant must feel that she or he has been given an opportunity to present his or her views. Work toward balancing the various viewpoints, allowing as many perspectives as time allows to be heard.
- Focus on facilitating the discussion, not offering your own viewpoint. There should be other people present who can raise concerns similar to yours.
- In facilitating the discussion, highlight common ground you see emerging.
- Use "How to Address the Tough Points" as a starting point. You can also download and distribute Amnesty International's fact sheets: [www.amnestyusa.org/abolish/factsheets](http://www.amnestyusa.org/abolish/factsheets) .

Here are a few potential discussion-starters:

- Do you have relatives or friends who have been the victims of violent crime? How do those experiences shape your views toward crime and, specifically, the death penalty?
- What has been your personal experience with the criminal justice system?
- Could you vote to sentence someone to death if you served on a jury? Why or why not?
- If you had to summarize your general feelings on the death penalty, what would you say?
- How long have you held your current views on the death penalty? Have your views changed at all over time?
- To what extent have you followed executions that have taken place in your state?
- In what circumstances, if any, do you feel the death penalty is an appropriate sentence?
- What has shaped your opinions on the death penalty? Your religious background? Family and friends? The media? Other sources?
- What to you is the most important and persuasive argument to support your position?
- Have you ever wavered in your position on the death penalty? What prompted that?
- Are there alternatives you believe would promote both public safety and respect for life?
- How can society help victims of crime heal from the tragedy they have experienced?
- What things could we do to reduce the over 16,000 murders in the U.S. each year?

## How to Address the Tough Points

Because it's such an emotional issue, talking about the death penalty can be challenging. Remember that though you may not convince someone in your first discussion you are planting the seeds that lead to changed perspectives. A respectful approach accepting disagreements can open minds to hearing facts that dispel common death penalty myths.

When leading a discussion on this issue, try to encourage participation at every step and be sure to give voice to pro-death penalty arguments. As St. Francis suggests, "we seek first to understand, then to be understood."

By reinforcing the values of death penalty supporters while at the same time dispelling the myths that might misinform their views, it is possible to give those who favor the death penalty a chance to change their minds without changing their value systems. For example, providing information about the arbitrariness and discriminatory nature of the capital sentencing process may allow death penalty supporters to change their views about the death penalty while still allowing them to uphold their commitment to justice.

### Pro-Death Penalty Assertions and Refutations

*Assertion: "The death penalty is necessary to 'get tough on crime.' It is an effective deterrent to violent crime such as rape and murder."*

*Refutation:* The death penalty cannot be justified as a necessary public safety measure because it has not been proven to reduce crime. Reasonable people might be deterred from committing a crime by considering execution as a consequence, but people who commit murder are rarely thinking rationally at the time of the crime. Most research on the death penalty demonstrates that the possibility of being sentenced to death does not deter criminals from committing either calculated or spontaneous crimes. Lincoln police officer Capt. Jim Davidsaver told a November interfaith witness against the death penalty that most Lincoln police officers would agree. "The sworn mission of a police officer is to protect and serve. In my experience with violent criminals, including murderers, the death penalty doesn't advance that mission because it doesn't deter violent crime," he said.

Furthermore, states that maintain the death penalty traditionally have higher murder rates than states that do not, according to homicide data from the 2003 FBI Uniform Crime Rates Data. A September 2000 New York Times survey found that during the last 20 years, the homicide rate in states with the death penalty has been 48 to 101% higher than the rate in states without the death penalty. The survey concluded that states without the death penalty have lower homicide rates than states with the death penalty. The Times reports that ten of the twelve states without the death penalty have homicide rates below the national average, whereas half of the states with the death penalty have homicide rates above.

Also, nations such as Canada that have abolished the death penalty have since experienced a decline in violent crime. Use of the death penalty, therefore, is actually detrimental to the search for real solutions to violent crime because it offers a false sense of safety. It could also be argued that the death penalty increases the level of brutality in society, furthering the cycle of violence.

*Assertion: "The death penalty is demanded by and carried out in the name of the victims' families."*

*Refutation:* Punishment for a crime cannot be decided on the basis of the wishes of the victim's family. If this were the situation, all sentencing would be completely arbitrary, reflecting differing ideas about justice from case to case. A justice system, ideally, should mete out consistent penalties for criminal acts. It is only natural to feel angry and frustrated about the loss of innocent life through the violent act of murder. We fail as a society, however, if all we can offer to those hurt by violent acts is more violence and death, rather than mercy and healing.

It is also important to remember that not all victims speak with the same voice. Many victims' families in New Jersey spoke out against the death penalty. Organizations such as Murder Victims' Families for Reconciliation, the Journey of Hope...From Violence to Healing, and Murder Victims' Families for Human Rights argue that executions only perpetuate the violence that victimized their loved ones and draw attention and resources away from victims' families. You can read Miriam Kelle's story later in this toolkit.

In addition, the death penalty itself creates more victims - the family members of the person who has been executed - and can take a terrible toll on the prison officials charged with carrying out executions.

*Assertion: "We need to execute people who commit the most heinous crimes, such as Jeffrey Dahmer and Timothy McVeigh."*

*Refutation:* Death penalty supporters will often point to the most heinous cases they can think of, in the hope of appealing to people's sense of retribution. Despite the claim that the death penalty is reserved for the "worst of the worst," history clearly demonstrates that this is simply not true. In recent years, both the BTK serial killer in Kansas and Gary Ridgeway, the Washington state man who confessed to committing 48 murders over a 20-year period, received life sentences for their crimes.

When people claim that the death penalty is just, and that some people deserve punishment by death, they make assumptions about the fairness of the death penalty. Approximately two percent of those eligible for the death penalty actually receive death sentences in the United States, and far less than one percent are later executed.

Although we might assume that gravity of the crime and culpability are the main factors that determine who is executed, the facts indicate otherwise. Local politics, the quality of legal counsel, the location of the crime, plea bargaining, and pure chance affect the process by which people are sentenced to death in this country. Offenders who commit similar crimes under similar circumstances often receive vastly different sentences. The race of both the offender and victim, as well as social and economic status, play a large part in deciding who lives and who dies.

*Assertion: "I don't want my tax dollars to go toward incarcerating convicted murderers."*

*Refutation:* The costs associated with the death penalty are substantially higher than those associated with life imprisonment. The greatest costs of the death penalty are incurred prior to and during trial, not in post-conviction proceedings (appeals). Even if all appeals were

abolished, the death penalty system would still be more expensive than alternative sentences. In the United States, it costs two to six times as much to execute a person than to imprison someone for life. Many states could save millions of dollars per year if they abolished the death penalty. Some states expend so many resources promoting and using the death penalty that they must cut funding to law enforcement officers and for effective crime prevention programs.

*Assertion: "The American justice system is the best in the world and offers proper safeguards against mistakes."*

*Refutation:* Most Americans trust our country's justice system, but the fact that mistakes are made should lead many to question the "justice" involved in seeking the death penalty. No matter how good our justice system is, it is based on human reason and judgment and is subject to error. Therefore, the specter of mistake will always exist, as will the possibility of executing an innocent person. Jailhouse or "snitch" false testimony, mistaken eyewitness identification, misinterpretation of evidence, incompetent legal representation, unreliable expert testimony, and community prejudices and pressures all too often impact the verdict and sentencing.

Since 1977 there have been 126 people released from death row due to credible evidence of their wrongful conviction. Many of these exonerations resulted from the tireless work of journalism students, lawyers, and activists – not the justice system.

Some of these exonerations have been made possible by advances in DNA testing, but the death penalty cannot be perfected by DNA evidence. DNA evidence played a substantial role in establishing innocence in just 14 cases. According to the Innocence Project, "DNA testing is a powerful tool for catching and correcting these mistakes, but it not a panacea for what ails the criminal justice system. Its scope is limited to the few individual cases in which biological evidence is available, can be tested, and is connected to the crime. Even in those cases, the biological evidence is often reported lost or destroyed, or is too degraded to get a conclusive result." Serious mistakes have been made by forensic laboratories in their testing processes. DNA testing is only as good as the knowledge base and skills of those using it.

## **How the legislative process works in Nebraska**

The session of the Nebraska state legislature opens on January 9<sup>th</sup>, 2008 and closes in mid-April. Before a bill becomes law it must go through three rounds of voting. There are 49 senators so the majority needed to pass a bill is 25. The governor may then veto the bill. It takes the votes of 30 state senators to over-ride such a veto. So in addition to contacting your state senator you might let the governor know you want him to support an end to the death penalty. You can reach him at:

Governor Dave Heineman  
P.O. Box 94848  
Lincoln, NE 68509-4848  
Phone: 402-471-2244

Or send him an e-mail on-line at [www.governor.nebraska.gov/mail/govmail.html](http://www.governor.nebraska.gov/mail/govmail.html)

## Nebraska Death Penalty Facts

Nebraska's death penalty is unfair, ineffective, costly, and painful for many murder victim family members. Most Nebraskans support alternatives to the death penalty.

### Nebraska's Death Penalty is Unfair

- Who gets life and who gets death in Nebraska "approximates the outcome of a coin toss," and depends more on geography, class, race, and the discretion of prosecutors and courts than on the heinousness of the crime.
- Of more than 1,800 murders in Nebraska between 1977 and 2007, some 31 resulted in a death sentence being imposed. Of those, 13 were commuted to life in prison or a set number of years, 4 death row inmates died in prison, 1 was freed, 3 were executed, and 10 remain on death row.
- In Nebraska, the author of a major death penalty study said, "minorities are more likely to have their [capital] cases advance to a [death] penalty trial and less likely to have a plea bargain than are whites."
- In Nebraska, defendants in death penalty cases whose victims were wealthy were 5.6 times more likely to be sentenced to death than those whose victims were poor.

### Nebraska's Death Penalty is Ineffective

- In Nebraska and elsewhere, major studies have uncovered an overall rate of error in the death penalty industry of 68%. That is, courts, here and elsewhere, have found serious, reversible error in nearly 7 of every 10 of the thousands of death sentences rendered in the past 30 years.
- The murder rate in death penalty states is 50% to over 100% higher than in non-death penalty states.
- Nationally, the length of time between sentencing and execution is 12 years. In Nebraska, it is 15.5 years.

### Nebraska's Death Penalty is Costly

- In Nebraska, with few actual executions, the death penalty is just another name for life-without-parole, only much more expensive because the commutations and re-sentencings take place after the high costs of death penalty trials.
- One recent death penalty sentencing trial cost nearly \$1 million in defense and prosecution expenses *even though the defendant had pled guilty*.

### Many Nebraska Victims' Family Members Oppose the Death Penalty

- Death penalty cases bring special pain to victims' relatives. Their grief and sense of loss is never-ending. However, many do not find that killing is healing, and they support life in prison without parole as an alternative to death.
- In Nebraska in 2001, when the prosecutor sought to re-sentence Randy Reeves to death, the husband of one of Reeves' two victims said: "There has been enough killing in this case. I don't think another one will add any closure or reconciliation for anybody along the line." The mother of the other victim agreed: "It will bring grief to our whole family if he [Reeves] dies."

### Nebraskans Favor Alternatives to the Death Penalty

- A 2007 poll found that 51% of Nebraskans support life in prison without parole as an alternative to the death penalty compared to 41% who oppose such a policy.

## Nashville 2001 Delegate Actions Congregational Follow-Up Resources for

# Death Penalty Resolution



### Biblical Background

#### What Bible passages help us understand the death penalty?

- A. A list of eighteen offenses, punishable by death, can be found in the Old Testament. A few examples (NRSV):
- **Exodus 35:2**—“On the seventh day you shall have a holy Sabbath of solemn rest to the Lord; whoever does any work on it shall be put to death.”
  - **Leviticus 20:10**—“If a man commits adultery with the wife of his neighbor, both the adulterer and the adulteress shall be put to death.”
  - **Leviticus 24:16**—“One who blasphemes the name of the Lord shall be put to death; the whole congregation shall stone the blasphemer.”
  - **Leviticus 24:21**—“One who kills a human being shall be put to death.”
  - **Deuteronomy 21:18-21**—“If someone has a stubborn and rebellious son who will not obey his father and mother. . . Then all the men of the town shall stone him to death.”
- B. The following passages are often used in support of the death penalty:
- **Genesis 9:6**—“Whoever sheds the blood of a human, by a human shall that person’s blood be shed; for in his own image God made humankind.”
  - **Leviticus 24:21**—“One who kills a human being shall be put to death.”
  - **Romans 13:4**—“But if you do what is wrong, you should be afraid, for the authority does not bear the sword in vain! It is the servant of God to execute wrath on the wrongdoer.”
- C. These passages encourage compassion and reject the death penalty:
- **Genesis 4:8, 13-15** is the story of Cain killing his brother Abel and God’s compassion on Cain.
  - **Leviticus 19:18**—“You shall not take vengeance or bear a grudge against any of your people, but you shall love your neighbor as yourself: I am the Lord.”
  - **Ezekiel 33:11**—“Say to them, as I live, says the Lord God, I have no pleasure in the death of the wicked, but that the wicked turn from their ways and live.”
  - **Romans 12:19**—“Beloved, never avenge yourselves, but leave room for the wrath of God; for it is written,

Dear Pastor,

At Nashville 2001, delegates requested, wrote, and passed a resolution opposing the death penalty. In response, Mennonite Church USA has created this resource to help your congregation study this issue and take steps to act on our conviction that killing another human being for any reason is wrong.

Mennonites have led the way in helping our nation and others think about restorative justice—helping to bring restored relationships between perpetrators and victims and their families. Restoring relationships is not “easy” on crime, but it does help us focus on justice rather than vengeance. A death for a death cannot bring life.

You will find additional resources on the death penalty on the Peace and Justice Support Network web site. Simply go to [www.MennoniteUSA.org](http://www.MennoniteUSA.org) and click on “peace resources.” You’ll also find resources to help your congregation respond to the Nashville 2001 delegate resolutions on Vieques and Colombia.

Please send me your comments ([ronb@MennoniteUSA.org](mailto:ronb@MennoniteUSA.org)) on the usefulness of this resource and your stories about how your congregation is becoming an instrument of Christ’s peace.

Sincerely,

**J. RON BYLER**, Associate Executive Director  
Mennonite Church USA Executive Board

- “Vengeance is mine, I will repay, says the Lord.”
- **1 Thessalonians 5:15**—“See that none of you repays evil for evil, but always seek to do good to one another and to all.”
  - **1 Peter 3:9**—“Do not repay evil for evil or abuse for abuse; but, on the contrary, repay with a blessing. It is for this that you were called—that you might inherit a blessing.”

## A Resolution: The Death Penalty

In view of our Christian responsibility to value all human life we are compelled to set forth our opposition to all capital punishment.

### Whereas

- The General Conference Mennonite Church called for “federal and state governments...to discontinue the use of the death penalty” at Estes Park, Colo., July 16, 1965;
- The Mennonite Church called for “federal and state governments...to discontinue the use of the death penalty” at Kidron, Ohio, August 1965;
- The criminal justice system has sent innocent people to death row, and the death penalty is applied in a racially-discriminatory fashion, and disproportionately to some of society’s most vulnerable people; and
- We acknowledge the deep grief of families of murder victims and victims of capital punishment laws; hold them in our prayers; and commit ourselves to walk with them;

Therefore we resolve that Mennonite Church USA appeal to state and federal governments to abolish the death penalty.

We resolve further that the Executive Director of Mennonite Church USA address this issue with the President of the United States and urge area conferences to address relevant governors.

We further urge congregations to take action to support abolition of the death penalty through prayer, letter writing, and public vigils at murder sites and at prisons\* where executions occur.

Adopted by Mennonite Church USA Delegate Assembly

July 7, 2001, meeting in Nashville, Tenn.

*\*Public vigils at murder sites and at prisons should take place only with compassionate consultation with the families of victims.*

### What were the standards and limits of the death penalty as God set them forth in the Old Testament?

As an attempt to limit the violence of the blood feud, the Hebrew law allowed the Israelites to practice capital punishment.

Violence does not overcome violence. As an alternative society within the broader society, the church can proclaim and demonstrate a different way. We can provide healing and hope by what we practice within the church, our workplaces, and neighborhoods. We can teach and demonstrate that biblical justice comes through peaceful means.

—A Mennonite Statement on Violence, 1998

However, the law also set stringent requirements for this practice.

First, it required that the court give due consideration of mitigating factors before using the death penalty. Then it demanded that capital punishment could only be applied where there was absolute certainty of the guilt of the accused. Finally, it required that capital punishment be applied fairly and without prejudice. When the application of capital punishment does not meet these standards, it no longer is Yahweh’s sanctioned punishment for a crime, but a form of human sacrifice—a practice strictly forbidden in the Hebrew Scriptures.

The standards for the use of capital punishment set by the Hebrew Scriptures simply cannot be attained in human society.

Human beings are too fallible to achieve these standards. No matter how hard we try, even in the most scientific of settings, we make mistakes in perception and judgment. No matter how much we may desire it to be otherwise, the rich and the poor will always be treated differently. Thus, while the Hebrew Scriptures give us the right to use the death penalty, they set standards for its use that are impossible for us to achieve.<sup>1</sup>

### Doesn’t God’s justice call for an “eye for eye”?

With God, there is no dichotomy between mercy and justice. Biblical justice grows out of love. Such justice is in fact an act of love that seeks to make things right. Love and justice are not opposites, nor are they in conflict. Instead, love provides for a justice that seeks first to make right.<sup>2</sup>

Repeatedly, God responded to offense with mercy, seeking to restore offenders into right relationship with him. God responded to the first murder by protecting Cain against violence (Genesis 4:15). Cain deserved to die, but God was merciful. Although Moses and David were murderers, God chose to spare them. In the New Testament, Paul, who was closely associated with the murder of Stephen, is likewise spared. “As I live, says the Lord God, I have no pleasure in the death of the wicked, but that the wicked turn from their ways and live; turn back, turn back from your evil ways; for why will you die, O house of Israel?” (Ezekiel 33:11)<sup>3</sup>

## What did Jesus say about the death penalty?

Jesus' statement about allowing the person without sin to cast the first stone (John 8:1-11) falls directly in line with the teachings of the Torah. "Yes," Jesus said, "you are allowed to stone this woman to death, but only if you yourself have not sinned." Like the Hebrew Scriptures, Jesus allowed capital punishment, but then set requirements for its use that were impossible to fulfill.

What is the meaning of this paradox? On one hand, the teaching is of justice: that sin deserves death. On the other hand, the teaching is one of grace: that mercy supersedes justice. The Bible teaches us that God wants to give us better than we deserve.<sup>4</sup>

## What is restorative justice?

Our legal system often does not meet the needs of victims or offenders in the process of justice. Offenders are not held accountable to those they have actually harmed and victims are often not given a voice to articulate their needs. As Christians we call for justice for all those involved in crime and encourage individuals and communities to think about a philosophical shift in how we view crime and its impact. Restorative justice calls us to work toward the restoration of victims, empowering them and responding to their needs as they see them, as well as supporting offenders while encouraging them to understand, accept, and carry out their obligations to those they have harmed.

## Doesn't God call the state to wield the sword?

The "sword" in Romans 13 does not refer to the state killing either in war or capital punishment. It was a dagger (not a weapon of war) that symbolized judicial authority.<sup>5</sup>

Protecting society from violent criminals is certainly a legitimate role of government, as Paul demonstrated in his teaching on the principalities and powers. But that protection must come with an opportunity for repentance and redemption if it is to meet the standards set by Jesus. Forgiveness does not mean letting the criminal get away with murder, but it does mean giving that criminal an opportunity to find a new way of life in which his or her former need for violence is given over to God.

The early Christians came to understand that in Jesus' sacrifice of himself, the cycle of vengeance had been broken. The moral universe that had been damaged by sin was repaired once and for all. God had found a way to break through our perpetual sinfulness. Jesus' death on the cross was the final payment for sin—a final sacrifice that made unnecessary other forms of sacrifice, including the human sacrifice that we call capital punishment. Jesus showed us that salvation from sin lay in forgiving the enemy, not in getting even by imitating the enemy's wickedness. When we forgive, we see new possibilities both for our enemy and for ourselves.<sup>6</sup>

Led by the Spirit, and beginning in the church, we witness to all people that violence is not the will of God. We witness against all forms of violence, including war among nations, hostility among races and classes, abuse of children and women, violence between men and women, abortion, and capital punishment.

—*Confession of Faith in a Mennonite Perspective, 1995*

## How can we support victims?

Howard Zehr suggests ways we can support victims: We must openly recognize and acknowledge the intense feelings that crime creates in others and ourselves. We must stand with our sisters and brothers when they are victimized. We can provide assistance to victims. We can help victims grapple with their faith questions. We can help move society to solutions that heal.<sup>7</sup>

## Why we oppose the death penalty

As Christians, we oppose the death penalty because we worship the God of life and mercy. Our theology—our understanding of who God is and who God calls us to be—proclaims that we are against killing.

### Death Penalty Facts

(from *Amnesty International, Campaign to End the Death Penalty, and Death Penalty Information Center*)

#### The imposition of the death penalty is racially biased:

- Over 80 percent of persons executed were convicted of killing whites, although people of color make up over half of all homicide victims in the United States.
- A comprehensive Georgia study found that killers of whites are 4.3 times more likely to receive a death sentence than killers of blacks.

#### Top four nations of death penalty executions

1. China	2,468
2. Iran	139
3. Saudi Arabia	79
4. United States	66

In 2001, 90% of all known executions took place in these countries.

—*Amnesty International*

#### The death penalty punishes the poor:

- Over 90 percent of defendants charged with capital crimes are poor and cannot afford to hire an experienced criminal defense attorney to represent them. They are forced to use inexperienced, underpaid court-appointed attorneys.
- In most states the pay for court-appointed attorneys is so low that lawyers assigned to capital cases will lose \$20–\$30 an hour if they do an adequate job. In Alabama, Louisiana, and Mississippi defense attorneys are paid a flat fee of \$1,000—which translates into about \$5 dollars an hour for most lawyers.

#### The death penalty condemns the innocent to die:

- Since 1973, more than 102 people have been released from prison after being sentenced to death despite their innocence. In other words, 1 in 7 of those on death row have been freed after being fully exonerated. Each year, approximately 4.5 people convicted of capital crimes are actually innocent.

#### The death penalty is not a deterrent to violent crime:

- In 1999 the average murder rate per 100,000 people in U.S. states with capital punishment was about 5.5, while only 3.6 in abolitionist states.
- Governments that have enacted the death penalty continue to have higher civilian murder rates than those that have not. The five countries with the highest homicide rates that do not impose the death penalty average 21.6 murders per

In response to violence in public life, we call the church at all levels to work to abolish capital punishment, wherever it has become law.

—“*And No One Shall Make Them Afraid,*”  
*A Mennonite Statement on Violence, 1998*

every 100,000 people, whereas the five countries with the highest homicide rate that do impose the death penalty average 41.6 murders for every 100,000 people.

- In Canada the rate of homicides has fallen since the abolition of the death penalty, from 3.09/100,000 in 1975, the year before the abolition, to 1.76 in 1999.
- Police chiefs feel that violent crime is best reduced by reducing drug abuse, a better economy and more jobs, simplifying court rules, and longer prison sentences.

#### **The United States leads the world in killing children:**

- The International Covenant on Civil and Political Rights, the American Convention on Human Rights, and the Convention on the Rights of the Child all prohibit execution for crimes committed before a person reaches the age of 18.
- Since 1990, only seven countries have executed people for crimes they committed when under 18 years of age: Congo (Democratic Republic), Nigeria, Pakistan, Saudi Arabia, Iran, Yemen, and the United States. The U.S. has executed more children than any of the other countries, 17 since 1990.

## Death Penalty Resources

### Guide

“MCC Washington Office Guide to the Death Penalty”—To order, contact MCC Washington Office, 110 Maryland Ave, NE, Suite 502, Washington, DC 20002, 202-544-6564, [mccwash@mcc.org](mailto:mccwash@mcc.org). Register your congregation to receive updates and alerts on the death penalty.

### Internet

- [www.mcc.org](http://www.mcc.org)—Mennonite Central Committee U.S., search “death penalty”
- [www.ncadp.org](http://www.ncadp.org)—National Coalition to Abolish the Death Penalty
- [www.amnesty.org](http://www.amnesty.org)—Amnesty International, search “death penalty”
- [www.deathpenaltyinfo.org](http://www.deathpenaltyinfo.org)—Death Penalty Information Center
- [www.MoratoriumCampaign.org](http://www.MoratoriumCampaign.org)—The Moratorium Campaign

- [www.curenational.org/~bells/index.html](http://www.curenational.org/~bells/index.html)—For Whom the Bell Tolls
- <http://peace.MennoLink.org>—Peace and Justice Support Network of Mennonite Church USA
- [www.clarkprosecutor.org/html/links/dplinks.htm](http://www.clarkprosecutor.org/html/links/dplinks.htm)

### Books

- *Against The Death Penalty: Christian and Secular Arguments Against Capital Punishment*, Gardner C. Hanks
- *Capital Punishment and the Bible*, Gardner C. Hanks
- *Dead Man Walking*, Helen Prejean
- *The Death Penalty: An Historical and Theological Survey*, James J. Megivern

### Videos

- *Murder Close Up*, 30 minutes, Mennonite Media Productions, 1-800-999-3534, \$24.95
- *Dead Man Walking* is a major motion picture with Sean Penn and Susan Sarandon and may be rented at a local video store.

Reconciliation means accepting that you cannot undo the murder but you can decide how you want to live afterwards.

—*Murder Victims Families for Reconciliation*

### Footnotes

<sup>1</sup> Gardner C. Hanks, *Capital Punishment and the Bible* (Scottsdale: Herald Press, 2002), pp. 231-232.

<sup>2</sup> Howard Zehr, *Changing Lenses*, (Scottsdale: Herald Press, 1990)

<sup>3</sup> Arthur Paul Boers, *Justice That Heals* (Newton: Faith and Life Press), p. 35.

<sup>4</sup> *Capital Punishment and the Bible*, pp. 231-232.

<sup>5</sup> John Howard Yoder, *The Politics of Jesus* (Grand Rapids: Eerdmans, 1972), p. 206.

<sup>6</sup> *Capital Punishment and the Bible*, p. 234.

<sup>7</sup> Howard Zehr, *Who is My Neighbor?* (Mennonite Central Committee U.S. Office of Criminal Justice pamphlet), pp. 10-12.

Herald  
Press



Books by Gardner C. Hanks and Howard Zehr are available from Herald Press.

For more information or to place an order: Phone: 800 245-7894  
[www.mph.org](http://www.mph.org)



## **We are Nebraskans Against the Death Penalty.**

We are Nebraskans from all walks of life, from throughout the state. We come from many different religions, political perspectives, and ethnic backgrounds.

We are farmers, ranchers, teachers, clergy, health care workers, lawyers, students, parents, senior citizens, business people, homemakers. And, yes, some of us have experienced the murder of family members.

We are engaging Nebraskans in respectful conversations about the death penalty.

By listening to the concerns of our fellow Nebraskans, exchanging experiences, facts and insights we are changing minds.

- We organize ordinary Nebraskans to write and visit with their state senators to give a personal expression of the growing death penalty opposition among their constituents.
- We provide speakers and videos to classes, civic clubs, church groups, and others.
- We facilitate a network of activists statewide with advocacy training, informational resources, and regular consultation.
- We build coalitions, working with other concerned groups and the faith community.
- We write op-ed pieces and letters to the editor and hold press conferences.
- We take a stand, organizing public rallies including a vigil every Monday at noon at the state capitol.

## **More and more Nebraskans are deciding that the time is now to end the death penalty.**

In 1999 Nebraska became the first state to legislatively approve a moratorium on the death penalty, a measure that was vetoed by the Governor.

In 2004 the Coalition for Abolition in Nebraska presented the Legislature with 12,000 signatures of Nebraskans who support life imprisonment as an alternative to the death penalty.

A 2007 poll of Nebraskans found that a majority support alternatives to the death penalty.

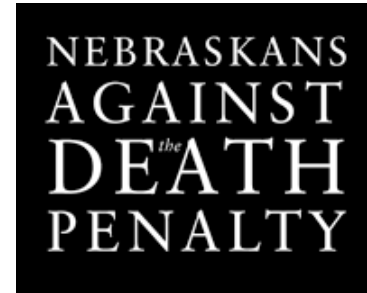
Nebraska came within ONE VOTE of advancing a bill that would have ended capital punishment during the 2007 legislative session.

We need you! Together we can make the needed difference to end the death penalty in the 2008 session of the state legislature!

If you would like to join with others in your community to be a part of this effort please contact us at:

NADP  
941 "O" St., #725  
Lincoln, NE 68508  
(402) 477-7787  
[info@nadp.net](mailto:info@nadp.net)  
[www.nadp.net](http://www.nadp.net)

**NOW IS THE TIME  
THIS IS THE HOUR  
END THE DEATH PENALTY IN NEBRASKA!**



# **What's wrong with the death penalty?**

"The school house, rather than the electric chair, is the symbol of the kind of civilization I want to see in America."

C.A. Sorensen,  
Nebraska Attorney General  
1929-1933

## What's wrong with the death penalty?

- Doesn't it stop people from committing murder? *Most studies say 'no'.*

In fact, most states with the death penalty have *higher* murder rates than neighboring ones without it. In a poll of police chiefs and sheriffs the death penalty ranked dead last as a crime fighting tool. Countries like Canada that have ended the death penalty have experienced a drop in violent crime.

- But what about victims' families? *They need healing that vengeance doesn't give.*

We fail as a society if all we can offer those hurt by violent acts is more violence and death. The death penalty actually diverts resources from meaningful victims' services while forcing them to repeatedly re-live the pain of losing their loved one during the appeals process. While opinions are sharply divided, many Nebraska murder victims' family members oppose the death penalty. As one said, "I don't think another killing will add any closure or reconciliation for anybody."

- Aren't some murderers so brutal they deserve to die? *Even if that's how you feel, the "worst of the worst" often aren't the ones who get the death penalty.*

The death penalty is used arbitrarily. Of 177 death penalty eligible cases in Nebraska between 1973 and 1999 less than 30 resulted in a death sentence being imposed. Local politics, how competent a lawyer is, where the murder is committed, even what the accused and the victim look like make a big difference. The ones most likely to be sentenced to death are poor, African American and Latino.

- Isn't our justice system the best in the world with plenty of safeguards against mistakes? *Innocent people have spent years behind bars and even been executed.*

No matter how good our justice system is it is based on human reason and judgment and is subject to error. More than 120 people have been released from death row since 1976 after collectively serving over 1,120 years. Many were exonerated thanks to the tireless work of investigative journalists, lawyers and activists – not the justice system. Execution is final, ending the chance to prove innocence. What if this happens to you or a loved one?

- Don't we have better ways to spend our tax dollars than keeping someone in prison for the rest of their life? *Actually, that's a lot less expensive than executing them.*

Did you know that it costs two to six times as much to execute a person than to imprison someone for life? Even if all appeals were abolished, the death penalty system would still be more expensive than alternative sentences. Think about the better things we can do with the money when Nebraska ends the death penalty.

- Doesn't the Bible call for "an eye for an eye." *The overwhelming majority of faith communities oppose the death penalty.*

This includes the national organizations of people who are Baptist, Brethren, Buddhist, Catholic, Disciples of Christ, Episcopalian, Friends, Jewish, Lutheran, Mennonite, Methodist, Presbyterians, Unitarian, United Church of Christ, and many more.

Learn more on the Web at: [mvfr.org](http://mvfr.org), [deathpenaltyinfo.org](http://deathpenaltyinfo.org), [ncadp.org](http://ncadp.org)

## TO GET INVOLVED

- Contact me. I'd like to help!

Name(s) \_\_\_\_\_

Address \_\_\_\_\_

Street \_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_

Zip \_\_\_\_\_

Phone \_\_\_\_\_

Email \_\_\_\_\_

- Yes, I want to be a member of NADP.

Here are my membership dues of:

Individual	\$35.00
Household	\$50.00
Low Income/Student	\$15.00

You can enclose a check or money order payable to "NADP" or provide your credit card information.

Card Type: Visa or Mastercard

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Detach and mail to NADP, 941 "O" St., #725, Lincoln, NE 68508.

Contact us for how to make a tax-deductible donation.

**2008 NEBRASKA LEGISLATURE**  
**Alphabetical Listing**

<b>Senator</b>	<b>District</b>	<b>Office Phone</b>	<b>Room</b>	<b>Home Phone</b>	<b>Business Phone</b>
<b>Adams, Greg</b>	24	471-2756	1403	(402) 362-2153	
<b>Aguilar, Ray</b>	35	471-2617	1114	(308) 382-4321	
<b>Ashford, Brad</b>	20	471-2622	1103	(402) 255-0037	
<b>Avery, Bill</b>	28	471-2633	1016	(402) 435-7329	(402) 472-3214
<b>Burling, Carroll</b>	33	471-2712	2107	(402) 752-3524	
<b>Carlson, Tom</b>	38	471-2732	2104	(308) 995-6814	
<b>Chambers, Ernie</b>	11	471-2612	1107		(402) 451-9723
<b>Christensen, Mark R.</b>	44	471-2805	1000		
<b>Cornett, Abbie</b>	45	471-2615	2000	(402) 733-4300	(402) 612-8865
<b>Dierks, M. L. "Cap"</b>	40	471-2801	2108	(402) 626-7200	
<b>Dubas, Annette</b>	34	471-2630	1115		
<b>Engel, L. Patrick</b>	17	471-2716	2010	(402) 494-3266	(402) 490-5216
<b>Erdman, Philip</b>	47	471-2616	1022	(308) 586-1212	(308) 436-2828
<b>Fischer, Deb</b>	43	471-2628	1101	(402) 376-2744	
<b>Flood, Mike</b>	19	471-2929	2103		(402) 371-4844
<b>Friend, Mike</b>	10	471-2718	1212	(402) 573-7552	
<b>Fulton, Tony</b>	29	471-2734	1019	(402) 421-0927	(402) 474-4000
<b>Gay, Tim</b>	14	471-2730	1522		
<b>Hansen, Tom</b>	42	471-2729	1012		
<b>Harms, John N.</b>	48	471-2802	2017		(308) 641-6296
<b>Heidemann, Lavon</b>	1	471-2733	1004	(402) 335-2689	
<b>Howard, Gwen</b>	9	471-2723	1208		
<b>Hudkins, Carol</b>	21	471-2673	1406	(402) 796-2254	
<b>Janssen, Ray</b>	15	471-2625	1116	(402) 721-8329	(402) 654-3629
<b>Johnson, Joel</b>	37	471-2726	1402	(308) 234-1659	
<b>Karpisek, Russ</b>	32	471-2711	1523	(402) 821-2909	(402) 821-2320
<b>Kopplin, Gail F.</b>	3	471-2627	1008	(402) 332-4426	
<b>Kruse, Lowen V.</b>	13	471-2727	1021	(402) 453-4825	
<b>Langemeier, Chris</b>	23	471-2719	2028	(402) 352-3254	(402) 352-2494
<b>Lathrop, Steve</b>	12	471-2623	1117	(402) 592-4978	
<b>Lautenbaugh, Scott</b>	18	471-2618	1529	(402) 431-1973	(402) 342-6233
<b>Louden, LeRoy J.</b>	49	471-2725	1210	(308) 762-5036	
<b>McDonald, Vickie D.</b>	41	471-2631	1015		
<b>McGill, Amanda</b>	26	471-2610	1115	(402) 613-1028	(402) 304-9406
<b>Nantkes, Danielle</b>	46	471-2720	1017		
<b>Nelson, John</b>	6	471-2714	1118	(402) 553-4292	
<b>Pahls, Rich</b>	31	471-2327	1401	(402) 334-5511	
<b>Pankonin, Dave</b>	2	471-2613	1202	(402) 234-7685	
<b>Pedersen, Dwite</b>	39	471-2885	1018	(402) 289-4866	(402) 677-4104
<b>Pirsch, Pete</b>	4	471-2621	1404		
<b>Preister, Don</b>	5	471-2710	1206	(402) 733-6660	
<b>Raikes, Ron</b>	25	471-2731	1110	(402) 483-7278	(402) 944-2490
<b>Rogert, Kent</b>	16	471-2728	2011	(402) 808-4700	
<b>Schimek, DiAnna R.</b>	27	471-2632	1124	(402) 423-0262	
<b>Stuthman, Arnie</b>	22	471-2715	1120	(402) 246-5111	
<b>Synowiecki, John</b>	7	471-2721	2004	(402) 502-3477	(402) 554-0520
<b>Wallman, Norm</b>	30	471-2620	1528	(402) 798-7780	
<b>White, Tom</b>	8	471-2722	1117	(402) 812-2345	(402) 346-5700
<b>Wightman, John</b>	36	471-2642	1019	(308) 324-4863	

**2008 NEBRASKA LEGISLATURE**  
**District Listing**

<b>District</b>	<b>Senator</b>	<b>Address</b>	<b>City</b>	<b>Zip</b>
1	Heidemann, Lavon	62058 719 <sup>th</sup> Rd.	Elk Creek	68348
2	Pankonin, Dave	721 Main St., PO Box 106	Louisville	68037
3	Kopplin, Gail F.	21760 Hilltop Ave.	Gretna	68028
4	Pirsch, Pete	2315 Nelsons Creek Dr.	Omaha	68116
5	Preister, Don	4522 Borman St.	Omaha	68157
6	Nelson, John	6269 Glenwood Rd.	Omaha	68132
7	Synowiecki, John	2451 S. 27 <sup>th</sup> Ave.	Omaha	68105
8	White, Tom	2517 N. 55 <sup>th</sup> St.	Omaha	68104
9	Howard, Gwen	5512 Howard St.	Omaha	68106
10	Friend, Mike	4722 N. 81 <sup>st</sup> St.	Omaha	68134
11	Chambers, Ernie	3116 N. 24 <sup>th</sup> St.	Omaha	68110
12	Lathrop, Steve	11818 Oakair Plaza	Omaha	68137
13	Kruse, Lowen V.	5404 N. 50 <sup>th</sup> Ave.	Omaha	68104
14	Gay, Tim	1001 Hogan Dr.	Papillion	68046
15	Janssen, Ray	210 Cedar St., PO Box 159	Nickerson	68044
16	Rogert, Kent	PO Box 114	Tekamah	68061
17	Engel, L. Patrick	401 E. 31 <sup>st</sup> St.	South Sioux City	68776
18	Lautenbaugh, Scott	16407 Taylor Street	Omaha	68116
19	Flood, Mike	105 S. 2 <sup>nd</sup> St.	Norfolk	68701
20	Ashford, Brad	7926 Shirley St.	Omaha	68124
21	Hudkins, Carol	8600 NW. 112 <sup>th</sup> St.	Malcolm	68402
22	Stuthman, Arnie	24160 310 <sup>th</sup> St.	Platte Center	68653
23	Langemeier, Chris	PO Box 192	Schuyler	68661
24	Adams, Greg	831 W. 4 <sup>th</sup> St.	York	68467
25	Raikes, Ron	3221 S. 76 <sup>th</sup> St.	Lincoln	68506
26	McGill, Amanda	5045 Vine St. #520	Lincoln	68504
27	Schimek, DiAnna R.	6437 Lone Tree Dr.	Lincoln	68512
28	Avery, Bill	1925 E St.	Lincoln	68510
29	Fulton, Tony	5935 S. 53 <sup>rd</sup> St.	Lincoln	68516
30	Wallman, Norm	5696 SW. 2 <sup>nd</sup> Rd.	Cortland	68331
31	Pahls, Rich	16550 Dorcas St.	Omaha	68130
32	Karpisek, Russ	315 N. Shimerda, PO Box 767	Wilber	68465
33	Burling, Carroll	4120 S. Shiloh Ave.	Kenesaw	68956
34	Dubas, Annette	54906 N. 180 <sup>th</sup> Ave.	Fullerton	68638
35	Aguilar, Ray	706 Grand Ave.	Grand Island	68801
36	Wightman, John	PO Box 100	Lexington	68850
37	Johnson, Joel	3216 19 <sup>th</sup> Ave.	Kearney	68845
38	Carlson, Tom	1112 Brown St.	Holdrege	68949
39	Pedersen, Dwite	21440 Shamrock Cir.	Elkhorn	68022
40	Dierks, M. L. "Cap"	RR 1 Box 131	Ewing	68735
41	McDonald, Vickie D.	1104 Westridge Ln.	Saint Paul	68873
42	Hansen, Tom	3782 W. Foothill Rd.	North Platte	69101
43	Fischer, Deb	Box 54	Valentine	69201
44	Christensen, Mark R.	PO Box 956	Imperial	69033
45	Cornett, Abbie	State Capitol, PO Box 94604	Lincoln	68509
46	Nantkes, Danielle	PO Box 30903	Lincoln	68503
47	Erdman, Philip	511 2 <sup>nd</sup> Ave., PO Box 624	Bayard	69334
48	Harms, John N.	1918 E. 28 <sup>th</sup> St.	Scottsbluff	69361
49	Louden, LeRoy J.	PO Box 25	Ellsworth	69340

**State Capitol Mailing Address:**

Senator \_\_\_\_\_  
District # State Capitol  
PO Box 94604  
Lincoln NE 68509-4604

## Love Has More to Do With Our World Than Hate

By Miriam Kelle

I have been opposed to the death penalty all my life. A little over twenty-five years ago that belief was put to the test when Michael Ryan took the life of my brother Jim Thimm.

Jim wanted to do more for the farmers in trouble during the Farm Crisis of the 1980s. Food drives for the community food bank did not seem enough for the losses he saw. He looked for answers in tapes from a new minister he'd met, Rev. James Wickstrom.

As I heard more of the teachings of Rev. Wickstrom I became more confused as how this could be a Christian minister. How could he preach that the Holocaust did not happen? To all of our dismay, his teachings were of hate and he had ties to the Posse Comitatus, an offshoot of the KKK. Jim joined a cult based on Wickstrom's teachings led by Michael Ryan.

At the time I was a practicing nurse, wife, and mother of a daughter. Our family rejoiced with the birth of our son, but Jim could not enjoy him. The lure of the cult thinking drove us away from each other to a point where this philosophy was more important than family.

How could a Christian minister drive a family apart? I tried to convince Jim that the Love of Christ was what was missing but he moved to Rulo to live with the cult and disappeared.

Well, one day I heard two of the group were picked up by the police. I went to see what I could do for John David Andreas, the only other one I knew. I thought I'd be able to help him. I was still unaware of Jim's fate. David was very nervous but unable to tell me of his death. I reassured David I was there for him.

I later learned Jim was dead and not just dead but tortured to death. When Jim had challenged Michael Ryan's teachings of hate Ryan chose to make a terrible example of him.

Difficult as it was after the funeral I went to see David again. I had given him my word. I talked to him about the death penalty and was concerned about what would happen.

As more facts came out, I did not know what to do. My family and the lawyers all agreed that the death penalty was what was right. How could I alone disagree? Maybe it was right.

I continued to visit David in prison hoping to help him and praying he would leave behind the cult thinking. I saw positive change and he called from time to time. I was hopeful for his future. When he got released, I went to his party with my husband. It was a very tearful but meaningful event.

Later I met James Haverkamp, who was also involved in Jim's death. Because I believe every human has value no matter what horrible things they've done, I tried working in the prison to help the inmates but that was not to be so.

I saw Michael Ryan behind bars. I could leave. He could not. It was enough. Just maybe love has more to do with our world than hate. Maybe we can get the legislators at last to end this terrible thing, the death penalty. I am trying my best to help the cause.

– excerpted from the Nebraskans Against the Death Penalty December 2007 newsletter

## Lincoln Police Officer: No Place for Capital Punishment

“I am a police officer. In my opinion, there is no place in our modern, civilized society for capital punishment.”

With these words Capt. Jim Davidsaver, a 21-year veteran of the Lincoln Police Department, invited the over 100 people in attendance at a November 11 interfaith witness against the death penalty to consider a law enforcement professional’s perspective on capital punishment.

Among others speaking at the Lincoln interfaith gathering were Stephanie Maser, the aunt of murder victim Missy Maser-Schmidt and Rev. Jim Keck, senior minister at First Plymouth Congregational Church.

Davidsaver explained that he was not speaking on behalf of the Lincoln Police Department but his experiences as a uniformed patrol officer, certified crime scene technician criminal investigator, sergeant and now shift commander were relevant to how this “average Nebraskan, born and raised here” views the issue.

“The sworn mission of a police officer is to protect and serve. In my experience with violent criminals, including murderers, the death penalty doesn’t advance that mission because it doesn’t deter violent crime.” Davidsaver estimated that most Lincoln police officers would agree.

Don’t misunderstand, he’s not soft on crime. But Davidsaver rejects “the stereotypical tough guy, hard line, macho attitude. It’s not enough to get tough. We need to get smart.” He is a proponent of the Community Policing approach to law enforcement.

Davidsaver pointed out that “Crime is not a cause of other social ills. It is an *effect*. Substance abuse, poverty, unemployment, lack of education, lack of a strong support system, these are the things that lead to crime” that society must address.

“Criminals who commit heinous acts and pose a threat to society must be isolated until they no longer pose a threat. Just like we have a medical quarantine for those who have a contagious illness we need to ensure criminals are kept where they can do no further harm.”

“For some, this means life without parole, being kept apart for the rest of their natural lives. Others can be rehabilitated, receive skills, knowledge and experience to return to society.”

“An incredible amount of time and money is spent to prosecute a small number of death penalty cases. Effectiveness and efficiency are keys to the success of criminal justice system. The death penalty is not a wise use of our scarce resources.”

Davidsaver explained that he is a strong advocate of victims’ rights. He noted that in the last session of the Nebraska state legislature LB 476 would have done away with the death penalty while providing an avenue for the families of victims to seek restitution.

– from the Nebraskans Against the Death Penalty December 2007 newsletter

## **The death penalty: ineffective on all counts**

By Lori Jensen

10/15/2007

On Oct. 5, 2007, I had the privilege and honor of enjoying the company and listening to Sister Helen Prejean, author of *Dead Man Walking* and nationally known death penalty abolitionist.

Speaking to a group of more than 200 people. Sister Helen described her experiences with people sentenced to execution and many victims' families. Sister Helen palpably described witnessing executions and the deep soulful healing of restorative justice.

Restorative Justice is a process that gives victims the chance to tell offenders the real impact of their crime, to get answers to their questions and to receive an apology. It gives offenders the chance to understand the real impact of what they've done and to do something to repair the harm. Restorative Justice holds offenders to account for what they have done, personally and directly, and helps victims to get on with their lives.

I would like to share some facts about the death penalty I have learned recently.

1. The death penalty is not a deterrent: A September 2000 New York survey found that during the last 20 years, the homicide rate in states with the death penalty has been 48 to 101 percent higher than the rate in states without the death penalty. The survey concluded that states without the death penalty have lower homicide rates than states with the death penalty. The Times reports that ten of the twelve states without the death penalty have homicide rates below the national average, whereas half of the states with the death penalty have homicide rates above.

2. The death penalty is arbitrary and unfair: 95 percent of death row inmates cannot afford their own attorney. Local politics, the location of the crime, plea bargaining, and pure chance affect the process and make it a lottery of who lives and dies. In Nebraska the location where the crime is committed is a key factor in whether or not the accused received a death sentence. Prosecutors are more likely to seek the death penalty when the victim is white than when the victim is a person of color.

3. The death penalty is opposed by nearly all religious denominations: This includes national organization of people who are Baptist, Brethren, Buddhist, Catholic, Disciples of Christ, Episcopalian, Friends, Jewish, Lutheran, Mennonite, Methodist, Presbyterians, Unitarian, United Church of Christ, and many more.

4. Innocent people have spent time behind bars and even been executed: No matter how good our justice system is, it is based on human reason and judgment and is subject to error. More than 120 people have been released from death row since 1976 after collectively serving over 1, 120 years. Many were exonerated thanks to the tireless work of investigative journalists, lawyers and activist - not the justice system. Execution is final, ending the chance to prove innocence.

5. It costs two to six times as much to execute a person than to imprison someone for life: The costs associated with the death penalty are substantially higher than those associated with life imprisonment. The greatest costs of the death penalty are incurred prior to and during trial, not in post-conviction proceedings (appeals). Even if all appeals were

abolished, the death penalty system would still be more expensive than alternative sentences. Nebraska could save millions of dollars per year if the death penalty were abolished. Think of what could be done with those dollars to effectively prevent crime.

Resources: [www.amnestyusa.org/abolish](http://www.amnestyusa.org/abolish); [www.nadp.net](http://www.nadp.net); [www.deathpenaltyinfo.org](http://www.deathpenaltyinfo.org); [www.mvfr.org](http://www.mvfr.org) .

I have lived here all of my life and I know this community is protective of the values we hold dear. I am inviting you to think deeply about the death penalty. Inviting thought about any crime so horrible that families could lose a loved one or even child can be unbearable and invoke our deepest fears and even rage. This kind of thinking brings us out of our comfort zone and can dangerously lead us to uncontrollable thoughts about revenge and hatred. That does not change the cycle of violence but rather feeds it. Nebraska! The death penalty does not support our values!

In conclusion, myself and other concerned Nebraskans are asking you to consider alternatives to the death penalty and to let your Senator know how you would like them to vote in the 2008 Legislative session.

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### **Other inspiring developments in 2007**

A New York Supreme Court ruling removed the last person from that state's death row in October. Since New York's death penalty law was declared unconstitutional in 2004 its legislature has repeatedly rejected all attempts to reinstate capital punishment.

Across the country death sentences and executions are in steep decline. Death sentences have dropped by 60% since 1999. The 42 executions in 2007 are the fewest since 1994. Forty states had no executions last year. 60% of the executions were in one state, Texas.

The American Bar Association declared its support for a nationwide execution moratorium due to overwhelming problems in state death penalty procedures.

In December the United Nations General Assembly overwhelmingly approved for the first time a worldwide moratorium on executions as a step towards abolishing capital punishment.

### **Key contacts and resources**

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Nebraskans against the Death Penalty: [www.nadp.net](http://www.nadp.net)  
Death Penalty Information Center: [www.deathpenaltyinfo.org](http://www.deathpenaltyinfo.org)  
Murder Victims Families For Human Rights: [www.mvfr.org](http://www.mvfr.org)  
National Coalition to Abolish the Death Penalty: [www.ncadp.org](http://www.ncadp.org)  
Amnesty International Program to Abolish the Death Penalty: [www.amnestyusa.org/abolish](http://www.amnestyusa.org/abolish)