

# The Other Side of the Death Penalty

By George M. Anderson  
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## ***America magazine interviews Helen Prejean***

### ***What have you learned from the families of murder victims?***

Through my association with an anti-death penalty group, Murder Victims for Human Rights, I have learned how much the family members of murder victims feel manipulated by prosecutors in capital cases. If the family members are against the death penalty, prosecutors often do not allow them to testify at the sentencing phase of a capital trial. But if other family members support the death penalty, they are encouraged to testify about the impact of the loved one's death in their lives, in hopes that a jury might give the death penalty rather than life in prison.

Race enters the picture too. Black family members are rarely invited to testify at the sentencing phase. For the most part, when a poor person of color is murdered, prosecutors seldom seek the death penalty. Eight out of 10 prisoners on death row are there for killing white people. We don't seem to feel the same sense of outrage when murder victims are poor or homeless people, or people of color.

### ***Why do prosecutors seek the death penalty?***

Some prosecutors who aspire to be judges have used their support of the death penalty as a steppingstone to advance their political careers. In my own state of Louisiana, prosecutors give one another an informal award called the Louisiana Prick Award—prick as in the prick of a lethal injection needle. A defense attorney friend of mine went into a judge's chambers, and there they were, three of these awards on the wall. Each one shows a Louisiana pelican—the official state bird—flying with a hypodermic needle clutched in its talons.

### ***What has been the impact on victims' family members of the many exonerations that have led to the release of convicted persons from death row?***

By early 2005, 117 wrongfully convicted people had been released from death rows around the country. All along the way, the relatives of the victims had been assured, "Yes, this is the person who killed your loved one." But then, suddenly, they're told, "No, it wasn't him after all." In most of these cases the prosecutors then just let the issue drop. If prosecutors really cared about the feelings of victims' family members, why don't they go after the real murderers once the exonerations have been made?



### ***How do you work with Murder Victims for Human Rights?***

I give talks side by side with other members of the group, like Bud Welch. His daughter, Julie, was one of the victims of the Oklahoma City bombing, but Bud was nevertheless against the execution of Timothy McVeigh. He says Julie is not going to be honored by the killing of another human being.

Murder Victims for Human Rights was originally called Murder Victims' Families for Reconciliation, but the name was changed to reflect the fact that family members who are against the death penalty should have the right to say, "We want to honor our loved ones who have been killed, and we should be able to express our opposition to the death penalty in court when someone is about to be sentenced."

### ***How is the victims' support group doing that you began in New Orleans ?***

Survive, as it is called, is doing well in its ministries of grief counseling and accompaniment of people who have lost a loved one to violence—like Lloyd LeBlanc, whose son was murdered in 1977 and about whom I wrote in *Dead Man Walking*. Lloyd is a stellar example of a victim's family member who does not believe in the death penalty. I visited him and his wife, Eula, this past Christmas, and Eula called me recently to say that Lloyd had been asked to speak to the local parish confirmation class about his personal journey toward reconciliation after their son's death. She told me that this kind of speaking helps to keep their son alive for them.

### ***What does the government do to help the families of murder victims?***

Most states have mechanisms for restitution, but the problem is the limited funding for things like counseling and financial help. Some family members lose their jobs or undergo divorce because of the trauma caused by the murder of their loved one. Late in 2004, I was in New Mexico, where a death penalty repeal bill was before the state legislature. The bill includes restitution for the family members of murder victims. It is also coupled with an initiative that would make it possible for juries to opt for life without parole instead of execution. Sixty-five percent of the state's population who were polled on that option found it acceptable. There are only two or three people on New Mexico's death row. For New Mexico, the death penalty has always been a token thing.

### ***How do you respond when you hear the family members of murder victims speak of their pain and their desire for the execution of their loved one's killer?***

When I first started speaking out against the death penalty, I would just freeze up when victims' family members would stand and talk about their white hot pain. Now I've learned that you have to let people express their outrage over the death of innocent people. The outrage is valid, and I take time with audiences to emphasize that. Early this year, at a book signing for *The Death of Innocents*, my talk was followed by a discussion. A woman got up and said, "My beautiful daughter was raped and murdered by a serial killer, Derrick Todd Lee, who has been sentenced to death for the murder of six women." She talked about her intense pain and ended with, "Of course I want to see him dead." When she finished, I simply said to her, "There's no one in this room who does not understand that you want to see the murderer of your daughter put to death. Thank you for sharing your suffering with us."

The dignity of both the victim and the perpetrator must be respected. The church needs to put more effort into emphasizing both. Parishes, for instance, could sponsor more prison ministry efforts, having parishioners visit prisoners, but also offering solace and help to people victimized by violence. That's what reconciliation involves. Our culture tries to put us in the false polarity of choosing sides: "If you're against executions, you must be against victims." But if we really believe in the church's message of reconciliation, Jesus would have his arms around both the victim and the perpetrator, saying to both of them, "You also are my beloved son or daughter."

***Helen Prejean, a member of the Sisters of St. Joseph of Medaille and author of Dead Man Walking, reflected on her work with family members of murder victims during a visit to New York to promote her new book, The Death of Innocents. George M. Anderson, S.J., is an associate editor of America.***