



**PROPONENT TESTIMONY ON HB 183
and Bi-Partisan Efforts to End Ohio's Death Penalty**
House Criminal Justice Committee
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Good morning, Chairperson LaRe, Vice Chairperson Swearingen, Ranking Member Leland, and members of the House Criminal Justice Committee. I am Rev. Jack Sullivan, Jr., Executive Director for the Ohio Council of Churches. In partnership with 17 Christian denominations in 23 different organizational configurations, we represent the largest and most diverse group of Christians in Ohio, encompassing 4,000 congregations and nearly two-million members.

I begin by acknowledging that the public has every right to be outraged over violent, horrific acts that distort or destroy the lives of our fellow citizens, our neighbors, public servants, and more. To be very specific, family members of murdered persons, often called co-victims, a label that I myself have been forced to wear after the 1997 murder of my younger sister in Cleveland, we are justified in harboring feelings of rage and anger over the killing of our loved ones. Our sentiments are reactions to the calculated, unethical, and immoral decision making that drove other human beings to engage in grotesque, murderous acts that abruptly ended the lives of other human beings – our family and community members – and thus forever altered the direction of our families and communities.

My sister, Jennifer, was just discovering her identity, her power, and her promise. By the time she was 21, she had a two-year-old daughter, and had every reason to think that after living through a couple of bad decisions to include dropping out of high school, that she was heading into a future of achievement. Then, suddenly and with no warning, she was snatched from her daughter, snatched from her family, snatched from her future, snatched from this earth by the grotesque force of gunfire.

Now the fact that I have earned degrees from two graduate seminaries does not give me license to profess I know the mysteries of life and death. I do not. Even so, I do not believe Jennifer's death, her murder, was God's will, for the God I know and serve is committed to human flourishing, not human perishing.

As Ohioans like me acknowledge our frustration over acts of murder, the urgent questions before us are: How do we respond to violent, murderous crime? What is our response to rightfully and properly convicted people who have angered us and hurt us the most?

While I am a co-victim, I am also a man of Christian faith who represents thousands of hope-infused Christians who participate in the Ohio Council of Churches, a body that brings together 17 Ohio-based denominations for worship, education, and social justice-oriented public witness.

Through my intersecting identities, I advance the belief that whether a life-ending act is carried out on a Cleveland street or in a Chillicothe prison as authorized by the state, killing is wrong. To be sure, homicide to show that homicide is abhorrent, is itself, abhorrent.

When rivers swell and flood our communities (and I experienced such flooding a few years ago as a resident of Findlay, Ohio) no life-honoring responders would dare add more water to an existing flood for such would

be counterproductive, deadly, and illogical. Instead, they would try to stop the flow of water to stop the flooding.

Accordingly, the cycle of calculated, unethical, and immoral acts that lead to homicide in our neighborhoods is not stopped by the state's own brand of calculated, unethical, and immoral homicidal acts called executions. Executions only exacerbate the cycle of death while they erode the state's moral credibility.

Friends, we know that Jesus was once asked to authorize the public stoning execution of a woman caught in adultery. Interestingly, her male counterpart was not convicted and was not condemned – an early sign of bias in the ethically bankrupt execution business.

Of course, bias exists in death sentencing today. It is evident in the fact that the vast majority of Ohio murder cases do not result in a death sentence. Death sentences from rural counties are especially rare, and so too is the execution of a defendant when the victim is black. People of color are the victims of violent crime in Ohio roughly 66% of the time, yet of Ohio's 56 executions so far, the victims in those cases were white about 66% of the time.

The disparities of our legal system do not take away from the awfulness of any crime, but when we talk about the ultimate punishment and use political power to enact it, we also have the moral obligation and the ethical responsibility to talk about how we decide who gets it and who does not. Race, politics, religion, and the reality of county lines and county budgets certainly play major roles that must not be ignored.

So when Jesus told the woman's all male jury members that they could stone her only if they were sinless themselves, the jurors walked away because, of course, they were not sin free. Sparked by love and justice, Jesus disrupted an execution and redeemed a life destined to be thrown away. It is amazing how love will lead one to disrupt and cancel life-canceling systems. Love understands that people can change.

Consider Moses, David, and Paul (the murderer formerly known as Saul), each one a biblical leader with murder on his resume and in his credit file. Yet, God transformed them all, and blessed them to become pillars of the faith that so many of you, and I, myself, call our own.

Out of an abundance of love and a concern for justice, the Ohio Council of Churches calls on Ohio legislators to avoid adding water to a flood, resist matching immoral death with more immoral death. No one, regardless of what they have done, should ever be discarded.

We applaud Representatives Schmidt and Miller, and their courageous bipartisan team of colleagues in both the Senate and the House who are the driving forces behind proposed legislation to end Ohio's death penalty. They are a clear and present sign of hope for our state. We thank them for calling for the end of death penalty in Ohio, for it is a hollow instrument of death that is historically racist, economically wasteful, and a structurally classist. Its proponents in effect hold co-victims in what could be two, even three decades of wading through trial after trial, hearing after hearing, painfully reliving the deaths of their loved ones while waiting for executions to occur.

Some say speed up executions. However, if we follow this path, we run the risk of wrongful executions. Fifteen Ohioans who faced death at trial have been exonerated and freed. Four were released from life sentences, and eleven after having been condemned to death — all for crimes they did not commit. For many, it was after decades on death row or in prison. That's another way we pull the rug out from under

murder victim family members - when we send the wrong person to death row or prison, leaving the real guilty parties free to kill again. To be sure, no matter how much faith state officials have, they cannot bring wrongly executed persons back to life.

Ohio's death penalty law was enacted in 1982, and our state has conducted 56 executions since 1999. I don't know how many murders have taken place in that time, but what is clear is that this rare and seemingly random practice begs the question of what government-sponsored services and supportive measures are available to the vast majority of co-victims? I can tell you that my family received nothing. Even so, I am excited by the new report by the Ohio Victim Witness Association which explores in-depth the question of what resources actually exist and which are missing for murder victim family members in Ohio.

We murder victim families deserve the truth about what happened to our loved ones. We all want dangerous offenders held accountable, and we certainly don't want the wrong persons punished. Instead of the death penalty, what would be bold, innovative and helpful would be a consistent standard of service for all co-victims in Ohio. Currently, there is no statewide standard protocol of service, and services vary widely depending on the budget of the county of the murder and the agencies tasked with responding to the needs of co-victims. We can do better for Ohio's murder victim family members without executions. We must. We call for the state to invest in true redemption through diverting funding aimed at executions to victim families who need restoration not revenge.

Let the word go forth that today that House Bill 183 has the full support of the Ohio Council of Churches. We Christians, emboldened by renewable and sustainable Holy Spirit power, are saying are saying no to retribution, no to vengeance, and no to retaliation, and yes to love, yes to redemption, and yes to restoration of victim families. Amen