

Wilderness House Literary Review 5/4

Darcy Alvey
Death Penalty

Hello.

It says so in the Bible, don't it? Black and white--an eye for an eye. A man who on purpose kills another human being forfeits his right to life. Don't even deserve the half life some gets spent behind bars without parole. I seen on Court TV how prisoners got their own television sets and books, not to mention three squares a day, including dessert. Don't seem right somehow. But killing, that's a whole other story than some of them lesser crimes. You kill. You get killed right back. Simple. If that don't make people think twiced, nothing will.

Take that Timothy McVeigh case--you know, the guy who bombed all them people and babies in Oklahoma City. If I was a juror in that case, I would have punched the guilty button without a second thought or minute's loss of sleep. I mean, how else do we stay civilized than by punishing in kind them that does wrong? Without such rules we're no better than animals who eat their young or self righteous senators and some who have secret love affairs and then vote out their colleagues who get caught messing around.

There's them that think if someone repents of what they done and finds God, they shouldn't have to pay the consequences of rapes and murders what happened before they got religion. To my way of thinking, repentance in no way erases the crime that got them there in the first place. Remember Karla Faye Tucker in Texas? I saw stories about her on the news, about how she was no longer the same person who killed two people with a pickax. All sweet and loving she was behind bars. People said she changed when she found God. Should that change her fate, though? Does that give the families of the victims back their loved ones? No, it don't.

You got to think about the family of the one's been murdered. The only peace they get is seeing justice done, seeing the guilty person pay. Even so, most families have to wait years for a death sentence to be carried out, what with all the appeals and writs and habeas corpuses that overload the courts until they're strangling on the meaning of the word "is." Silly nonsense.

When I received my summons to appear for jury duty fifteen years ago, I looked forward to getting on a trial. Didn't think I'd have a bit of trouble making a decision. The law is the law and facts is facts. Didn't matter that the case I got called to turned out to be a death penalty case. When the lawyers asked if I would have trouble sentencing someone to death I answered "No" smartly. You pay for your mistakes in this life and you pay in kind. Like the Old Testament says. You got to believe in something and I believe in that.

That don't mean I didn't take the trial real serious. I did and would again. I wanted to be dang sure your son really killed that little girl and, by the end of the case, I was. Without a doubt, as they say. So was everybody else on our jury. Facts don't lie. Your son already done time for stealing cars and getting caught with drugs, not that that's the same thing as murder. It does set a course for not respecting the law. And them three witnesses saw him right there at the edge of the park where the little girl's

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body was found. One of them even seen him bending right over her. I watched your boy during the trial; he never made eye contact with nobody. That kinda bothered me. An innocent man looks you straight in the eye, I always found.

I also saw you all in court every day sitting on the bench behind your son, across from the little girl's family, and felt bad for you. I raised two boys myself and know how hard training boys to do good can be, what with all the negative influences out there. You got to be firm in your beliefs no matter how hard it is to do the right thing. I caught one of my boys with marijuana onced and turned him in to the police myself. You stick to the rules you stay out of trouble, I told my boy. You break them you pay the price. He still don't speak to me for turning on him, but it was the best way and I'd do it again to keep him on the right track. He ain't been in trouble since that I know of.

Through all the years since your boy's trial, I been reading the newspaper stories about his appeals and such, wondering what the court would decide. As each petition got turned down and even after that last plea to the governor, I thought about you all, as well as the girl's kin, knowing how hard the waiting must a been. You hoping each new petition would save your son or at least commute his sentence to life and her parents and brother wanting it all to be over and happy each step closer it came to the end. On that last day five years ago I watched the news reports showing him talking to the priest and visiting with you all for last goodbyes. I hurt for you. Yes I did.

Later, as the time ticked closer to midnight, I saw you standing vigil outside the prison with your white candles lit. I could see your tears and anger through the flickering. If it had been me, and my son dying, I would have done the same, wanted to be close on the night he went out of this world, the same as I was the moment he came in. All that didn't change the fact of the killing of that cute little girl, though, and the loss to her family.

And then the fist to my gut last Thursday. I can't describe my stomach knot when I read in the paper that body fluids collected when they first discovered the child had been tested for a DNA match with your son, more or less to prove to everyone they got the right man. Well, it looks like they didn't get the right man, something you knowed all along. I couldn't believe what I read. I sat and cried. If only the testing had been done before your son's execution.

No words can tell you how sorry I am, the shame that I feel. If it wasn't for me, your son might still be alive. My one vote could have saved him, at least til another trial. I hold myself responsible for his death. I might as well have stuck the needle in his arm. That's how I feel.

I still believe in what the Bible says about an eye for an eye. But you better be real sure you got the right eye. Here's the main thing I want to say to you all. I want to do right by you and your son. I owe you that. But I need your help. My mind's in a mess. You got every right to expect me to suffer the same punishment as any other murderer, for that's how I see myself. And I am willing to do what is necessary to make that happen. There's no getting around it, my vote in that jury room would have stopped all these years of pain for you. The reason for my hesitation is the

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Good Book also has a rule about taking your own life, as life's a gift from God and hurtful to Him if you throw it away, not that I would be throwing my life anywhere by paying for what I done. I see it as amends.

I know I have no right to ask for your help. God knows I've hurt you enough. If either my living or dying means anything to you, would soothe your hurting in any way whatever, let me know. This much I owe you, as I can't make up my wrong to your son. Let me know.

Juror No. 4