

A GIFT FROM YOUR PARISH AND
THE DIOCESE OF MANCHESTER

January/February 2014

Parable

A Matter of

LIFE OR DEATH

John Breckinridge chooses life for himself and his enemy

FEATURE

Ministers of Care

PARISH LIFE

Immaculate Heart of Mary
Parish, Concord

DEAR FATHER KERPER

How can original sin be
inherited?

I'm a Catholic.
Like most
Catholics these
three words
have meant very
different things on
a journey that has
taken me to places
I never could have
imagined and
never would have
desired to go.

I was born in Andover, Massachusetts, at a time when Sunday best still meant something. Many women still wore dresses and veils to church. Men wore suits and people still carried Sunday missals. By high school in the late 70s the world and everything in it was more casual. I involved myself in youth group and T.E.C. (Teens Encounter Christ). I made memorable trips to Camp Fatima in New Hampshire and formed good relationships with local priests whom I remain in touch with today. My faith was active, if unchallenged.

Then, like many young people, when I moved away to college I left religious practice at home. This is ironic since the place I came to school was Saint Anselm College in Manchester and the opportunity to deepen my faith had never been greater. I didn't wage a protest against my religion or even actively retreat from it. Like many people at that age I just let it fade away without much of a struggle.

Meanwhile, the road before me unfolded in the usual ways it does for a young man doing the things he is supposed to do. I majored in Psychology and began a career as a social worker to help people. I fell in love, got married, and had kids. Then I became a Manchester police officer. Being a cop challenged me and offered me a shared sense of purpose that most people never experience on the job. It also showed me every day for 22 years the very worst in human beings.

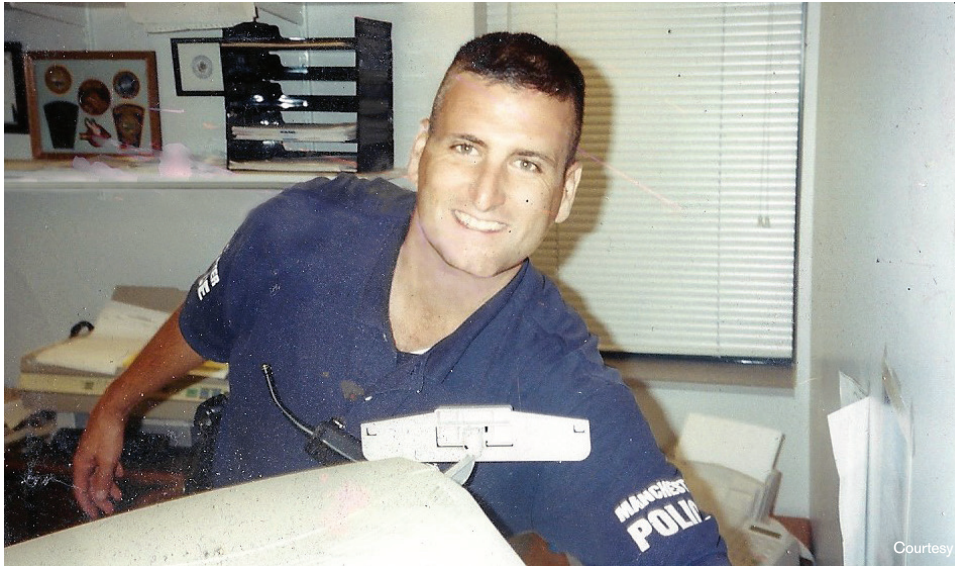
I had already fallen away from the Church and now, one incident report at a time, I was steadily losing faith in humanity. Like most cops I acquired a tough and resilient veneer that concealed a mounting cynicism and anger. When my wife asked me how things went at work, I'd say, "Fine." When my children misbehaved I'd snap at them. I'm sure I thought that I was

leaving my work at the station, but the sort of depravity and pain you see each day as a police officer isn't easy to shut away in your locker at the end of the shift. Instead you tend to lock it away inside, where, if you aren't careful, it can steadily corrode you from within.

I figured I was careful. I enjoyed great camaraderie on the force, good relationships with good men and women, and even some fun along the way. When I bothered to think about it, I still recognized that God existed, but I had a hard time reconciling a belief in a loving God with the sort of things I saw in the city on a daily basis. Then in the very early hours of October 16, 2006, something happened that nearly everyone in New Hampshire knows well enough to tell their own version of the story. Here's mine.

At around 1:45 a.m. my partner, Officer Michael Briggs, and I received a report of gunshots fired in a second floor apartment on Lake Street. After investigating the apartment, we decided to check a lead before returning to the station. We rode our bikes east on Lake Avenue, then north on Lincoln Street to Litchfield Lane, neither of us considering when we entered that alley that it would mean the end of Michael's life and an irrevocable change to my own.

The details of what happened next are all part of official court records and are the sort of thing we have all seen too often on TV, only there would be no happy ending at the end of the episode. After approaching and commanding a hooded suspect to stop three times, Officer Briggs was shot at close range. I watched him fall, drew my weapon, and shot four rounds at the fleeing man whom I and the rest of New Hampshire would come to know as Michael Addison, who today resides in the Concord state prison as an inmate on death row.



John in 1999 when he was assigned to the bike patrol.

On the morning of October 17, Michael Briggs died for simply and bravely doing his duty as an officer. In the days, weeks, months, and years after that fateful night I traveled on a dark, downward spiral. I hated Michael's killer. I hated every criminal I saw. I hated the crimes they committed and the pain they caused. I drank. I drank more. I hurt my family. I hurt the friends who tried to help. When the trial started in 2008, any healing that might have occurred before that was shattered as I was forced to confront Michael's killer, relive every horrid detail of that night under the scrutiny of the court, and watch Michael's family continue to suffer.

Around that same time there was a commission appointed to study the death penalty in New Hampshire. I attended and listened to the anti-death penalty people carry on about the costs and impracticality of the penalty, its disproportionate application to minorities. I was infuriated! I had watched Michael Addison kill my partner and now we were supposed to spend our money to feed this guy so he could read books, watch cable TV, and work out? We were supposed to take the risk that some judge 20 years down the road might commute his sentence? Let's put him to death and get it over with! I testified to the committee to keep the death penalty.

Maybe I felt better having vented

my anger in public. The death penalty was kept in place. Mr. Addison's life would become that of a prisoner whose life is punctuated by unending and prolonged appeals in a circuitous legal system. My own life, meanwhile, would continue on its inevitable descent. I was living on a friend's pullout couch and my family was crumbling. That was the bottom. From there it would be a slow, agonizing climb upward – a climb that, owing to the courage and love of my saintly wife, I did not have to make alone. When she and I sat before a marriage counselor for the first time and described our problems, he looked at us, shook his head, and spoke an expletive. We had serious work to do. I had serious work to do. The climb began.

It would lead to a familiar place. I retired from the Manchester police department in 2010 and took a job as a security guard on the very campus where I had begun to shed my faith two decades earlier. Returning to Saint Anselm gave me the feeling of coming home, and after just a few weeks changes began to happen. I started to be able to deal with people without assuming the worst about them. I reacquainted myself with some of the monks I had known in my student days. I began to feel comfortable in groups again. As the new guy I was assigned to the night shift, which meant long hours when

there was little activity, so I began reading quite a bit. I might even have prayed some and I began to be drawn back to the Church. My Mass attendance shifted from sporadic to regular and when I went I was actually an active participant instead of a passive guest.

I was still angry. I still wanted Michael Briggs' killer put to death. Then came a new bishop and an old movie. I was reading an interview with Bishop Libasci in *Parable* shortly after he arrived in New Hampshire. He mentioned that his favorite movie was *Song of Bernadette*. I had never seen it and I'm a sucker for old movies, so during the quiet of the night shift I found the movie on YouTube and watched it. I loved it. Then I moved on to 50s Bible epics like the 1951 classic *Quo Vadis*. In one scene Nero, the notorious persecutor of Christians, appears before the crowd. A woman in the crowd shouts at him, calling him "a beast!" Saint Peter hears her and tells her: "No man is a beast. Look at him and know that he is but sick, sick in heart and spirit, in his soul."

I enjoyed the movie, but those words of Saint Peter wouldn't leave my head. During the quiet of my rounds at night I began stopping into the Abbey church. As I began to pray more and more and to use my long neglected rosary, those words from the film worked their way down into my heart. Around this time Sister Helen Prejean came to campus as a speaker. Sister Helen is a well-known advocate against the death penalty. Her work was dramatized in the film *Dead Man Walking*. I entered the presentation still rationalizing my stance that a Catholic could support the death penalty. I listened attentively to Sister Helen and even spoke to her afterwards, explaining my predicament. She listened and didn't try to push her view on me. I came away still conflicted, but what had hit home were the spiritual arguments, particularly that life is a sacred gift from God that should *not* be willfully destroyed.



New Hampshire Union Leader

John gave the eulogy at Michael Briggs' funeral on October 21, 2006.

As my spiritual climb continued, so did my understanding. I began attending a Bible study group at my parish, Saint Catherine's. There my previously naive and unquestioned faith ran up against Saint Paul. Here was a guy who had been an enthusiastic and violent attacker of the Church, purposely dismantling it as much as he could. Then he realized his errors, gave himself to God's will, and was redeemed by God's grace. He went from being an attacker of the Church to one of its foremost evangelists. Who couldn't admire a man like that?

As I struggled with my view on the death penalty, there stood Paul, imploring: "Never pay back evil for evil to anyone. Respect what is right in the sight of all men. If possible, so far as it depends on you, be at peace with all men. Never take your own revenge, beloved, but leave room for the wrath of God, for it is written, 'Vengeance is mine, I will repay,' says the Lord." (Romans 12: 17-19) And long before Saint Paul the prophet Ezekiel had written: "'Do I have any pleasure in the death of the wicked,' declares the Lord God, 'rather than that he should turn from his ways and live?'" (Ezekiel 18:23)

I took my struggle to religious

teachers, to priests. The common thread was clear: "The fundamental dignity of human life." In his encyclical *Evangelium Vitae* (The Gospel of Life), John Paul II wrote that "man is called to the fullness of life which far exceeds the dimensions of his earthly existence, because it consists in sharing the very life of God." The entire encyclical reaffirms the divine gift that we all have received, namely, life itself. The Pope also reaffirmed the teaching of the *Catechism* that the death penalty could be justified only if it was absolutely necessary to defend society.

Given the Catholic view on the sanctity of life and our modern prison system and the means we have to protect society, it became clear to me that as a Catholic I could not justify the very pre-meditated act of executing someone who – for all the evil of their crime and all the permanent hurt they caused others – still lives, like Saint Paul did, in the possibility of spiritual redemption. That's where my journey brought me. Do I want to visit Michael Addison or invite him into my home? I do not. Do I occasionally pray for him and his family? I do.

This past October 16, in the chilly

early morning hours, I made my way once more to the alley in Manchester where Michael Briggs was shot. It is an annual pilgrimage that many of us have shared since that horrific night. Michael's family, fellow officers, and friends gather in vigil in the dark. Honor, love, and sorrow hang heavy in the air and in our hearts. This year nobody said a word. After a while we quietly went our separate ways. The place to which I return from that annual vigil is different for me today than in years past because, well...

I'm a Catholic. And today those three words mean more to me than I ever thought they would, including the loss of several friends who cannot understand how a guy who has seen what I have seen could go from speaking publicly in favor of the death penalty to testifying against it. It has not been an easy journey and ultimately I didn't make the change. I just descended until I hit a humble enough spot in life where all I could do is ask God for forgiveness. He gave it unconditionally. As the receiver of that gift, who am I to rob it from someone else? Even my worst enemy.

FACTS ABOUT THE DEATH PENALTY

The US currently has 19 states that have abolished the death penalty. An additional 4 states have moratoriums on the death penalty. 30 states in total have either abolished the death penalty, have executions on hold or have not carried out an execution in the last 10 years.

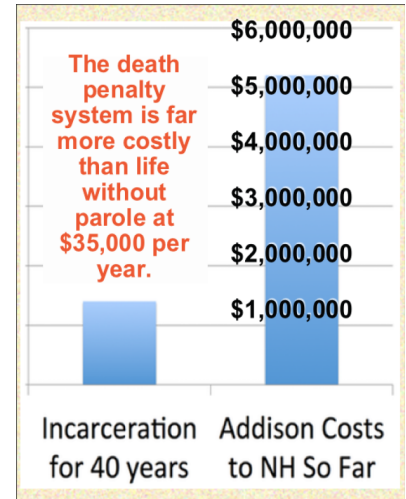
Though no one has been executed in New Hampshire since 1939, over the last decade there have been two capital cases in NH, with one resulting in a death sentence.

The death penalty costs NH taxpayers millions of dollars

Since 2008, NH's only death row inmate has already cost NH taxpayers over \$5 million. NH pays for both prosecution and defense in capital cases. Capital trials are much longer, security costs are higher, and years of appeals (13 years on average, nationally) are costly. NH taxpayers may have to pay millions more over the next 5-10 years for a single inmate, and millions more for each new capital case.

The NH Department of Corrections has requested \$1.7 million to build a 3,400 sq ft death chamber facility.

The alternative sentence of life without the possibility of parole (LWOP) is a fraction of the cost of the death penalty.



Yes, we have executed innocent people in the U.S.

"The death penalty creates the unacceptable risk that a person may be wrongfully executed."

— Joseph Nadeau
former N.H. Supreme Court Justice

Since 1972, 161 death row inmates have been exonerated. Studies estimate that more than 300 people who were sent to death row during that time were likely innocent.

Death row exonerations have revealed cases that are riddled with problems, including mistaken eyewitness identifications, incompetent lawyers, shoddy forensics, unreliable jailhouse snitches, and coerced confessions.

New Hampshire is not immune to these and other problems in the criminal justice system. But New Hampshire already has a corrections system with the sentence of life without the possibility of parole for first degree murder. This sentence ensures public safety and also eliminates the risk of killing an innocent human being.



Cameron Todd Willingham was executed in 2004 in Texas for a fire that killed

his three children, but impartial investigators now say there was no arson.



Claude Jones was executed in Texas in 2000 for a murder he didn't commit. In 2010, DNA testing proved

that the central evidence tying Jones to the crime scene — a hair fragment — was not his.

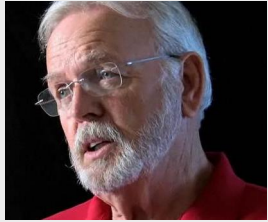


Carlos DeLuna was executed in Texas, but an independent

investigation has since concluded that he was innocent.

Executions create more victims

Wardens and executioners experience trauma, PTSD, and significantly higher than average rates of alcoholism, suicide and domestic violence.



"I started to have some horrible nightmares. It's the faces of the men that I executed. I wake up and see them literally sitting on the edge of my bed. I've moved over to make room for them. They don't say anything to me. They just look."

—Ron McAndrew,
22-year veteran with the

Every death sentence requires a team of executioners who are involved with the details of killing the inmate. Corrections officers, wardens, doctors, nurses and EMTs are required to actively take part in and witness the execution. Scientific research shows that members of these execution teams suffer emotionally after taking part in an execution. These individuals suffer from high rates of chronic mental health problems, substance abuse, and suicide.

Here is what prison wardens have said:

"You sentenced a guy to be executed. You give him a trial, then you send him to me to be put to death. Then later on you [say] that this guy was innocent. You didn't put him to death. I did. I performed the execution. So you might suffer a little. I'm going to suffer a lot, because I performed the job,"

—Jerry Givens, retired Executioner, Virginia Department of Corrections

"I look at a serial killer every day when I look in a mirror. I see a serial killer, and at times it becomes unbearable."

—Terry Bracey, former executioner, South Carolina Dept of Corrections

"There is a part of the warden that dies with his prisoner."

—Don Cabana, former superintendent and executioner of the
Mississippi State Penitentiary

Botched executions are becoming more common

More and more pharmaceutical companies are refusing to sell drugs for lethal injection purposes. This is forcing states to use different, often untried drug formulas that are causing a drastic increase in botched executions.

In addition to harmful and ineffective drug formulas, reports show that the execution teams may not have the proper needles and other medical equipment and that they often have difficulty finding veins that work. The American Medical Association and National Nurses Association have refused to let their members be involved in executions.

What was intended to be a quick and painless form of execution is instead resulting in long, painful and horrific executions, further traumatizing corrections officers, the families of those being executed, and other witnesses.

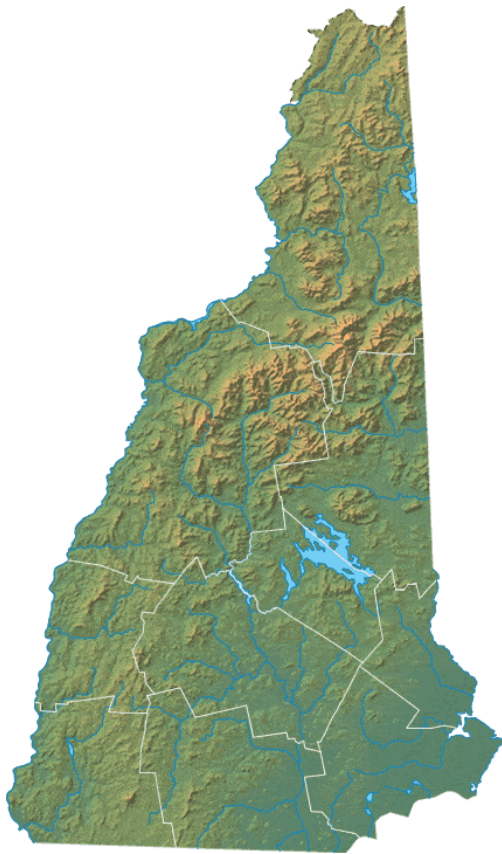
According to Fordham University Law Professor Deborah Denno, an expert on lethal injection, "Amidst the chaos of drug shortages, changing protocols, legal challenges, and botched executions, states are unwavering in their desire to conceal this disturbing reality from the public."



Deborah Denno, PhD

*"I had just
watched a man
be tortured to
death."*

— Florida Death Row
Chaplain Dale Recinella,
after witnessing the
botched execution of
Angel Diaz



“It can’t happen here.”

Challenges to the Myth of New Hampshire Exceptionalism & the Death Penalty

No criminal justice system, even New Hampshire’s, is immune from errors. Our system is run by human beings, and however technically or morally qualified, we can make mistakes. Police can be overly zealous in extracting confessions. Prosecutors often build their reputations on capital case convictions, leaving the fate of defendants to political considerations. DNA evidence that could clear someone wrongfully accused only factors into a small percentage of murder cases.

The death penalty is too final a solution to leave in government hands. Here are just some facts that show that mistakes can happen in our state.

Falsified Evidence

“As a public defender in Concord, I experienced an incident of a falsified confession by a law enforcement officer. My client, charged with child sexual abuse, had maintained his innocence and been cooperative during two taped police interviews. After the third interview, which was not taped or recorded in any manner, the law enforcement officer claimed the defendant confessed. Though there was no written or recorded confession, and no collateral evidence of my client’s guilt – and in the face of my client’s obvious shock over and adamant denial of the purported confession – he was found guilty at trial and sentenced to State Prison.”

--Steve Mirkin, NH Public Defender

Forced Confession

In the murder case of 6-year-old Elizabeth Knapp in 1997, police badgered a murder victim’s mother to point the finger at her boyfriend, even though it was untrue. The boyfriend had been drunk the night of the crime, and could not account for his whereabouts. Semen found in the victim’s vagina later cleared the boyfriend. “I



“I’ve never believed that a sentence should be administered that does not have an eraser... Clearly murders must be punished and removed from society. Life in prison without parole does both.”

–John Broderick
Former NH Supreme
Court Chief Justice

believed that my client was guilty,” said Barbara Keshen, former lawyer with the NH Public Defender’s Office. “I believe that a jury would have convicted him. Why not? They had ‘eye witness’ testimony and a sort-of confession.”



“There have been more than 1,000 murders in New Hampshire since 1940. The next execution will be the first in more than 75 years. History will not judge the execution of one murderer in a thousand as similar, just or fair.”

-- Philip T. McLaughlin,
Former NH Attorney
General

Problems with Evidence

15% of fingerprint or hand print identifications made in NH Forensic Labs were rated at Fair to Poor, according to a NH State Police Forensics Audit (9/2011, p. B-4). When someone’s life is on the line, that margin of error is simply too high.

Studies on eyewitness identification – the most common type of evidence in criminal cases -- consistently show that witnesses are likely to identify the wrong person.

DNA evidence has led to hundreds of exonerations, but it is only available in about 10-15% of cases. Despite our best intentions, human beings simply can’t be right 100% of the time. And when a life is on the line, one mistake is one too many.

Over 160 people have been exonerated from death row in the US since 1973, despite prosecutors, judges and juries being absolutely certain of guilt at the time. These exonerations have revealed cases that are riddled with problems including mistaken eyewitness identifications, incompetent lawyers, shoddy forensics, self-serving jailhouse snitches, and coerced confessions. New Hampshire is not immune to these problems in the criminal justice system.

Jury Tampering, Perjury, and more

During his tenure as Bartlett NH Police Chief, Timothy Connifey conspired to tamper with witnesses, and committed false swearing, perjury and official oppression.¹

Death-qualified Juries are not Impartial

Capital trials require “death-qualified” juries. Such innately biased jury selection automatically prevents about half of the population from serving, for example jurors who are pro-life. Multiple studies² show that death-qualified juries are more likely to find defendants guilty and to recommend the death penalty. How can we claim that such trials are just and impartial?

NH’s Infrequent Use of the Death Penalty makes it “Unusual Punishment”

The sad truth is, both here in NH and around the country, that the defendant’s race and income level are the most common factors in death penalty cases. The fact that both “premeditated” and “more heinous” murders in New Hampshire have not seen the imposition of the death penalty, demonstrates that it is neither fairly nor consistently applied.

¹ <http://www.seacoastonline.com/news/20160226/former-bartlett-chief-indicted-on-perjury-witness-tampering>

² <https://capitalpunishmentincontext.org/resources/deathqualification>