

# The Abolitionist

Coloradans Against the Death Penalty

Vol. 1, No. 3

October 2003

## Colorado History Shows Trend Toward Abolition

*CU Death Penalty Expert Documents Pre-Furman Colorado Executions*

**O**n April 9, 1859, John Stoefel was hanged for committing the first murder ever recorded in the new settlement of Denver. At the time, Denver was part of Arapahoe County, Kansas Territory, and had been settled for only six months. The hanging occurred less than 48 hours after the murder.

This execution was followed by 101 more before the U.S. Supreme Court declared the death penalty unconstitutional in their 1972 *Furman v. Georgia* decision.

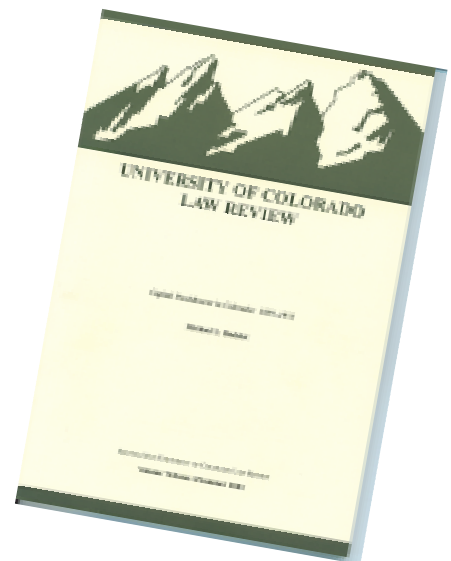
But, according to a new study published in the Summer 2003 University of Colorado Law Review, our state's history shows an ambivalence toward the death penalty and a general trend toward abolition.

The 125-page study, authored by CU Sociology Professor Michael L. Radelet, is entitled "Capital Punishment in Colorado: 1859-1972."

Of the 102 executions, all were men, and all were executed for the crime of murder. Nearly one-quarter were members of racial or ethnic minorities (nearly one-third if including Irish and Italian immigrants). Eighty-nine percent were convicted of killing whites.

According to Radelet, it's highly probable that at least one innocent person has been executed in Colorado, since at least four cases rested on questionable evidence.

The most controversial was probably the 1939 execution of Joe Arridy, who was said to have had the mind of a five or six-year-old child. Arridy confessed to the murder of a Pueblo woman and was arrested, even though authorities had already arrested another man, in whose possession the weapon had been found.



Several attempts at death penalty reform and even outright abolition are part of Colorado's history. In 1889, public executions were banned, as were all executions in 1897. In 1901, the death penalty was reinstated.

The 1930s saw attempts at making executions more "humane," as hangings were replaced with the gas chamber. In 1933, the state senate, but not the house, voted to again abolish all executions. In 1955 and 1957, abolition bills garnered strong support, but not enough to pass. By the 1960s, executions had lost favor enough for the legislature to

*continued on p. 2 . . .*

## COMING UP!

The CADP Annual Dinner  
February 2004

Watch the next issue of this newsletter (January 2004) and our website ([www.coadp.org](http://www.coadp.org)) for details.

## **Dead Man Walking Author to Speak in Boulder**

**W**hile living in the St. Thomas Housing Project in New Orleans in the early 1980s, Sr. Helen Prejean became pen pals with Patrick Sonnier, sentenced to die in Louisiana's electric chair for the murder of two teenagers.

Upon Sonnier's request, Sister Helen repeatedly visited him as his spiritual advisor. In doing so, her eyes were opened to the death penalty process. Sister Helen turned her experiences into a book that was nominated for a 1993 Pulitzer Prize. *Dead Man Walking: An Eyewitness Account of the Death Penalty in the United States* was number one on the New York Times Best Seller List for 31 weeks. It also made the International Best Seller List and has been translated into ten different languages.

In 1996, the book was developed into a major motion picture written and directed by Tim Robbins and starring Susan Sarandon and Sean Penn. Susan Sarandon won the Academy award for Best Actress for her portrayal of Sister Helen.

More than twenty years after her first letter to Sonnier, the Roman Catholic sister has witnessed five executions in Louisiana and today educates the public about the death penalty by lecturing, organizing and writing.



She is founder of "Survive," a victims' advocacy group in New Orleans, and the Moratorium Campaign, whose goal is a worldwide moratorium on all executions.

Presently, Sr. Helen is working on a book for Random House about the execution of two possibly innocent men. The book is due out in 2004.

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### **SISTER HELEN PREJEAN**

**Monday, November 3  
7 p.m.**

**Glenn Miller Ballroom, UMC  
University of Colorado**

***free and open to the public***

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#### **CO HISTORY** *(continued)*

place an anti-death penalty referendum on the 1966 ballot. It failed to pass.

In the mid-70s, Colorado reinstated the death penalty, and in recent years, changed the method to lethal injection. Since 1972, only one person has been executed.

## **Coloradans Against the Death Penalty**

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#### ***National Organizations:***

National Coalition to  
Abolish the Death Penalty:  
[www.ncadp.org](http://www.ncadp.org)

Death Penalty Information  
Center:  
[www.deathpenaltyinfo.org](http://www.deathpenaltyinfo.org)

Murder Victims' Families  
for Reconciliation:  
[www.mvfr.org](http://www.mvfr.org)



## RECOMMENDED READING

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### The Importance of Death Penalty Mitigation

by Greta Lindecrantz, death penalty investigator and member of the CADP Board of Directors

“What do you do exactly?” is a question my friends and family members often ask me. By the time I finish trying to explain what I do they have that, “I just asked you what time it was and you’re telling me how to build a clock” look in their eyes.

In July of this year I read the New York Times Magazine article by Alex Kotlowitz entitled “In the Face of Death.” It’s the best explanation of what mitigation is and why it’s important that I’ve ever read.

Kotlowitz captures the essence and importance of mitigation in death penalty cases in that article. He essentially defines what mitigation is as well as explaining how valuable complete knowledge of a client is when the attorney is trying to convey the client’s worth as a human being to the jury.

Kotlowitz explains that thorough mitigation investigation results in the attorney being able to take the jury for walk in the client’s shoes from the time that client was born until the client walked into the courtroom. As a result of taking that journey with the attorney, jurors often identify with some part of the client’s life, which enables them to find value in the client’s

life and a reason to believe the client should not be executed.

The article is well written and looks at mitigation from the viewpoint of the jurors, defense attorneys and prosecutors. The article can be found on the internet at:

<http://www.nytimes.com/pages/magazine/> then go to archives and search for NYT Magazine, Sunday, July 6, 2003, “In the Face of Death,” by Alex Kotlowitz. [NOTE: There is a charge of \$2.95 for accessing archived articles.]

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### ALTARS IN THE STREET

by Melody Ermachild Chavis

*Reviewed by John Emelin, CADP Board of Directors*

Melody is the dean of death penalty mitigation investigators in California, and her long-time work with death-row inmates has flowered in many forms.

This thin volume is a beautifully written memoir of her awakening to the need for action in her community, and what she and her neighbors do about it. It is one of those books that you find out about from a friend and find yourself giving as a gift to someone else.

Along the path of anti-death penalty work, it becomes almost necessary to refrain from reading EVERY plea for justice and seeing EVERY movie in which some unfortunate is executed, or, for that matter, saved from execution. This one, however, is worth the read.

*Altars in the Street* is inspiring, thought-provoking. In the end you feel as if you know Melody as a friend, and it’s great to have a special book you can pass on secure in the knowledge that it is encouraging and uncompromising at the same time.

**The Abolitionist is a CADP publication focusing primarily on death penalty news and information in the state of Colorado.**

**For national death penalty news, please see our website at [www.coadp.org](http://www.coadp.org).**

**COLORADANS  
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## Become a Member of CADP!

Coloradans Against the Death Penalty has recently changed its structure to a membership organization. Your membership dues will help pay for CADP's work in this critical time and help expand our base of contacts for future work. All members will receive:

- a membership card indicating that the holder does not wish someone executed in their name if they are murdered;
- CADP's quarterly newsletter;
- email action alerts.

**Yes, I'd like to become an official "card-carrying" member of CADP!**

\_\_\_\_\_ \$15 Senior/Low Income

\_\_\_\_\_ \$100 Benefactor\*

\_\_\_\_\_ \$40 Individual Member

\_\_\_\_\_ \$250 Corporate Member/LawFirm\*

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

PHONE \_\_\_\_\_ EMAIL \_\_\_\_\_

\*Benefactor level includes an additional three free memberships and Corporate an additional five. Please submit the names and addresses of those whom you would like included in the membership.

*Please send checks, payable to CADP, to: Randy Canney, 1733 High Street, Denver, CO 80218*