

Ohio House Criminal Justice Committee

Re: Melinda Dawson Statement in Support of House Bill 183

Mr. Chairman, members of the committee, my name is Melinda Dawson. Thank you for the opportunity to come testify today.

On June 6, 1998, my mother, Judith Johnson was murdered, and my six-year-old niece was brutally attacked. The morning after this brutal assault, my niece went to a neighbor's house for help and said that someone who "looked like Uncle Clarence"-- my husband at the time -- had attacked her and my mother. From that day forward, my life changed forever. From that day forward, Ohio's death penalty would shape the course of my life.

Before I was even informed of what had happened to my mother, my home was surrounded by police. They told me my mother had been murdered and my husband was responsible. The pain was unbearable. I knew my husband was innocent and I would need to fight for him, but I had also just lost my mother to a horrific murder.

No one gave me any resources or a way to contact victim services to help me deal with this tragedy. My sons and I were abandoned. We weren't allowed to go in our home, even to get things for our basic needs. We were suddenly homeless with the clothes we were wearing on our backs. We had no emotional support, funeral cost assistance, shelter or food.

This pain would only continue to grow. Clarence was indicted for my mother's murder and the attack on my niece. The prosecutors wanted the death penalty. They reached out to see if I would help convict my mother's killer only to deem me a "bad victim" when they learned I maintained my husband's innocence.

No physical evidence tied him to the crime. The only piece of evidence was my niece's word. Clarence had a solid alibi. Eight people would confirm that he was at a bar and then returned home the night of the murder. And yet, Clarence was convicted, guilty of capital murder. With all of the supposed "super due process" of a capital trial, all of the extra lawyers, experts, and procedures, an innocent man was convicted.

How can this be? When life is on the line, our system should work the most perfectly-- not relying solely on the word of a frightened child but on solid, irrefutable evidence. In a way, we were lucky that the jury did not recommend a death sentence, even though the prosecutor was pushing for it.

I knew I had to do everything in my power to free Clarence. Over the next seven and a half years, I did my own investigation into my mother's murderer. The most likely suspect was Earl Mann, who, by a twist of sheer coincidence, happened to already be in prison, housed in the same cell block as Clarence. We were able to obtain a crushed cigarette from Earl Mann and had it tested for DNA. The DNA matched the crime scene and Clarence was eventually exonerated.

You would think this would be a happy ending to this story, but that couldn't be further from the truth.

When Earl Mann was brought to trial, the prosecutors again wanted to seek the death penalty. I have to tell you, I was really torn about how I should feel. On one hand, Earl Mann did absolutely horrific things to my mother and my niece-- beyond comprehension. There were times, if I'm honest, that I thought he should have to pay for that with his life. But ultimately, I could not reconcile the simple fact that killing someone is wrong, no matter who it is. My mother was a woman of faith. Remembering her or avenging her death with the death penalty would have been a dishonor to her memory. And the more I learned about the death penalty, the more I knew I could not to support a death sentence for Earl Mann.

Once the prosecutors learned that I, again, opposed the death penalty, they wanted nothing to do with me. Again, I was a "bad victim" that was going to stand in their way. It seemed that my needs and the needs of my family didn't matter if it was going to obstruct their plan. It made me question whether they really thought the death penalty morally right for Earl Mann or if this was part of some larger political game they were playing.

The pain is always there when a loved one is taken suddenly and violently from you-- but that pain is only multiplied when the death penalty is present. To this day, I still carry the stigma of being a "bad victim". I have now met and worked with hundreds of victim family members like me from here in Ohio and all across the country. We know all too well what the death penalty what really means for families like ours. It means decades of uncertainty, appeal after appeal where the murderer's face and name is all over the news. The victims are rarely mentioned, the families of victims are almost never mentioned. It's always about the murderer. When someone goes to prison for life, there is one appeal-- that's it. And then they fade away into the background and the family can move on with their lives.

I will leave this committee with a final thought: for every horrific crime you hear about, for every bad and brutal fact you hear, know that there is someone like me-- someone who lost their family to violence-- who is begging you to end the death penalty in this state so that we can finally have some semblance of peace.

I want to thank the committee for their time today and welcome any questions you may have.