

House Corrections and Juvenile Justice Committee Hearing
February 13, 2017

TESTIMONY IN FAVOR OF HB 2167
Submitted by Celeste Dixon of Larned, KS

Dear Chairman Jennings and Members of the Committee:

I am here to testify in favor of 2167 and ending the death penalty in Kansas. I changed my mind on the death penalty after being directly confronted with the issue when my mother Marguerite was murdered. Her murder occurred in a small town outside Houston. The perpetrator of the crime was sentenced to death and eventually executed 21 years later. I first thought the death penalty was justice and would help me. I have since learned, however, that the death penalty was only the source of further pain, and that it fails to help murder victims' families rebuild their lives in the wake of tragedy. Let me explain my journey and how I arrived at this conclusion.

I was 22 and serving in the U.S. Navy when I got the news that my mother had died. When I called my sister to find out how, that's when I heard the word "murder". It was so unreal that it took a while to sink in. Murder happens to other people. It's something that happens in the inner city, or is an elaborate plot in a murder mystery. It's not something that happens to an average, middle-aged white woman living in rural Texas.

I went home for the funeral, but had to return to my duty station to finish the last 8 months of my enlistment. The trial did not take place until a year later, so I was able to attend. Because the house my parents lived in was just inside the Harris County line, it meant the trial would be conducted in Houston, and not the small town where they lived. At the time I felt that was a blessing because Harris County was one of the jurisdictions in the country with the highest rate of capital convictions. And I just knew this man deserved to die for killing our mother.

I hadn't given too much thought to the death penalty at this point in my life. But if you had asked me at the time I would have said I supported it. I had a vague notion that the idea of "life for a life" was fair, but until this happened I never thought much about it. Ironically, it was this personal involvement in the death penalty that changed my view on it.

Often people who argue for the death penalty do so on behalf of victims' family members. There's an expectation that we want it, that "eye for an eye justice" will be satisfying. Murder is the only crime where a punishment that matches the crime is meted out. We don't advocate robbing a burglar, or raping a rapist because in those cases we see the absurdity of that kind of tit for tat punishment. Murder is different, though. As a society we've convinced ourselves that it's okay to kill the killers and that it's good for the victims' family members.

Personally, based on my experience, I think it's because the concept of the death penalty feels good. At least on the surface. When the prosecutor in my mother's case promised us the death penalty for the man who killed her, it felt good. It felt like something we deserved and would

help us heal. So I felt vindicated and justified when the death sentence was imposed on the man who murdered my mother. But once I started digging beneath the surface of this feeling and thinking about what was actually happening, I grew less comfortable with the verdict.

In the courtroom my superficial support began to erode away. Sitting in trial every day, I saw the person who committed this horrific crime as still a human being, whose mother cried in the hallway outside the courtroom upon hearing the verdict. At that point I realized that this verdict we had hoped for had left a mother devastated.

Over the next year these things kept rolling around in my head and interfering with the satisfied feeling I had about justice having been served. The thought that I had a happy childhood while he had been abused as a child. Hearing a juror tell me that he pushed for a death sentence because he thought that that's what we wanted instead of doing what the law required. The anguish the convicted's family would be going through knowing that he would die. But what clinched it for me was waking up from a dream in which I had attended his execution and realizing that I was actively wishing for another human being to die. Holding onto this anger was not healthy for me as I tried to begin to heal after my mother's murder.

My experience has made clear to me that the death penalty does not provide any finality or closure to murder victims' families. Most families promised an execution later learn it's a false promise, since far more death sentences are overturned than actually end in an execution. My mother's case was an exception where a murder resulted in an execution, but it still took over two decades to be carried out. The uncertain process of waiting and repeatedly reliving the crime through lengthy trials and appeals can put murder victims' families through hell.

In short, the death penalty is failing to serve those that it is purportedly for – murder victims' families. As you'll see from the testimony submitted today, many murder victims' family members have come to this same conclusion I've arrived at. Thank you for considering my testimony, and I hope you will end Kansas' death penalty this year.

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