

House Corrections and Juvenile Justice Committee Hearing

February 19, 2019

Testimony in Favor of HB 2282

Submitted by Celeste Dixon of Larned, KS

On August 18, 1986 I was in the U.S. Navy, stationed in Puerto Rico when I got a phone call in the middle of the night from my work center asking me to come in. When I tried to get more information about why I was only told they had received a Red Cross message. I knew right away that this was bad news. Red Cross messages were only sent when someone in a service member's immediate family was either seriously injured or ill, or possibly even dead. During the fifteen-minute drive to the base I started thinking about which of my family members I could live without. At the time both my parents were still living, and I had six siblings. As I went through them one by one, the only person I knew for sure that I didn't want it to be was my mother.

Sadly, though, when I arrived at the communications station and met with a chaplain and the chief on duty, the message turned out to be about my mother, Marguerite. When I reached my sister in Texas she me that not only was she dead, but that she had been murdered during a burglary at my parents' house. I was granted emergency leave and returned home to Texas for two weeks. During those two weeks, a man was arrested in the case and charged with burglary and the rape and murder of my mother, Marguerite Dixon.

The prosecutors told us they would be pursuing the death penalty. At the time I had never really thought much about it. I supported it without thinking about all the implications of it. Although the prosecutors never explicitly promised that executing this man would bring us healing, it was presented as something we deserved. Anger is a normal part of grieving. But when someone you love has been murdered, focusing on death for the murdered gives you something to hang your anger on. I only had seven months left on my enlistment so I felt lucky that I was out of the Navy and back in Texas in time to attend the trial.

I was the only immediate family member who was able to attend the trial every day, since my father and siblings were witnesses. It was important to me to be there daily so that both the accused, Michael

Richard, and the jury would see me and understand my family's loss. There were several things that happened during the trial, though, that started me on a journey of change I never dreamed I'd ever make. First, listening to the defendant's sister testify, I learned some troubling details about Richard's life. Michael's sister testified about abuse in the family, sharing personal details about their home life in an effort to save her brother. Although I was still very angry, I began to see as a human being.

The jury eventually found Michael Richard guilty and the sentence was execution. The second thing that happened was while I was with my family outside the courtroom. We weren't exactly celebrating, but we felt satisfied that justice had been served. Then I saw Michael Richard's mother sobbing in the hallway and I remember thinking, "We had just heard that the person who murdered our mother would die for his crime. His mother had just heard that her son would die." I actually went over to her and hugged her, telling her I was sorry. At the time I was sorry. We were all caught up in this tragedy together.

The final thing that happened that day was something one of the jurors told me when he saw me in the court house lobby. He said that some of the jurors had wanted to sentence Richard to life without parole, but he said he had held out for the death penalty because he felt the family deserved it. Although I was gratified at the time, I eventually became uneasy with his reason. Shouldn't the sentencing be based on the law and not what a juror felt or imagined our family might want?

Over the following year, I thought about all these things and began to question my feelings about the death penalty. The one thing that became clear to me is that process really required that I spend my days actively promoting, even looking forward to, another person's death. I didn't like the way that felt. I also didn't like the fact that it essentially made me hang on to my anger until the execution. I didn't want to let anger control my life. And, of course, none of this was going to bring my mother back.

For all those reasons I oppose the death penalty. Grieving family members need understanding and a chance to grieve and I believe the death penalty complicates that. Money spent on capital cases could be better used for victim services and improving law enforcement.