

On Wings of Hope

Volume 27 Issue 1

Jan. - Mar. 2023

**Execute
Justice
Not
People**

WHY WE NEED TERM LIMITS

Perhaps you know the saying: “fools rush in where angels fear to tread” but as I have never aspired to being an angel and rather like fools, here goes! The U.S. Supreme Court has unfortunately kindly provided me with a glaring example of why we need term limits.

There are several reasons why term limits are needed and they are rooted in who we are. Yes, we would like to think that man was created perfect but history, going back as far as you want, disagrees.

To fall back on another saying: “power corrupts and absolute power corrupts absolutely.” Few are able to handle absolute power because no doubt the thought comes, that if I am in this position I must be right and with no term limits I am of course right next to God. The Founding Fathers understood that and so we don’t elect a forever president, a forever governor or forever mayor and when we look around the globe surely we are not attracted by the forever potentates’ behaviors.

But there are other reasons as well. There is or should be, although one has to make an act of faith these days to see this, a very powerful reason why we need term limits, which is “evolving standards of decency”. As this is written by an old person I am not saying that old people can’t evolve but one does tend to become set in one’s ways and if in addition one is powerful and knows it all because one is sitting right next to God it may become impossible. The result is that we have Justices who obviously have not kept up with the latest findings in psychology or sociology so that they are still in the last century.

And yes, finally there is another important reason for term limits. Forever Justices are not an accurate reflection of those they are meant to serve. There is a younger, equally talented world out here which deserves to be heard. Am I disappointed in the current U.S. Supreme Court, of course I am while understanding at the same time that its members have been set up by the heavy burden of no term limits. And so for all of us and also for the sake of U.S. Supreme Court Justices let us hope that they will soon be freed from no term limits and allow evolving standards of decency to prevail.

Esther

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**PROJECT HOPE TO ABOLISH
THE DEATH PENALTY** (phadp)
501 (C) (3) non- profit.

MISSION STATEMENT:

Working together with friends, supporters and other advocates to educate the public and bring about the abolition of Capital Punishment in Alabama.

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**THIS NEWSLETTER WAS WRITTEN,
TYPED AND FORMATTED ON DEATH
ROW AT HOLMAN PRISON**

Hello Everyone,

With each new year comes the symbolic celebration, resolutions, and the opportunity for change. The people in charge of running the state of Alabama into the ground, and making sure that the "backwards state" jokes are secure in their place in history couldn't manage to look the word "change" up in a dictionary if every other word was removed from said dictionary. As we all know, the state of Alabama tortured Mr. Joe Nathan James Jr. to death, then gave Mr. Alan Miller and Mr. Kenneth Smith all the torture parts without the death. Thankfully, not the death part! However, now you have two men who suffered horrific abuse and torture at the hands of people who preach compassion, forgiveness, and tend to scream "All life is sacred" religiously walking around as just shells of the men they had changed into, and who could blame them. Imagine being lead to your death, walked down a long eerie hall thick with the ever present gloominess of all who have walked that very hall before, surrounded by men and women whose sole purpose is to help murder you. Then, you're strapped to a gurney and left to hand there waiting for and anticipating your end, your murder, not knowing they've jumped the gun and there has been a stay put in place. You start to ask questions of the men and women surrounding you that have been around you and talking with you for years, but they stand there staring at you like they've never met you before in their lives...killers, murderers, assassins ...cold hearted. The stay is lifted, the torture begins, and in the end you're a battered, sore, bloody, and psychological mess. Now imagine that happened to your child (son or daughter), brother, mother or father. Alabama needs to change. Not change to make the torture last as long as the powers that be sadistic minds see fit, but change to stop the ridiculous farce of seeking justice.

(continued...)



Thank you so very much to all who stand with us, and fight with us for true change and true justice. Thank you to the College Democrats of Troy University for all they are doing to make a difference.

President Joe Biden was recently in Alabama to attend the Bloody Sunday march, and I started asking myself, why? More political favor? I mean, why come to a state in remembrance of a tragedy and horrific injustice that is still perpetrated to this very day! Remember the past in order to make change today and for the future. That's like re-enacting a war you lost! What we want and need is obtainable change. Let's all continue to make a progressive push to put people in the right places in this state that have the entire state included in their plans and not just the haves, or a specific race. One nation under God? All men are created equal? All life is sacred?

In Solidarity,
Anthony Boyd
Chairman, PHADP



Under current law, only 10 of 12 jurors must agree on the death penalty to sentence someone to death in Alabama.

In the past, a judge could also overrule the jury and impose the death sentence regardless of the jury's decision in a process called judicial override.

The Alabama Legislature ended judicial override in 2017, but the final version of the bill did not apply retroactively, meaning everyone sentenced to death by judicial override prior to the passage of the law remains on death row.

A bill pre-filed by Rep. Chris England, D-Tuscaloosa, would remove those individuals from death row, as well as any others sentenced to death by a jury of 10 or 11 voters.

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"My aspirational goal would be to get rid of the death penalty, but that's very unlikely at the moment," England said. "We need to make it as hard as possible for us to put someone to death. We're talking about life here and talking about the state of Alabama executing someone on its citizens' behalf."

In addition to amending the current law to require a unanimous verdict, the bill adds a section ordering the resentencing of individuals sentenced prior to the effective date of the act.

"It takes a unanimous jury to convict someone of a crime, why not take a unanimous jury to impose the penalty for that crime?" England said. "Especially when you're talking about putting someone to death. Over the course of history, if we decided that judicial override was wrong and we got rid of it, and there are people still on death row who were sentenced as a result of judicial overreach, they should be awarded that same deference. We decided that was wrong."

RAPA Automotive USA |

The company is headquartered in Auburn/Alabama. RAPA LP is a 100 percent subsidiary of the automotive division of RAPA Holding, based in Germany.

Dear Dr. Pausch,

Last year you celebrated the 10th anniversary of the founding of your RAPA Automotive US location in Auburn, Alabama. As I could read in the local press, you are planning new investments in the tens of millions and the creation of an additional 73 jobs.

While I rejoice in the commercial success of your company and many of the citizens of Alabama, I would like to draw your attention to an issue that often goes under the radar: the death penalty, which remains unchanged in Alabama. Since you opened your branch 11 years ago, 15 people have been executed in Alabama. The governors rejected all pleas for clemency, even if the question of guilt and/or the legality of the death penalty was in doubt. The current governor Kay Ivey, in office since April 2017, is responsible for 12 executions alone.

In addition to the 15 death sentences that were carried out, three other execution attempts were made during Ivey's tenure, which the delinquents survived after hours of trying to get them a venous line. It doesn't take much imagination to imagine the physical and mental torment of the people treated in this way. The last two killing attempts took place on September 22, 2022 and November 17, 2022. After that, Gov. Ivey called for an internal review of the execution protocol.

Since it was known even before the failed execution attempts that the method of lethal injection often leads to an agonizing death, the state of Alabama has already passed a law that allows the state to execute its prisoners in a gas chamber. Corresponding construction work has already started at Holman Prison in Atmore/Al.

Investment and job creation by German companies like you are of great importance to the State of Alabama. In particular, the administration under the current governor benefits greatly from your economic commitment. This could allow you to use your influence to promote ethics and human rights compliance with Ms. Ivey. The death penalty is outlawed in all other Western countries. Particularly, should there be gas chambers on American soil, a German company should not stand by in silence.

Thank you for your time, and I very much hope for your support.

Best regards
Ursula Malchau
Advisory board member of
Project Hope to Abolish the Death Penalty

*Execute
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People*

Alabama News
First Quarter 2023

* In December, Gov. Ivey called for a halt to all executions pending a "top-to-bottom" review. Unfortunately, this so called investigation was conducted by the same department responsible for the botched executions, and the only result was a change by the Alabama Supreme Court to the procedure for setting the time-frame for executions. Opening the door to unending torture for the condemned. Nothing is reassuring about this sham of a review.

* Another change to the Rules of Appellate Procedure by the Alabama Supreme Court that was troubling was the elimination of mandatory plain error review ending a crucial avenue for review which has been responsible for nearly 40% of death penalty reversals.

* Rev. Lynn Hopkins joins PHADP Advisory Board, She is a long time supporter, most recently she was heavily involved in the Pull Back the Curtain initiative as well as with the coalition of faith leaders in the state to push for a real investigation into Alabama's capital punishment flaws.

* Great news from Advisory Board member Dr. Katie Owens-Murphy has received grant funding for an art installation exhibit around the Alabama Death Row Archive. A group of emerging Black artists based in Alabama will be working with archival materials as inspiration for the exhibit titled "The Art of Resistance: Documenting Alabama's Death Row." Highlighting the cruelty and contradictions of the death penalty, and the powerful resistance put forth by organizations like ours.

* There was a documentary viewing in Montgomery along with a fundraiser which we were the beneficiaries, "Rocky Myers: A Documentary from Alabama's Death Row" Robin Myers is a 62 year old intellectually disabled black man on death row for a 1993 murder he did not commit.

* Advisory Board member Ursula Malchau reached out to a German Company doing business in Alabama as well as a German-Alabama trade organization regarding Alabama's use of a gas chamber.

* We are fortunate to have an active and engaged Advisory Board pursuing so many different avenues that we can't fit them all here. We thank you all for lifting our voices!

Transparency keeps everyone honest. That's why only the dishonest among us fight it on every level.

You can pick out the ones with something to hide

A Christian Perspective

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Greetings Friends and Family,

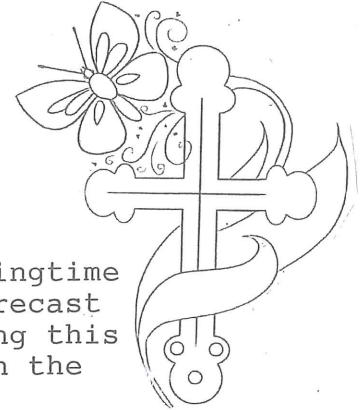
It's already feeling like Springtime in South Alabama, I hope your forecast is bright and sunny upon receiving this newsletter. And I don't just mean the weather.

I had intended to write to you all concerning the faith that exists here at Holman. The mountains that this faith has moved. From the men who 30+ years ago set out to make a difference, to all the ways faith has changed the atmosphere here so much that we call death row life row, to the faith of Kenny Smith and those around him that repeatedly broke protocol to ultimately save his life, but more importantly to show a group of men that the world has largely given up on that our Father in heaven won't give up on us.

In the face of a scheme of money, politics, and power, where "leaders," who care nothing about the victims or the perpetrators of crime, are able to bolster their career ambitions by talking out of both sides of their mouth, we have faith that there will be an end to capital punishment in Alabama. Because God does care about both victims and prisoners.

But instead of talking to you all about that faith, I want to tell you about the faith of the man who Alabama has just asked for an execution date.

(continued...)



stop wasting time outside of God's presence.



James Barber. I went to his cell the other day, this was the week after we had heard that they were seeking a date for him. I just wanted to check on him and see how he was doing, and to let him know that we're here for him and he confirmed something that God had put on my heart when I was praying about him. He told me that he felt like all this that's going on, "it can't touch me." Now I know him to be a man of faith, a believer in Christ, in salvation, and in redemption. So death holds no fear over him, and though I will continue to pray for him as he endures this process, because he's going to have a lot coming at him, but I take comfort in knowing that James Barber is comforted by our Father. The same Father who Proverbs 21:1 tells us holds the king's heart in his hand, and can turn it like the rivers of water, wherever He wishes.

It is time for the "leaders" in Alabama to have a change of heart on capital punishment. Put your faith with mine in believing that right will triumph over money, politics, and power in Alabama in 2023.

Stay strong, be blessed, and Be the Other Voice.

Bart Johnson
Vice-Chairman, PHADP
M-3 / Z-778



Unraveling of the Smoke Screen

As we already know,

This alleged "Top to Bottom Investigation" into executions in Alabama was just a hoax. The Governor made this public announcement knowing that the only thing the state was conducting a "Top to Bottom Investigation" into was another way to kill. Alabama has escorted white tanks out and new tanks in, to commence another Holocaust, but this one is not of the Jews but of those of African and European descent. This however, is offensive to the victims and their descendants to now, in the 21st century, be using gas to kill anyone!!!

There has not been any transparency about what has come of any hoax of an investigation. What has been uncovered by this so-called investigation, if there really was one.

If there's any truth in the Executive Orders signed by Governor Ivey guaranteeing transparency, why doesn't she just make known to the people Alabama's findings, instead of the people having to request them?

If the Governor's transparency orders were any type of genuine, the governor would not have sought to eradicate an imperative process of review on appeal for death penalty cases? If transparency is the Governor's aim, why did she seek to strip the court of authority over executions dates and times, placing that authority in the hands of the ADOC and herself?

Noise Level

Noise is categorized in four types: continuous, intermittent, impulsive, and low frequency. Most of the time when a sound is heard that is defined as noise its primary goal is a form of distraction. The noise that has been heard around the death penalty in America is a form of distraction. The gruesome and torturous process of killing inmates in the name of justice has long been a problem in America. When is enough enough.

The hanging method was considered a humane way to execute someone. Back then the event was considered afternoon thetrics. The town folks would put on their Sunday best to go view the spectacle. The noise that was heard was oooos and uhuhhs, yet the event that was supposed to be an act of justice was really a fear tactic. The noose was largely used on African-American men who dared to step outside of the social norms of the times. All of the hanging victims wasn't convicted of murder and a large amount were convicted by all white juries, and some were actually innocent of the charges. So what has changed besides the noise.

Oklahoma has been making some noise of its own dealing with the death penalty. After announcing in the summer of 2022 that it plans to execute twenty-five men on a continuous twenty-two month execution spree between August 2022 and December 2024, It would eliminate 58% of the state's death row. Oklahoma is a state that's second to Texas in executions. Executing 119 men since executions resumed in the 1970s. They have had some horrendous botched executions. The execution of Clayton Lockett, for example, who actually died of cardiac arrest. The noise surrounding his botched execution caused a pause in executions in the state for a while, but once the publicity died down, the killings started back. The killing states shroud their execution chambers behind a veil of secrecy to keep the eyes of the people off of what's really going on.

Sweet Home Alabama's chickens came home to roost last year when a string of horrendous botched executions was made public. Joe Nathan James was tortured to death for over an hour without the aid of legal counsel. He was given a sedative, though the state denied that happened, so while they were poking/cutting on him to find a vein to establish intravenous access he was unable to make any noise and they murdered him. Alan Eugene Miller was the next candidate to be tortured, yet the state couldn't do the same thing to him because he had his lawyers presen, yet they still tried and tried to kill him, even left him suspended upside down on the gurney for over twenty minutes. Then they tried the exact same thing with Kenneth Eugene Smith, he, like the other two men, was tortured in the same manner, except his injuries were more intense, he sustained extreme damage to his shoulder and collarbone and still is weary of being touched from behind. The last two men survived their execution attempts and the stories they told were horrible and hard to hear. Yet the state would

have you believe they can be trusted to carry out the ultimate punishment.

Governor Kay Ivey announced a much needed moratorium on executions in the state of Alabama in December of 2022. The pause in executions would allow the state to do an in-house investigation of the procedures and protocols of executions in the state. Yet a few weeks after her big announcement, Attorney General Steve Marshall did his own press conference and basically contradicted everything the Governor said, going as far as saying that there is not a moratorium in the state of Alabama. The noise and contempt from the public outcry of the torturous attempts to murder Kenny and Big Miller was too loud to ignore. The noise and response to what they did to Joe James, even after the victim's family tried repeatedly to reach the Governor to have his execution stopped. Even with its investigation of itself, which haven't been publicized, the state won't admit it's wrong in what they did to these men. How many others did they murder in the same fashion before Joe, Alan, and Kenny? We as people need to be making much more noise about the way Alabama is treating its citizens. We can't let the atrocities that's been happening go unchecked. I employ to remember and keep alive the hopes of Joe James and the way he, Kenny, and Big Miller were treated in the name of justice. We will be heard because our voices include the voices of two men that Alabama wanted silenced. We the members of Project Hope to Abolish the Death Penalty would ask that you have a listening ear and an understanding heart and decipher for yourself what is actually political noise, or fair and humane reform. Stay safe and blessed

Mr. Jeffery Lee
Sec/Treasurer
L - 12 / Z - 674



Be Careful Who You
Get In Agreement With

The meaning of agreement that caught my eye is: consent, or to be pleasing. The state of Alabama, from top to bottom, God. Ivey all the way down to the secret death squad of Alabama, seeks to please people, not all people, but people whose hearts have been deceived by their lies, to carry out executions, even if it breaks protocol of their law. Alabama has consented with each other to defile their Godly character, to get promoted on a job or position. I've seen this before Alabama. I've seen this agreement before, first in slavery, where blacks were violated of their due process and hanged on a tree in public, and men, women, and children looked on it with no shame or compassion, but I also seen it in Jesus's word, in Acts 5:1-10, Sapphina gets in agreement, a wrong agreement, to lie and ends up dead. I'm not praying death on anyone, but Jesus sees all that is not only going on in this prison, but also the death chamber that Alabama is using to hide their wrongs! Exodus 14:24

I Heard, I Listened, I Did!

What brought about this article is that I heard a quote from Supreme Court Justice Thurgood Marshall fifty years ago, regarding capital punishment, which still holds true to this day.

And I listened to a man as he spoke passionately about the "arbitrariness" of some prosecuting attorneys and judges. So I'm doing something about it, putting my thoughts down on paper to stir somebody up.

I heard about ten amendments voted on in November 2022 to better the Alabama Constitution, but not necessarily the way of life to be lived. The bill and amendment that I would have loved to have seen was a vote to abolish the death penalty here in Alabama.

I have always wondered when a person takes a public service job, do they become a servant to God, who created them first? Or the people who elected them first? Or just serve themselves while in office first?

Also, when an individual is being sworn in to office, with their right hand raised, what are they placing their left hand on? Is it the Holy Bible that this nation was founded on? Or is it on a copy of the Constitution of the United States of America?

What's fun, not "Ha-Ha-," but fun sad, that you don't even have to believe in God or that there is a creator of us all. Yet and still, they are qualified to judge whether or not a man or woman should live or die.

Where are they getting their discernment from? Oh, my bad, they have studied the laws that govern this nation and then given a law degree, that gives them the license to sentence someone to death.

The truth of the matter is even before an individual has committed a crime he or she has already been judged simply by the way they look, speak, dress, or where they are from. Oh yeah! Did I mention that I was born and raised there in the City of Selma, sixty-five years ago.

Here goes that word again, "Arbitrariness" in my mind. If the mitigating circumstances were really examined in these cases, a lot of people wouldn't have the death sentence today.

Here is just a few reasons which disqualifies a person whether (juror, prosecutor, or judge) from judging whether an individual should be sentenced to die. #1. They don't know all the facts, #2. They are unable to read a persons motives, #3. It's impossible to be onjective, #4 They lack the big picture, #5 We live with blind spots, #6 We are prejudiced and have blurred perspective, #7 We are imperfect beings and inconsistent at times.

I read somewhere that there's none righteous or good of themselves, no not one! I hear it all the time! People saying that they are a good person, and my question to them is what qualifies you as a good person?

And when they finish explaining their goodness, all I heard was that this person is capable of doing good deeds for others

but still possess evil tendency, and an unrepentant heart towards God.

Well, let me stop here, I'm always thankful for the supporters, volunteers, families, and readers who are being the other voice for PHADP.

May the creator of the heaven, earth, and seas continue to shine His face of approval on you and your families with blessings, favor, and protection, Amen.

Earl J. McGahee Sr.
Z - 466 / L - 24



What Do We Do? Where Do We Go?

The state of Alabama's Governor Kay (poison) Ivey has struck again. So, what do we do? And where do we go? Kay (poison) Ivey fooled most of Alabama's citizens with this so-called halt on executions claiming a top-to-bottom investigation on the process. No such investigation has taken place. So, what do we do? And, where do we go? If the Governor of this state isn't concerned with the torture being implemented by the staff of her execution team who is? Kay (poison) Ivey has done nothing more than find a way to torture guys on Alabama's death row for longer periods of time to fit her own agenda. There's nothing in her investigation that has anything to do with "what went wrong in finding the intravenous lines of Joe Nathan James Jr, Allen Eugene Miller, and Kenneth Eugene Smith?" If no one is concerned with this part of Alabama's execution protocol? This means it will happen again and again, only now no one will know because of the new rules put in place by the Alabama Supreme Court. So what do we do? And, where do we go to help death row inmates?

M. Woodard



Time for Change

How can we grow as a society when we still have blood-thirsty states that are still out to kill/murder people in the name of justice.

You got them searching for drugs to kill inmates from inside and outside the state. You have in-fighting amongst themselves over whether or not they should hold off killing until they look over their protocol. You have people that have another agenda on their minds and killing people is the only way to move up.

I think times are changing and I look forward to this year. Something has to give and the struggle is real!!

Darryl Turner