

WHAT SEEDS DO WE SOW AND WHO REAPS THE HARVEST?

Carolyn Saenz Zimmerman

Testimony to Kansas House Committee on Corrections and Juvenile Justice

March 15, 2012

Representative Colloton and Members of the Committee,

Thank you for the opportunity to speak about this challenging issue. I have read and listened to many stories of people like Bud Welch whose daughter was killed in the bombing of the Oklahoma City federal building. People like Ruth and Bob Hessman of Dodge City, whose daughter was shot to death during a killing escapade that left seven people dead and thirteen children motherless.

Like those families and too many others, my own family has struggled with the shock and pain of violent death. My father was 54 years old when he was killed in Missouri in 1969. His lifelong dream had been to own a business of his own and at last he was getting started. He and my mother -- along with my three younger siblings -- moved to Warrensburg where my parents opened a tax office. In January he was swamped with work, keeping late nights at the office. On one bitterly cold night with a sleet storm in progress, he called the family. He said that because of the treacherous streets, he did not want my mother driving to the office to give him a ride home. He planned to call a taxi cab.

That telephone conversation was the last time any of us spoke with him. He did not come home that night -- or ever again. My Dad was missing for three weeks. His office across from the town square was found locked, but with money and checks gone from the safe. There was no record of his ever calling a cab and no one downtown remembered seeing him that night. There were, literally, no clues. The weather those three weeks was frigid and heavy with snow. When the countryside melted, all hope of finding Dad alive evaporated. A farmer discovered his body in a field outside of town. He had been stabbed to death with 17 wounds inflicted.

I try not to dwell on that scene. I have other memories. My father was a World War II Navy veteran who spoke both Spanish and English fluently and tried to teach me that skill. Educated as an accountant, but with a flair for music and art, he played the guitar and had handsome penmanship.

No one was ever charged in my father's death. What happened that night was a mystery then, and it has remained so. Life changed for all the family, but for my mother most of all. She was a widow with her youngest child just 10 years old. She buried her grief in work, yet could not keep the new business afloat alone. She never remarried, but held the family together with hard work and the help of her parents.

There is an organization called Murder Victims' Families for Reconciliation that opposes the death penalty in all cases. Known by its shorter name, MVFR includes people of many different perspectives. I am honored to speak on behalf of MVFR in the words of those who understand this plain fact: **We cannot undo the murder. But we can decide how we will spend the rest of our lives.**

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Survivors struggle with their pain in different ways. Some attend hearings, trials and appeals; confront the murderers at sentencing. Some even witness executions. Others, like my own family, adopt a reserved stoicism, keeping feelings and opinions to themselves. What MVFR people share is the same surprising conclusion that their anger and initial desire for revenge will never give them peace. In Dodge City, the Hessmans' faith enabled them to forgive their daughter's killer -- and Bud Welch promised Timothy McVeigh's father that he would do everything he could to see that Tim was not executed for the 167 lives lost in Oklahoma City.

Here is what three of your Kansas constituents say:

Richard Sallman of Topeka -- "As someone who has been through the trauma of the murders of my brother-in-law and a dear beloved friend, I can state loudly and clearly that murder is wrong. So too is the premeditated murder of a citizen by state officials."

Linda Hessman of Dodge City -- "Our family has experienced murder on a personal level twice. Our niece was murdered by Greg Braun in Garden City and one of our son's best friends was murdered by the Carr brothers in Wichita. I oppose the death penalty, as I would much prefer those guilty live out their lives in prison being fully aware of what they did and the horrendous sorrow and emptiness their acts caused."

Stan Bohn of North Newton, whose sister was raped and murdered -- "It's time to end death penalty vengeance and consider the deeper healing that the victims need."

As for me, I believe that the death penalty sows bad seeds. The harvest is bureaucratic brutality that diminishes the humane spirit our world needs. There is self-righteousness and a notion of retaliation at odds with most faith traditions. And what if the jury's decision is wrong? There is no way to redress mistakes after the execution of an innocent person. The death penalty delivers a crude and expensive kind of justice that has been discarded in most of the world. We are expected to be, if not the actual executioner, at least the people whose taxes pay for the act. How can we not be insulted at this role? How can we accept it? Capital punishment is a legal cruelty that we do not want states to inflict in our names.

We thank you for considering the needs of Murder Victims' Families for Reconciliation. And we ask you to think about other reasons that support repeal -- the dilemma of innocence, for one, how arbitrariness enters into the system, the high cost and the perspective of respected faith leaders.