

# Voices of Kansas

MURDER VICTIMS' FAMILIES SPEAK OUT AGAINST THE DEATH PENALTY





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*Murder Victims' Families for Reconciliation and the Kansas Coalition Against the Death Penalty partnered together to compile this booklet, which highlights the personal stories of several Kansas murder victims' families and their concerns about the death penalty. In this booklet, murder victims' families from across the state of Kansas share their own experiences of losing a loved one to murder and the ways that the death penalty fails as a response to such tragedy.*

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## Roger Werholtz

### *Former Secretary of Corrections, Kansas Department of Corrections*

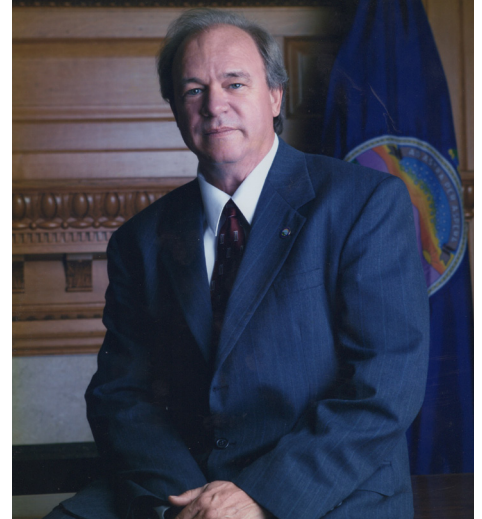
When I was about to become Secretary of the Kansas Department of Corrections, I gave a great deal of thought to the possibility that I might be required to preside over the execution of a human being. I knew that it was unlikely given the recent history of capital punishment in Kansas. I was well aware of the ineffectiveness of the death penalty as a deterrent to murder. I knew that the criminal justice system was fallible and occasionally subject to official misconduct. I knew there were instances of misidentification, faulty expert testimony and forensic science resulting in wrongful convictions. I knew that race, wealth and social class played a role in whether someone was more likely to be charged, convicted and sentenced for a capital offense. It was my hope that I would never be required to choose between my conscience and fulfilling that duty of my office. I was lucky. I was never forced to make that choice.

I was fortunate in another sense. During the time I worked for the Kansas Department of Corrections and, later, the Colorado Department of Corrections, I was able to meet and talk to many crime victims including the survivors of murder victims. Many wanted to better understand how the corrections system and the larger criminal justice system worked. They wanted to separate myth from reality. So much of what is seen in the entertainment and news media that shapes our understanding of what the justice and prison systems are like are skewed and inaccurate. When crime victims understand the realities of these systems, their own thoughts and feelings often changed and their eagerness to help improve the systems led to meaningful collaborations. They helped me view my job and my responsibilities from another perspective. I have never lost a loved one to violent crime, and I don't think anyone who has not had that experience can truly understand the pain and loss they have experienced. I am convinced that we can learn from their experience and the steps they have taken to deal with the pain they have endured, and we owe it to them to listen to what they have to say.

There is not unanimity in their views. You will find supporters and opponents of capital punishment within this group that no one wants to join. But as we consider our own positions on capital punishment, I urge you to consider what you read in this publication. Each person contributing to this document has come to their own conclusions by different paths and for different reasons. But more than anything, I think they have tried to consider not just the pain they have endured, but have tried to find a way to use their experience to make our communities a better and safer place for those of us who remain. I urge you to listen to their voices and I hope you will find them as thoughtful and as persuasive as I have.

*It was my hope that I would never be required to choose between my conscience and fulfilling that duty of my office. I was lucky.*

*I was never forced to make that choice.*



**Roger Werholtz**

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## Stanley Bohn, Brother of Helen Klassen

### *North Newton*

The murder of my sister Helen Klassen left a deep emotional impact on my family and me. Helen was the victim of a brutal rape and murder over 40 years ago. It was Helen's grade school daughter who discovered her body after coming home from school. This tragedy shook our family and robbed from us our sense of safety. My sister's six brothers and sisters and their families struggled with how to cope and how best to help her daughters and husband deal with symptoms resembling post traumatic stress disorder.

The individual who murdered my sister was never found. This senseless murder left us with many unanswered questions. As we struggled with these questions and anger, our family focused on healing. We recognized that, if the individual who murdered my sister ever were caught, the death penalty would not help us as we worked to rebuild our lives. Fortunately, we never had to endure a lengthy capital trial followed by years of appeals, which only would have inflicted more pain on our family.

I am hopeful that Kansas and others states can move beyond the death penalty and dedicate more attention and resources to policies that reduce violence and address the real needs of murder victims' families. It is by working toward these goals that my family and I honor my sister's memory.



Stanley Bohn

*The individual who murdered my sister was never found. This senseless murder left us with many unanswered questions. As we struggled with these questions and anger, our family focused on healing.*

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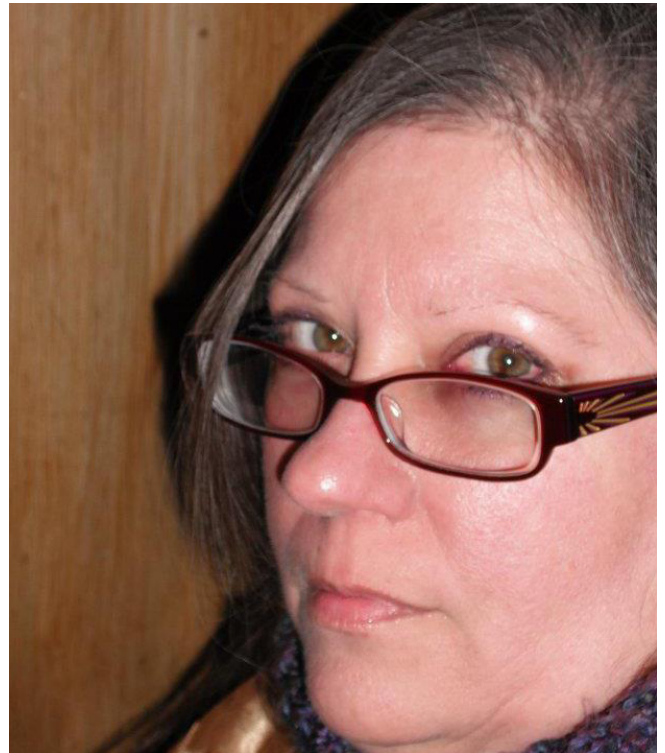
## Nannetta Cook, Granddaughter of Mary Mae Johnson *Junction City*

In 1983, my grandmother (my step-father's mother) Mary Mae Johnson was murdered in Joliet, Illinois. She was 82 years old when a man entered her home and beat her to death. Her murder captured the media's attention: to this day I remember reporters accosting my family and me as we tried to leave her service.

It's difficult to truly understand how the murder of a family member changes your life. In a second, the doorbell ringing or a stranger at the door can take you back to the time of the murder. You feel panic and fear wondering if the same thing will happen to you. Murder traumatizes entire families.

It is a mistake to believe that an execution will do anything to ease this trauma. Dealing with the media attention after my grandmother's murder was difficult. Prosecutors seeking the death penalty only heightened the media attention, which would have been worse had there been an execution. Instead of non-stop media attention and endless legal proceedings, which can inflict further harm, families need support and an opportunity to begin the healing process.

My stepbrother, Mark Johnson, who was 18 at the time of his grandmother's murder, similarly rejects the death penalty as a response to violence: "I still fail to see how a death penalty is any deterrent at all. It certainly didn't prevent my grandmother's murder in Illinois or my cousin's murder in Idaho, two states that both had the death penalty at the time." As an adjunct Professor of Criminal Justice who teaches at Fort Riley, I couldn't agree with my stepbrother more. Together we support replacing Kansas' death penalty with the effective alternative of life in prison without parole.



Nannetta Cook

*Instead of non-stop media attention and endless legal proceedings, which can inflict further harm, families need support and an opportunity to begin the healing process.*

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## Celeste Dixon, Daughter of Marguerite Dixon

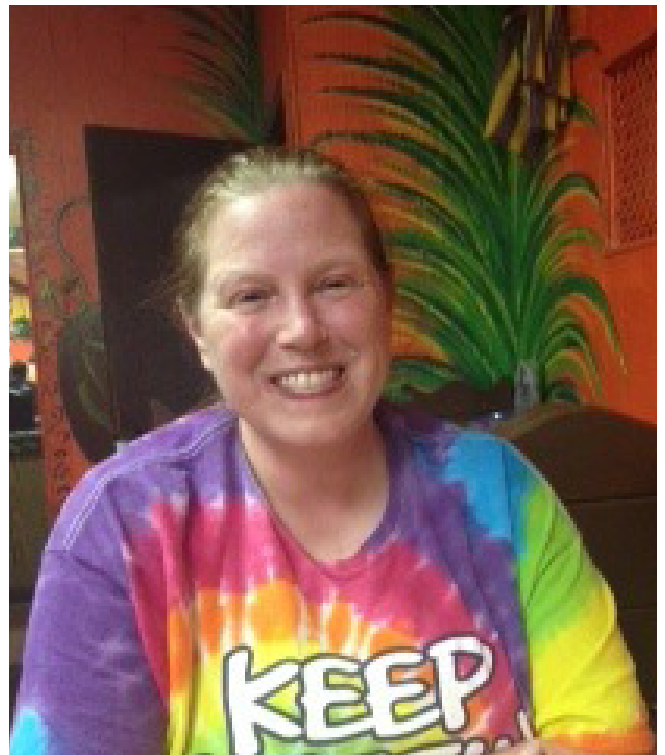
### *Larned*

My mother, Marguerite, was murdered while I was in Puerto Rico stationed with the Navy. A man in Texas murdered my mom, and shortly before his trial began, my enlistment ended. As painful as it was, I felt compelled to participate in this process and so I sat through every single day of the trial. Finally, the jury came back with a verdict of guilty and sentenced that man to death. One of the jurors later told me that he worked to persuade the other jurors to choose death.

Twenty-one years later, the man who murdered my mother was executed. For 21 years, I was trapped in the death penalty. My experience taught me the hard way how difficult the death penalty is for those caught up in it.

Before my mother's murder, I hadn't thought much about capital punishment. But starting with the trial, doubts crept in that an execution ever would bring me any comfort. Enduring over two decades of appeals and waiting cemented my belief that pursuing the death penalty did me no good. When he was finally executed, I was grateful for the painful process to finally be over. Had he been sentenced to life in prison without parole, I could have moved forward with my life much sooner. The long road to an execution was absolutely not worth the pain.

Kansas would do all victims a service by getting rid of our long, painful death penalty and investing the resources saved in services for victims. A murder leaves a tremendous hole in one's life. There are many things a state could do to help victims' following this trauma. We should focus on those services, not the empty promise of an execution that sends victims' families down an excruciating path of waiting for a punishment that may bring little solace.



Celeste Dixon

*Kansas would do all victims a service by getting rid of our long, painful death penalty and investing the resources saved in services for victims. A murder leaves a tremendous hole in one's life.*

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## Neely Goen, Daughter of Conroy O'Brien

### *Murder in Matfield Green*

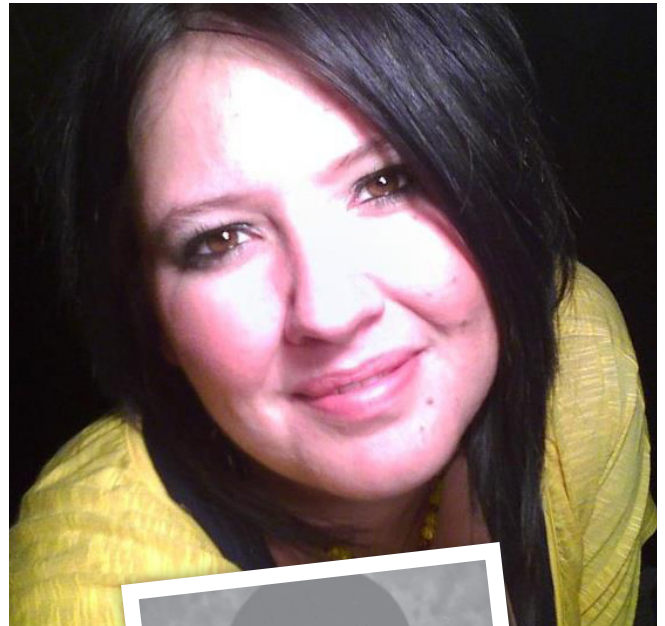
I never met my dad. My mom was pregnant with me when three men murdered my father, Conroy O'Brien, a Kansas State Trooper. What should have been a routine traffic stop near Matfield Green changed the course of many lives. My mother wasn't the only one devastated. Many people were outraged that an officer had been murdered in the line of duty. My father's murder, along with other cases, led people to call for a return of the death penalty, which Kansas eventually reinstated in 1994. This was fine with me. Having spent my entire life without my dad, I was angry and had wanted his killers executed.

But over time, after I saw how the death penalty system actually works, my feelings on the issue changed.

What I've discovered is a legal process that no murder victim's family should have to endure. We already have been through enough. We deserve better than a system that forces us to go through long trials and endless appeals. The death penalty focuses an incredible amount of attention on the killers, which makes victims' families relive the painful details of a murder over and over again. At one time I believed that the death penalty would benefit people like my mother and me, but in reality nothing could be further from the truth.

What would help us is not to continue to pour money into the death penalty, but dedicating those funds to law enforcement, rehabilitation programs for non-violent offenders, and juvenile programs, to prevent other families from having to suffer a loss like ours. Ending the death penalty will save our state valuable resources, and save victims' families from a terrible legal process. There are much better ways than the taking of another life to show care and concern for those of us left behind.

Neely Goen



Conroy O'Brien

*What I've discovered is a legal process that no murder victim's family should have to endure. We already have been through enough.*

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## Mary Head, Sister of Patricia Erikson

### *Lawrence*

On May 17, 1984, a man walked into my sister Patricia Erikson's unlocked house after her daughter had left for school. While Pat was still asleep, this intruder shot her twice. My sister's murder had an immense impact on my entire family. The murder was devastating for my mother, my siblings, and myself, and it permanently affected my niece, who was the one to discover her mother's dead body.

Though there was a suspect in the killing of my sister, no one was ever tried for the murder. As you can imagine, we were angry that no one was brought to justice for my sister's murder. We know our story is not unique. Each year, thousands of murders across the country go unsolved.

Given that many cases like my sister's go unsolved, I simply cannot understand diverting resources to a death penalty that does nothing to make us safer. We spend millions of dollars on the death penalty, but for what? In Kansas we have had the death penalty since 1994 without a single execution. There are more responsible ways to use the time, money, and resources than to waste them on the death penalty. Instead of spending enormous resources on a handful of capital cases, Kansas would be better off focusing attention on helping the families of murder victims and investigating other unsolved murders.

While I believe that anyone who deliberately kills another forfeits his right to live within a civil society, I also feel that members of that society must not, in turn, take that person's life. For that reason, I have never supported the death penalty. My sister's murder challenged my view but never changed it. In fact, as I've learned more about the criminal justice system, I have only become more convinced that there are better and more effective ways than the death penalty to respond to crime.



Mary Head

*Instead of spending enormous resources on a handful of capital cases, Kansas would be better off focusing attention on helping the families of murder victims and investigating other unsolved murders.*

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## Bob Hessman, Father of Mary Mel Eesa Rains

### *Dodge City*

The morning of July 19, 1989, began with a phone call from Maxine, Mel's Mother-in-Law. She called to tell us that Mel was missing from her workplace. Her mother, Ruth, and I rushed to Garden City, KS, where she lived with her husband and three children.

The entire family gathered in Mel's home and waited for word from the police. I was told by the mailman delivering mail in her neighborhood that his wife was in the ambulance that had brought our daughter back to Garden City from the field where her body had been discovered earlier. I had to identify her body around 4:00 that afternoon in the police garage where the ambulance was parked. She had been robbed at the convenience store where she worked, forced into a car, and taken approximately 12 miles into the country. She was taken into a wheat field and shot twice in the back of her head.

After several years of trials and hearings, her murderer was sentenced to the death penalty. Ruth and I never felt that capital punishment was the answer for a heinous crime, but after Mel's death, our feelings and beliefs were shaken. We received no consolation or counseling from the police or any other agency. Our consolation and counseling came from family and friends. Fortunately, with support from members of our church we were able to forgive our daughter's murderer.

By reading a printout of all the appeals for my daughter's murderer after he was convicted, it was evident that seeking the death penalty in his case had been a waste of time and money. Capital punishment is far more costly than life without parole and simply does not make sense as a public policy. Even more importantly for my family, the death penalty was incompatible with our Catholic faith and its emphasis on protecting life from conception to natural death.



**Bob Hessman**

*Capital punishment is far more costly than life without parole and simply does not make sense as a public policy.*

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## David, Gene and Tony Kimmi, and Rita Boller, Children of Patricia Kimmi

### *Horton*

Our mother, Patricia Kimmi, was our rock that we leaned on. As the leader of the family, she instilled in us the deeply held values that still guide us today. She was a constant source of love and support – first for us as we grew up, then for our own children.

It was devastating for our entire family, then, when our mother disappeared from her rural home in Horton on November 6, 2009. Six months passed between the time of her disappearance and when authorities found the remains of her body.

Not knowing why this happened or who did it was unbearable in the beginning. Spending every waking moment trying to figure out what happened to mom was a living hell. It was even worse having to go home and trying to explain what happened to our children, who would come to us crying to see their “Ninny.”

Through the diligent work of law enforcement, they collected evidence and identified the man who committed the murder. It was a horrific crime and, if anyone ever deserved the death penalty, the perpetrator in this case deserved it. Our family, however, made it clear to the prosecutor that we did not want him to seek the death penalty.

Because of our mom’s strong faith in God, we know that she would not have wanted the death penalty. She taught us to value all life – a core ethic that simply does not allow for the death penalty. Mom always said, “You can’t be half pro-life.”

In our case, the perpetrator received the severe sentence of life in prison without parole for his crime. No sentence handed down by a jury could have taken away the pain of losing mom to murder. But life in prison without parole was a better response – and more consistent with a culture of life – than capital punishment.



Patricia Kimmi's Children

*No sentence handed down  
by a jury could have taken away  
the pain of losing mom to murder.  
But life in prison without parole  
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## Wilma Loganbill, Mother of David Loganbill

### *Hesston*

Murder leaves a multitude of emotions and pain is the worst. A pain so deep, high and wide, no words are big enough to describe it. You can't get around or through it. And then there is anger – anger at everything, wanting revenge, the knowledge everything is beyond your control and a feeling of total helplessness.

I know this too well – my son David was murdered in 1989 in Wichita. Afterwards, I wanted to hurt the person who murdered my son in the same way that he hurt me. But I never wanted him dead. My son wouldn't have wanted that.

Though I initially resented my tax dollars paying to imprison the person who murdered my son, I learned that imprisoning someone for life is cheaper than the cost of the legal procedures in a capital case.

There is an even greater cost beyond money for family members and friends of the victim: waiting for the legal procedures to be finished. It is hard to work at healing as long as there are court dates to cope with. Each date is like pouring salt in a wound. Once more things you might have started to resolve are torn apart.

I am grateful there was not a death penalty when my son was murdered. I didn't have to deal with ongoing court appearances. I could put the offender out of my mind, start to work at healing and go on with my life without more legal interruptions.

It's very hard to do, but it can be done.



Wilma Loganbill

*I wanted to hurt the person who murdered my son in the same way that he hurt me. But I never wanted him dead. My son wouldn't have wanted that.*

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## Bill Lucero, Son of Rubel Lucero

### *Topeka*

Following my father's murder in 1972 I became aware that pursuing the death penalty would not provide closure or promote my personal healing. Despite all of the problems with capital punishment – racial disparities in its application, high monetary cost, risk of executing innocent defendants – concern for other victims' families is my principal reason for opposing executions.

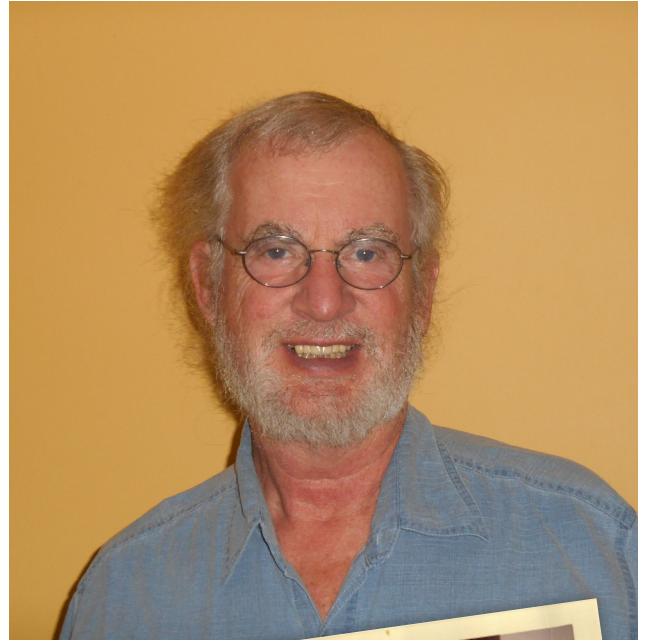
During the past 20 years, I have worked with many murder victims' families, both those who support and those who oppose the death penalty. I've also attended several murder trials in the role of murder victim support. Family members are typically traumatized and are often gripped with significant anxiety and depression.

Despite popular belief, closure is not attainable through the legal process. In fact, a prolonged legal process, which is common in capital cases, can make a difficult situation even more painful for surviving family members. Gradual healing comes only through the process of support found from family, friends, support groups, the community and professional therapeutic counseling.

As a licensed clinical psychotherapist, I have also been employed by the state to work with convicted murderers. None were deterred by the legal consequences of their actions. In fact none that I worked with ever took those consequences in consideration prior to the murders they committed.

I strongly believe that society deserves to be protected from those that would commit the heinous crime of murder. But, I have seen no compelling evidence that capital punishment could provide any substantive assistance to those affected by murder or as a means of reducing future criminal behavior.

Bill Lucero



*I have seen no compelling evidence that capital punishment could provide any substantive assistance to those affected by murder or as a means of reducing future criminal behavior.*

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## Todd McCarthy, Son of James A. McCarthy

### *Olathe*

I loved my dad and respected him more than anyone. He was someone whom I admired growing up, and this admiration only grew with time. Importantly, he instilled in me a deep respect for all human life.

These values were put to the ultimate test when, on April 19, 1995, my father lost his life along with 167 individuals in the Oklahoma City bombing. To lose the person who was my role model devastated me. The year after his murder I was angry – I wanted those who took my father's life and so many other lives to lose theirs.

With time and reflection, however, I realized that an execution would not heal my brokenness. My father never supported the death penalty – it was a policy contrary to his core belief that all life is sacred. Deep down I knew that an execution would not honor his memory. If I truly was going to uphold the principles that he held dear, I could not support the death penalty for those who murdered him, as hard as that was.

Letting go of the desire for the death penalty was an incredibly difficult decision, but it helped me heal. I let go of the anger I felt after my dad's murder. That was especially important for me as a father raising my son and seeking to instill in him the values of compassion and respect for life that my dad taught me.

Furthermore, as I watched the death penalty process unfold, I saw up close how it fails murder victims' families. Prosecutors' decision to seek the death penalty prolonged the legal process and forced families to relive the tragedy of their loved one's death through lengthy capital trials and appeals. And, when Timothy McVeigh was finally executed, it failed to bring the solace that families had been promised.

I never asked to confront the death penalty in such an intense and personal way. But my experience has made clear to me that there are better ways to respond to the needs of murder victims' families than capital punishment.

*My father never supported the death penalty – it was a policy contrary to his core belief that all life is sacred.... If I truly was going to uphold the principles that he held dear, I could not support the death penalty.*

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## Candice Reed, Cousin of Dessa Ford and Quincy Williams and Friend of Jermaine Levy

### *Wichita*

In 2000, two of my cousins and their two friends were the victims of a quadruple murder that rocked Wichita. Dessa, Quincy, Raeshawnda, and Jermaine were all just teenagers when a young man entered the apartment they were in and gunned them down. Horrifically, eight days after my family's tragedy, our community experienced another shock when the Carr Brothers murdered five individuals during a terrifying crime spree. These two events in such a short period of time devastated our community.

The notorious crimes committed by the Carr brothers made headlines across the state and nation. Few, however, remember the names of my murdered family members. Some even dubbed them the "Forgotten Four" because of how their case and my family's loss were overshadowed by the Carr case. The Carr brothers ended up receiving the death penalty, and those who murdered my family received life sentences.

Such disparities in the death penalty's application bother me. I hear that we need the death penalty for the most "heinous" murders. Although people who make this argument often have good intentions, the argument itself can strike many murder victims' families as disrespectful. If some murders are particularly heinous, then are others not heinous and merely ordinary? This implication can be a source of pain for the vast majority of murder victims' families – like mine – whose loved one's murder does not result in a death penalty.

Instead of maintaining the death penalty to apply to a small handful of cases, Kansas would be better off eliminating it as an option at all. The money and resources put into capital cases – which drag on for years – could be better used to prevent violence in our communities.



Candice Reed

*The money and resources put into capital cases – which drag on for years – could be better used to prevent violence in our communities.*

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## Kristi Smith, Daughter of James K. Edwards

### *Valley Center*

On December 15, 1978, three men robbed a pharmacy near where my dad lived in Wichita. They terrorized the employees before running to a get-away car. On their way, they began shooting my dad's elderly neighbor. My dad saw this horror and was incredibly brave – rather than think of his safety, he rushed to help his neighbor. Tragically, three bullets hit him in the heart and he died shortly afterwards.

The impact of this loss never goes away – it has been a hard, sad, and long road to travel without our dad. At my wedding, my dad was not there to walk me down the aisle. My children, my grandchildren, and my brother Jamie's children never had an opportunity to know him. I still miss his voice and his bright blue eyes that held so much joy.

The death penalty would have done nothing to ease the pain of this tremendous loss. It would have made the healing process after my dad's murder even more difficult. The death penalty would have prolonged the legal process, forcing me to return to court for endless trials and appeals. The last place to find healing is in court and the intense media coverage surrounding capital cases.

The death penalty also would have deprived me of the opportunity to begin the process of reconciliation with one of the men responsible for my dad's murder. This process is not for everyone – for years I wanted nothing to do with it – but my faith pushed me to pursue it. When I had the opportunity to meet in person one of the men who killed my father, forgive him, and hear his expression of remorse, it was an important event in my healing process. I'm blessed the death penalty did not rob me of that.



**Kristi Smith**

*The death penalty would have done nothing to ease the pain of this tremendous loss. It would have made the healing process after my dad's murder even more difficult.*

For more information or to become a member or donor of Murder Victims' Families for Reconciliation: contact us at [info@mvfr.org](mailto:info@mvfr.org) or 877-896-4702, or find us online

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# Voices of Kansas

MURDER VICTIMS' FAMILIES SPEAK OUT AGAINST THE DEATH PENALTY

## Carolyn Saenz Zimmerman, Daughter of Lawrence Saenz

### *Topeka*

The crime that took my father's life was nearly a lifetime ago. I was 27 and he was 54 when the unthinkable happened. I choose to remember happier times. My father, Lawrence Saenz, was born and raised in Texas with Spanish his first language. He learned English in first grade and used both languages all his life. An accountant by profession, he was naturally artistic. He loved to sing, play the guitar and create hand-tinted photographs of our family. He had elegant penmanship.

I have heard the spiritual teacher Richard Rohr say that our gifts are also our flaws. I think it's true. My father was family-centered, which made him fiercely protective, and passionate, which made him demanding. Most of all, he was vulnerable, which made him human.

I suppose it was simply human vulnerability that made him a murder victim in 1969 after being kidnapped during a robbery of his business. He left behind his mother and sister, his wife, four children, two young grandchildren and extended family members.

I believe my father would understand that survivors face their losses in different ways. I think he would agree that the death penalty is a false promise that inflicts further pain on families by prolonging the legal process. I feel he would support our alternative sentence for capital murder: life in prison without parole. Today I honor the memory of my father by working to end the death penalty and promote healing.

What seeds do we sow with the death penalty? By holding onto the death penalty, we keep in place a policy that perpetuates the illusion that we can protect life by taking life. We have prudent and more effective alternatives for responding to violence.

Carolyn Saenz Zimmerman



Lawrence Saenz

*By holding onto the death penalty, we keep in place a policy that perpetuates the illusion that we can protect life by taking life.*

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