

A Spiritual Quandary

Susan Pace Hamill

In memory of Cynthia Lynn Miller Stevens - 1961-2000

I am best known for my efforts fighting for tax reform in Alabama. Like many tax and business types, I vowed to never publicly discuss a topic as ugly and raw as the death penalty. And until five years ago, when the brutal murder of my beloved housekeeper and friend by her husband personally dragged me into this ugly and raw world, I did not have to.

Like most lawyers, for years I have known that the facts set forth by the *Birmingham News* editorial board are absolutely true. Alabama's death penalty system is indisputably arbitrary, racially biased, of no value for deterrence, especially unfair to the poor, and, most disturbingly, has an unacceptable level of errors. And when friends and colleagues privately asked for my opinion as to whether we should have the death penalty, relying on these intellectually-based grounds, without hesitating, I use to answer "no".

Then it happened. Early one Saturday morning in late July of 2000 as I was happily paddling around my kitchen feeding my two children, who were at that time going into the second and fifth grades, the call came in – "Susan, Rick Stevens killed Cindy last night." Screaming, crying and hysteria swept through and invaded the tranquility of my home. It spread from me to my children with my husband trying to calm everyone down and call the police to confirm.

It was true. Later that day my exhausted husband took me to the police station to be interviewed. Cindy had confided in me several months earlier that her husband was abusive and that she wanted out. I sent her to Turning Point, which offers counseling and other services to domestic violence victims, and helped her find a lawyer. She filed for divorce and was determined to stick with it. The last thing I remember her saying was "I am so looking forward to my future."

Those words haunted me as the homicide investigator lead me past Cindy's teenage daughter, crying for her mother, into the interview room. Those words haunted me when I learned that Rick walked he and Cindy's two children across the street to a neighbor's house, returned home, stabbed Cindy sixty-seven times with a knife from their kitchen and then called the police and confessed when they arrived. Those words continue to haunt me and probably always will.

That monster did much more than rob the many people who loved Cindy of ever seeing her again. He robbed Cindy of her future. My first comment to the homicide investigator was: "Surely you are going to charge him with capital murder." So much for being opposed to the death penalty on the intellectually-based grounds of the system being broken. When it was my friend, I swept all those concerns aside. I wanted that monster to pay the ultimate price.

Here is the rub. Troy King is right in his eloquently stated plea to remember the victims - the death penalty is much more than just an intellectual issue. However Bryan Stevenson and the *Birmingham News* editorial board are also right in their ironclad analysis that the death penalty in Alabama is being administered in an indisputably unjust manner, which amounts to legally sanctioned vengeance and is certainly not consistent with a culture of life and a civilized society.

So what are we to do? I have no answer to the profound philosophical and theological issue whether the death penalty is necessary to provide justice for victims or whether it is always unjust and offends a culture of life.

However I strongly believe as a state where most of us claim to be Christian believers we must spiritually confront the injustice within Alabama's death penalty system as resulting primarily from the sins of greed, indifference and vengeance.

It is quite clear that we need substantially more tax dollars to provide qualified legal counsel for all capital defendants. But if we are unwilling to adequately fund our schools can we even hope to get enough taxpayer support to adequately defend those accused of heinous crimes? With the help of our religious leaders, we must spiritually confront our greedy unwillingness to support this funding, and, we must also spiritually confront the indifference many of us feel towards the other facts showing that the death penalty is not being administered fairly.

I also strongly believe that we cannot overcome the greed and indifference sustaining the injustice of the current death penalty system unless we also seriously acknowledge that the wrenching emotional turmoil caused by the unquestionable evil inflicted by those committing horrendous crimes is a very important consideration that must weigh heavily in the balance. Failure to do this cripples our ability to spiritually confront and curb our natural human desire for vengeance, which is the greatest sin keeping the death penalty system in its current form alive.

I learned on that awful Saturday morning five years ago when Cindy was murdered that it is very easy to overlook the facts that the *Birmingham News* editorial board has courageously put in our faces. In Alabama the gap between people consumed with these emotions and those focusing mostly on the disturbing facts is too wide. Our state will not be able to provide justice for both victims of capital crimes and defendants accused of them unless our religious leaders courageously challenge all of us to confront the death penalty as a major spiritual issue that must find balance between these two conflicting ways of perceiving this raw and ugly world.

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