

The Abolitionist

Coloradans Against the Death Penalty

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Fighting for Life in the Death Belt

Southern Center for Human Rights director Stephen Bright subject of new documentary on the death penalty

Coloradans Against the Death Penalty is proud to co-sponsor the Colorado premiere of "Fighting for Life in the Death Belt," a documentary which examines the institution of capital punishment in America through the eyes of attorney Stephen Bright.

For over 20 years, Bright has defended death row inmates deep in the heart of America's death belt – the Southern states where 90% of executions occur. There he has built the Southern Center for Human Rights, a renowned public interest law firm. Located in Atlanta, the Center has 11 lawyers and 10 investigators who represent people facing the ultimate punishment and challenge human rights violations in prisons and jails.

The film, narrated by Ani DiFranco, follows Bright and the Center in the days and hours as they prepare for one capital trial while also desperately fighting to save another client from execution.

The film is showing on Nov. 16-17 as part of the STARZ Denver International Film Festival. The Nov. 17 showing will be followed by a panel discussion and reception with Steve Bright and the film's directors Adam Elend and Jeff Marks.

Steve Bright has been director of the Center since 1982. He has represented persons facing the death penalty at trial, on appeals and in post-conviction proceedings since 1979. He argued *Amadeo v. Zant* before the U.S. Supreme Court in 1988, in which the death sentence

continued on p. 2



Denver-area Appearances by Stephen Bright Thursday, Nov. 17

- 12 noon "Crime, Prisons, and the Death Penalty: The influence of race and poverty on the denial of life and liberty," Lindsley Memorial Courtroom, CU School of Law, Boulder.
- 4:00 pm "Crime, Prisons, and the Death Penalty," Room 125, DU School of Law, Denver.
- 6:00 pm "Fighting for Life in the Death Belt," STARZ FilmCenter at the Tivoli, 900 Auraria Pkwy. Film immediately followed by reception and panel discussion with Steve and filmmakers. Seating is limited. Tickets are \$25. For reservations, contact Riley at rars11@yahoo.com or 303-388-5014.



Colorado Death Row Update

by Randy Canney

Colorado currently has two individuals on death row, now that the United States Supreme Court has refused to hear the State's appeal in Robert Harlan's case. Harlan was convicted and sentenced to death in 1995 for the murder of a casino waitress and attempted murder of a woman who came to her aid. The Colorado Supreme Court upheld the Adams County District Court who vacated the death sentence because of juror misconduct. Jurors in that case improperly brought Bibles into the jury room and wrote down and quoted passages from the Old Testament.

The remaining individuals on death row are Nathan Dunlap and Edward Montour. Dunlap was convicted and sentenced to death in 1996 for the murder of four employees at an Aurora Chuck E Cheese restaurant. His direct appeal was also unsuccessful. Attorneys Phil Cherner, Colleen Scissors, and Michael Heher did their best in a complicated post-conviction attack in Mr. Dunlap's case, but were unsuccessful in the trial court. The case is now on appeal to the Colorado Supreme Court, where Mr. Cherner and Mr. Heher continue the fight and have recently filed their opening brief. If Mr. Dunlap is unsuccessful in State Court, he still can seek relief in the Federal Courts.

Edward Montour represented himself and pled guilty in 2003 for the murder of a correctional officer. He continued to represent himself in the penalty phase, presented no mitigation, and was sentenced to death by Judge King of the Douglas County District Court. Continuing *pro se* Mr. Montour then waived any post-conviction challenges and any appeal other than the mandatory review of the propriety of his sentence by the Colorado Supreme Court. Luckily, the Supreme Court has now appointed counsel for Mr. Montour both to appeal the propriety of the death sentence as well as to address the constitutionality of the portion of Colorado's death penalty that provides only for judge, rather than jury sentencing when an individual pleads guilty.

DOCUMENTARY continued . . .

was set aside because of racial discrimination. Bright also teaches courses on the death penalty and criminal law at the Yale and Harvard law schools.

In addition to the film and reception, Bright will be speaking on "Crime, Prisons, and the Death Penalty: The influence of race and poverty on the denial of life and liberty," at CU Law and DU Law Schools on Nov. 17. Both law schools events are free and open to the public.



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Film Review

The Empty Chair

by Riley Selleck, CADP Board Member

“A process, not an event”

New film examines loss, punishment, and healing

The subject of *The Empty Chair*, a new documentary, is an experience that very few of us could possibly comprehend: the murder of a family member, and having to deal with the aftermath of that event.

The film tells four stories of loss: Renny Cushing, whose father was murdered by his police officer neighbor; Sue Norton, whose parents were shot and robbed for \$61 and a pickup truck; Suse and Peter Lowenstein, whose son died on Pan Am 103 over Lockerbie, Scotland; and Susan Gove Ramunda, whose daughter was bludgeoned to death with a rock.

The film opens with the familiar voice of Sister Helen Prejean. Her reputation as an opponent of the death penalty might precede the film, and indeed, over the course of the film we are left waiting for the anti-death penalty pontification to begin.

But the film is centrally emotional and personal, not political; pro- and anti-death penalty statements are ancillary

to an examination of loss and the often divergent meaning assigned thereto. It achieves real power in the depth of thought and emotion it provokes, and also by declining to espouse any high-handed dogma solely for the digestion of the abolitionist constituency.

In each story there is a catharsis of some sort, an avocation that each person pursues in an effort to heal. Cushing, for instance, became the Executive Director of Murder Victims’ Families for Reconciliation and an anti-death penalty advocate. Norton built a close friendship with the murderer of her parents and fought in vain to save him from execution.

In accounting for the full gamut of perspectives, however, the film consciously gives equal time to pro-death penalty viewpoints. Gove Ramunda became an impassioned death penalty advocate, a direct counterpart to Cushing in many instances. Her rage is palpable and unabashed, and no less valid or essential to her own healing than Cushing’s advocacy or

Norton’s compassion are to theirs.

As someone who opposes the death penalty, I naturally found the philosophies of Cushing and Norton to be much more compelling—and frankly, I think the filmmakers do as well, despite their efforts to be fair. They seem to reserve the most indelible moments of the film for Cushing. He argues that the death penalty is symbolic of our society’s failure to meet the needs of victims. We are operating under a very grave misapprehension—that somehow the death penalty acts as a balm for our pain, and can nullify the evil act that prompted it. “Healing is a process, not an event,” he points out. The arc of that process so often points to forgiveness, but execution forecloses the possibility that victims might even learn how to forgive.

To purchase a copy of this video, contact Riley: 303-388-5014 or rars11@yahoo.com.

1,000th Execution Nearing

Before the end of the year, the U.S. is expected to reach a grim milestone – the 1,000th execution since the reinstatement of the death penalty in the 1970s.

Visit www.1000executions.org to track the countdown and to add your photo and message to the collection of those who are standing up to say “NO!”



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