

HOW THE DEATH PENALTY FAILS VICTIMS' FAMILIES

The lengthy death penalty process prolongs the pain for many victims' families, dragging them through an agonizing and complicated process that promises an execution, but often results in a different sentence in the end. Meanwhile, it dedicates scarce resources to a small handful of cases while the real needs of the vast majority of victims' families are ignored.

THE DEATH PENALTY FAILS TO MEET THE NEEDS OF MANY SURVIVING FAMILIES

- The death penalty's complex process diverts millions of dollars and attention from the critical services that victims' families need to help them heal, including specialized grief counseling, financial assistance, and ongoing support. In most states, these services are underfunded and sorely lacking.
- The few services that are available are often provided through the prosecutor's office, so when the criminal case is over, the services for the victim's family frequently end along with it. Victims' families who disagree with the sentence the prosecutor is pursuing may also face difficulty accessing information and services.
- For families whose loved ones' murder remains unsolved (this can be as many as half of all cases in some jurisdictions), there is the added pain of never learning what happened to their loved ones. The people responsible remain undetected while countless law enforcement hours are spent chasing a handful of executions for people who are already behind bars, instead of solving more cases.

THE DEATH PENALTY DIVIDES FAMILIES

- The death penalty has split families apart, forcing relatives with different views on the issue to engage in a polarizing debate at the time when they need each other most.
- Capital punishment is supposed to be reserved for the "most heinous" murders, but that implies that most murders are ordinary. There is no such thing as an "ordinary" murder for the grieving family left behind. Many families feel these kinds of distinctions are a slap in the face.
- When the defendant and victim are related, families are torn apart even further. In a number of cases, for example, children must first cope with the murder of one parent and

then suffer a new layer of trauma and grief when the other parent is executed for the crime.

CAN THE SYSTEM BE MADE SWIFTER?

- The death penalty is irreversible. The process is longer because a life is on the line. Many of the extra procedures are legally required to reduce the risk of mistakes. Even these safeguards are not enough – at least 200 people have been exonerated from death row after waiting years *or decades* for the truth to come out. Skipping crucial steps in the process would only heighten the already real risk of executing an innocent person.
- Even states with the fewest protections and a faster process take years or decades to carry out an execution. In Texas, for example, 20 percent of the people on death row have been there for over twenty years.

IN THEIR OWN WORDS

“When my brother was murdered I thought I was supposed to support the death penalty... Little did me and my family know then that when Michael Ryan was sentenced to death, we were sentenced too. Our sentence has been going on for 20 years and there has been no execution. For 20 years it has been all about Michael Ryan. He is all my family and I ever hear about. Jim is never mentioned... Having seen what the death penalty has done to my family, I have since changed my mind and now think it should be abolished.”

– *Miriam Thimm Kelle, whose brother, Jim, was tortured to death*

“Nearly eight years since the jury delivered the verdict of death, I am still forced to focus on my mother’s killer. If the killer were given life without parole, and I mean a true life sentence, I would not be here. I would not be forced to discuss the killer and the verdict and the ways in which my life has been affected. Each court date, each appeal, each write-up in the newspaper, revisiting and revisiting the pain, each event keeping me that much further from the curative process I and my family so greatly deserve.”

– *Sandra Place, whose mother, Mildred, was murdered in 1999*

“In my 15 years as a victims’ rights lawyer, I have represented many murder victim families in death penalty cases, and the additional anguish caused by the justice process is overwhelming. When I first see a client, I silently pray the prosecutor will decide against pursuing the death penalty, but not because I am against that form of punishment. My prayers are for the victims and the hope they will be spared the pain, isolation and despair the death penalty process will inevitably bring.”

– Richard Pompelio, New Jersey Crime Victims' Law Center, whose son, Tony, was murdered

"Capital appeals go on for decades after the initial trial. Most cases are reversed at some point, placing victims' families in limbo. With each court decision, the murderer's name is splashed across the headlines while the family waits helplessly for the next ruling, wondering when the sentence will finally be carried out... The pain of this emotional roller coaster can be astonishing in its magnitude. Where are the victims in this process? How are they served?"

– Vicki Schieber, whose daughter, Shannon, was murdered

"If we are serious about helping surviving victims — all of us — we need to see the bigger picture. The bigger picture is that the death penalty is given in fewer than 1 percent of cases, yet it sucks up millions and millions of dollars that could be put toward crime prevention or victims' services. What I wouldn't give for a tiny slice of those millions to give my grieving daughters some professional help to process the death of their brother."

– Victoria Coward, whose son, Tyler, was murdered in 2007

We have learned a lot about the death penalty in the last 40 years — and those lessons have meant pain and suffering for the families whose loved ones have been murdered. What was supposed to provide comfort to victims has become a colossal failure that has prolonged their pain. **Learn more at enddeathpenalty.org.**