

My Journey from Death Penalty Supporter to Abolitionist

Many have asked me over the years about my own personal journey from someone who supported the death penalty in my youth to one who now opposes capital punishment without exception. Below is a D'var Torah/sermon that I delivered in synagogues across North America during the federal execution spree of 2020-2021 on this subject. Every individual's road to seeing the light of abolition is unique, and mine is no different. May these "confessions" help move hearts and minds on this issue. May it demonstrate that, just like individuals who commit the most heinous acts, we too - myself included - have the capacity to change...

L'shalom uL'chaim - for Peace and for Life,

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Confessions of a Jewish Abolitionist

Delivered in various synagogues during the High Holiday Season, 2020/5781

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As a grandchild of Holocaust survivors, I often was regaled by my grandmother at the yontif/holiday dinner table with harrowing tales of family tragedy and salvation. Separated by a generation, it sometimes seemed easier for my grandmother to talk with me about the details of her story than it was for her to speak with her own children. To my impressionable mind, my

family history was a clear-cut story of good vs. evil, us vs. them. When I later learned of the Hebrew Bible's *ayin tachat ayin* "eye for an eye," (Lev. 24: 20) I envisioned a literal interpretation applied to the taking of a human life. I seemed to instinctively equate this primitive concept of justice with a sense of fairness, and a justification for meting out punishment against those who murdered so many of my family members. To be clear, I don't know for sure whether my grandmother shared my youthful inchoate views on vengeance. There are many survivors, such as Eva Mozes Kor, z'l, who espouse forgiveness and their stories are truly inspiring. Yet, I've heard loved ones in my life say of both Nazis and convicted murderers that "they should just take 'em out back and shoot 'em." Perhaps as a result of this influence, I, too, came down on the side that heinous murderers (like Nazis and their collaborators) deserved death. I appreciated that - by my reading of it - rabbinic tradition vilified the death penalty and made capital punishment essentially impossible to carry out, but I still believed that such penalties were warranted for individuals who were "clearly guilty" of a capital crime in the eyes of the law. This was one of the many ways that the shadow of the Shoah loomed very large indeed in my life. My intergenerational trauma (as Rabbi Tirzah Firestone wisely frames it) was omnipresent and in my case it was - you'll forgive me - "capitalized." The prospect that the death penalty as vengeance could somehow equalize the pain that the Nazis had caused was far too tempting for this particular third-generation Holocaust survivor to refuse. To be clear, I speak here only for myself.

Truth be told, growing up I didn't really give much deep thought to the death penalty. It just seemed like the right thing to do in certain cases. There was a thin red line and when the law deemed it had been crossed, it needed to be addressed. This was my interpretation of what *Shof'tim*, a recent Torah portion, meant by its famed phrase "Tzedek, tzedek tirdof" ("Justice, justice you shall pursue" Deut. 16:20), as applied to capital offenses. The punishment had to fit the crime.

I held this line of thinking until my college years, when I laid witness to a personal tragedy that opened my eyes. A very close fellow Brandeis University friend, whom I shall call Paul, had a drug-induced psychotic episode in which he violently attacked a family member. That family member barely survived. Despite his apparent state of mind during the attack, Paul refused to plead insanity and received a lengthy sentence that he served at various New York state prisons, ultimately being moved to the infamous prison, Sing Sing, the location of the last execution in New York in 1963. While a student at Brandeis, and later the Jewish Theological Seminary in NYC, I visited Paul wherever he was imprisoned at the time, and we corresponded frequently. When Paul spoke with me about contrition for his crime, I - with every good intention - reminded him that he was fortunate his victim did not die. (In my mind, a line existed between attempted murderers, who were redeemable, and murderers, who were not.) Eventually, Paul began to speak of other inmates he was getting to know - people who *had* taken other human lives. Paul described how some of these inmates had seemed to turn their lives around in prison. They shared many of the same afflictions as him. Many of them suffered from addiction and/or mental health-related issues that often went undiagnosed or improperly treated. Many came from upbringings the likes of which I could not begin to imagine as a privileged, suburban, middle-class, Caucasian, cisgender male. At one point, Paul and I discussed our views of capital punishment and I allowed that I was a supporter in certain awful cases. Paul simply said that he

respectfully disagreed with me. It wasn't academic for Paul. He knew these human beings, and while they had done the unthinkable, their actions in the moments that had come to define their lives did not define the people that they had become. Like him, Paul believed they were worthy of another chance...even though they had deprived their victims of that same right. In the powerful words of Bryan Stevenson, founder of the Equal Justice Initiative: "Each of us is more than the worst thing we've ever done." (Just Mercy: A Story of Justice and Redemption) That is not who we are or how we are defined.

I visited Paul in prison in part because I believed I could rescue him and preserve his humanity. But in these interactions, Paul opened new doors for me and introduced me to new perspectives. Through his letters, he introduced me to real people who perhaps were only alive because they had not committed their crimes in a pro-death state. (New York has indeed abolished the death penalty.) I met some of these individuals when I visited Paul. He told me about them in his letters. And soon, my opinion began to... change. At the same time, my experience with the penal system in New York through Paul opened my eyes to unconscionable injustices that occur on a regular basis within the prison-industrial complex. I need not itemize those here, but am willing to discuss them off-line with anyone interested. As for the idea of the deterrent effect of capital punishment, I defer to the findings of most modern criminologists that the death penalty adds no such deterrent value for individuals committing capital crimes. Studies on this specific issue are collected and analyzed extensively at the invaluable website of the Death Penalty Information Center.

My experiences with Paul ignited a passion within me to help the often forgotten and despairing individuals languishing in prisons. So, when I took my first post as a cantor at a Conservative congregation in Vancouver and the opportunity for a communal Jewish Prison Chaplain opened, I jumped at it. Every other week, I left our congregation and ventured among 12 different federal prver the 3 years I did this work, I got to know people who admitted to having committed acts that in certain states below the 49th parallel might well have earned them a place on death row. (Canada abolished the death penalty in its criminal code in 1976 and eliminated it for military offenses such as treason and mutiny in 1998.) I met other individuals who insisted that they were innocent of similar truly awful crimes. I listened to their stories. I journeyed with them in the process of cheshbon hanefesh - soul-searching - trying to discover new opportunities for growth and healing, and as I did so, I began to see these men and women not merely as abstract unfeeling killers, but rather complex human beings, no different from myself.

Sergei, who hailed from Russia and was convicted of a violent crime, now was adamant that he learn every detail of how to play with a dreidel. He carved wooden dreidels for me, instructing me to distribute them to children I visited in hospitals. I ended up giving one of the dreidels to a woman who herself was a Holocaust survivor. She wrote down a message in Russian (the inmate's *lingua franca*) recounting her own experience in a concentration camp and asked me to deliver it to Sergei. When he read her message of empathy, Sergei broke down in tears.

Elliot, a convicted murderer, gave me guidance when he discovered that I had been called upon as a clergyman to comfort a Jewish family after a young man had savagely attacked their teenage daughter, who eventually died from her wounds. After our regular study of the Torah portion of

the week, Elliot pleaded with me: “Be there both for the family and the perpetrator of that awful crime,” he counseled. “Don’t let him end up like me.”

Jerome shared with me books he had written and published that expressed his sincere regret for killing his friend during a schizophrenic episode.

Sadly, the list could go on...from crimes of passion to calculated quadruple homicides. For so many, there was indeed contrition, apology, change, repentance: Teshuvah.

isons across British Columbia, Canada to visit with individuals that had requested a Jewish chaplain. O

Inspired by these men’s stories, I began to read more about First Nations’ restorative justice practices, and to follow more keenly current death penalty cases in the States. The spark in my interest also happened to coincide with Troy Davis’ Kafkaesque saga of three last-minute reprieves from being on the gurney and awaiting execution. Davis was a man accused of murder, but who adamantly maintained his innocence. Making matters worse, there was a total lack of forensic evidence linking him to the killing and nearly every key witness changed their story. Nonetheless, after exhausting his appeals, he was slated to die. I stayed up to watch televised coverage of the massive vigil held the night of his fourth trip and eventual execution in Georgia on Sept. 21, 2011 (Elul, 5771). I was dumbfounded at the travesty of justice that I witnessed: it felt as if it were my friend Paul or one of the inmates that I had come to know that were being put to death by an institution meant to “correct” them. Troy Davis’ execution felt entirely backwards and - frankly - insane. His death marked a major turning point in my abolitionist journey. What had started as a passing interest, now consumed me. I wrote songs and plays about Troy Davis and others like him. The death penalty became for me the single most egregious - and legally enshrined - injustice of a heavily broken penal system. And I had to be part of the movement to change that.

From my late father-in-law Dr. Morton Winston - a professor of philosophy, human rights scholar and national leader in Amnesty International - I learned about the true meaning of the word “amnesty,” about the difference between ethics and morals, and about the abolition movement. I read books. I took action. I signed petitions. Whenever I crossed the border back to the States for a visit from my new home in Canada, I experienced a sick feeling in the pit of my stomach over the idea of entering a land where the government had the legal right to kill its prisoners.

When I moved back to the US, I rejoiced as some states ended capital punishment, including my home state of Connecticut and my adopted state of Maryland, among others. But these important steps aside, sanctioned killings in this country continued. I cried in despair as individuals elsewhere were put to death, often in gruesome, protracted and horribly painful ways. Each execution seemed to take with it another piece of my neshama/soul. Paradoxically, executions in this country were temporarily halted because of the COVID crisis. This hiatus lasted until May 19th, when Missouri killed Mr. Walter “Arkie” Barton. Like Troy Davis, Mr. Barton’s case was riddled with problems and his guilt remained very much in doubt. At the online interfaith vigil on the night of Mr. Barton’s execution, I chanted Psalm 23 in Hebrew. I later learned of a stunning synchronicity: at the exact time that I was intoning this psalm, Mr. Barton crossed over

from this world into gei tzalmavet - the “valley of the shadow of death.” His last statement was this: “I, Walter ‘Arkie’ Barton, am innocent and they are executing an innocent man!!”

Walter “Arkie” Barton’s final clarion call echoed in my mind like the tekiah g’dolah/great loud blast of a shofar when I later read the words of my wonderful colleague, Rabbi Rachel Kahn-Troster, the Deputy Director and lead strategist on T’ruah’s human rights campaigns. In a Torah 20/20 commentary, Rabbi Kahn-Troster quoted from Re’eh, the Parsha/Torah portion of that week, where we read: “They [the poor kinsman] cry out to God and you will incur guilt.” (Deut. 15:9) Rabbi Kahn-Troster then commented: “They cry out to God because they have been ignored. They escalate to the [D]ivine because they understand that we live in the world as it is, but we do not have to accept that reality as fixed — and yet they live among people who would prefer to accept that reality. It is the moral obligation of those with means — the ones who can loan to the poor, who can understand generosity as an obligation and not a choice — to move towards the world as it should be.” Tikkun Olam - repairing the world. We have a human responsibility to hear Walter Barton’s voice, and the voice of all who call out in the flesh... and - like Troy Davis - posthumously. If and when these individuals are indeed guilty of crimes of the worst kind, they still can in fact change. When they are innocent, though, then it is we who certainly must change the system. And, yes, studies find that likely 1 of every 25 individuals on death row likely is just that: innocent! There have been at least 190 exonerations of wrongly convicted Americans sent to death row since the death penalty was reinstated in 1973, and those are just the ones who have been freed so far. Even one wrongful execution is too many.

After Mr. Barton’s execution, on July 8, 2020 Texas carried out its first execution in the COVID era. On July 14, 16, and 17 three individuals were put to death by the federal government in Terre Haute, Indiana. On August 26 and 28, two more executions took place at the hands of the federal government. And two more federal killings occurred on Sept. 22 and 24, during the 10 Days of Repentance in our tradition. The total number of people killed by the federal government this year as of this writing is 7 as of the start of Yom Kippur. Most recently, we have been informed that an eighth person is slated for federal execution on November 19 of this year. (Note: FIVE more executions were scheduled after this one for a unfathomably horrific total of 13 killings by the US federal government within a year’s time.) This comes after a 17 year hiatus in imposition of the federal death penalty and is the most people our US government has put to death in one year in the last 57 years. According to the Criminal Justice Project of the NAACP, as of this writing - after the two killings this past week - 55 individuals sit on federal death row and 4 more on military death row. An additional 2,559 condemned individuals sit on death row in 1 of the 28 states that still permit the death penalty, including American Samoa. The United States is the only developed Western nation that regularly applies the death penalty. Indeed, 70% of the nations of the world have abolished the death penalty. Since the re-imposition of the death penalty in 1976 after a brief hiatus, more than 7,800 defendants have been sentenced to death; of these, more than 1,500 have been executed. The UN continues to issue a resolution calling for a worldwide moratorium on the death penalty. As of the most recent vote at the end of 2022, the USA refused to join the supermajority of nations who supported this resolution.

And “Black Lives Matter” indeed when it comes to how the death penalty is unfairly applied when a person of color is being considered for death in this country. Michelle Alexander

highlights this in her seminal work *The New Jim Crow*, and it is reflected in a new study that the Death Penalty Information Center has just released.

As global citizens, the American Jewish community must be informed about the great deal that our inherited tradition has to say about capital punishment. Indeed, to bring this closer to home, several of those awaiting execution on Death Row are Jewish. One such person, Randy Halprin, had his execution date temporarily stayed on Oct. 4 2019 - also during the Ten Days of Repentance - on the grounds that his sentencing judge in Texas had made anti-Semitic remarks. Randy remains on death row, awaiting further developments in his case.

But, there is something else. For me, it is the *ikar* - the core - is the issue. We, the *Jewish* people have been the victims of state-sponsored murder from time immemorial. We, of all people, should know that being killed by one's government is wrong. We, of all people, should know that "eye for an eye" was effectively legislated away by the rabbis. We of all people should know that "thou shalt not kill." The epiphany that my country, the USA, and the Third Reich both engage in state-sponsored killing heralded a new high point in my abolitionist ire. To be sure, the shadow of the Holocaust became transformed in my mind from a motivator for lethal vengeance to a warning sign of what we have become as a nation: a country whose government murders its own citizens. My eyes were fully and permanently opened on this *Jewish* connection when I realized that lethal injection - the most common method of state-sponsored murder is a direct Nazi legacy. It was first implemented in our world by the Nazis, as part of their infamous Aktion T4 protocol to kill people deemed "unworthy of life," as devised by Dr. Karl Brandt, the personal physician of Adolf Hitler. It is not surprising then, to realize that now our nation also allows for Zykon B, the gas used in Auschwitz, to be used in one of the many gas chambers that are being erected in "correctional facilities" across these United States. This realization removed any doubt at all for me that this abolition is very much a *Jewish* issue. At the very least, when we allow our government the power to kill, or even the obligation, we can't be surprised when that power is abused for political purposes. We can see that in the federal execution spree of the past few months, and it is not that much of a stretch to link that power to the beginnings of genocide.

Abe Bonowitz, co-founder of Death Penalty Action, an anti-death penalty organization, has started a petition for organizations - including faith institutions and congregations - to sign on to join in the struggle to end the federal death penalty by supporting the federal abolition bill now before Congress. I am proud to be working with Abe and DeathPenaltyAction.org to share the abolitionist message with the Jewish community alongside my esteemed mentors at T'ruah: The Rabbinic Call for Human Rights and Uri L'Tzedek (an outstanding Orthodox social action group founded by the indomitable Rabbi Shmuly Yanklowitz). Both of these organizations have signed the petition, as have increasing numbers of congregations and national Jewish and other faith-based organizations. Abe spoke with me by phone for the first time after his return from Terre Haute, IN, where he was on the ground protesting the executions, which he has done countless times spanning four decades. It was then that Abe gave me a charge, saying "now you have a voice" and "leaders should lead." As a cantor and chaplain, I took this to heart...

As a hospital chaplain, I frequently straddle the precipice between life and death. (In fact, I wrote many of these very words from the morgue at the hospital where I work, serving as a

Shomeir/Guardian of the deceased.) I have come to see life – both its preservation and when to let go - as our single greatest responsibility as a human race. In my own journey from supporter to abolitionist, I have drawn guidance from many Jewish texts in particular. The first is from Mishnah Sanhedrin 4:5; Yerushalmi Talmud 4:9, Babylonian Talmud Sanhedrin 37a, which might be paraphrased as: “Save a life, save a world. Destroy a life, destroy a world.” The second, from Proverbs 24:11, needs no explanation: “You must rescue those taken off to death!” Third is this, from the wisdom of Ecclesiastes 8:8a: “No one has authority over the lifebreath...there is no authority over the day of death.” And of course, there is the well-known statement from the Rambam, Rabbi Moses Maimonides (1135-1204), who said “It is better to acquit a thousand guilty persons than to put a single innocent one to death.” (Sefer HaMitzvot, Prohibition 290) The Rambam’s conclusion mirrors other renowned Talmudic wisdom on the subject. Let us recall the words of some of the loftiest figures among chazal, our rabbinic sages: Rabbi Eliezer ben Azariah, Rabbi Tarfon and Rabbi Akiva. As they are quoted in the Mishnah, Makkot 7a: “A Sanhedrin [Rabbinic court] that affects an execution once in seven years, is branded a destructive tribunal. Rabbi Eliezer ben Azariah says: once in 70 years. Rabbi Tarfon and Rabbi Akiva say: Were we members of a Sanhedrin, no person would ever be put to death. [Thereupon] Rabban Simeon ben Gamaliel remarked, they would also multiply shedders of blood in Israel!” As we see, there were indeed dissenters like Rabban Simeon ben Gamaliel above who were pro-death, citing similar factors of deterrence and other now antiquated notions of “justice.” They can be forgiven certainly for their views that reflected the *zeitgeist*. Rabban Gamaliel, z”l, was not privy to recent studies as listed here that have shown that deterrence is indeed a fallacy.

Finally, it is not easy to be a death penalty abolitionist; and so, I also am inspired by Rabbi Tarfon’s famous axiom in Pirkei Avot, Ethics of the Fathers, 2:20-21: “The day is short, the task is great, the workers are sluggish, and Divinity is insistent...Lo alecha ham'lacha ligmor, V'lo ata ben chorim l'hibatil mimena” -“it is not for you to complete the task before you, but neither are you to desist from doing your part.” I hope that my own legacy as a human being will include having done my small part to move the needle, one neshama at a time, to save these lives - these worlds - with the goal of finally putting the needle away altogether. Abe Bonowitz and others have devoted their entire lives to this sacred cause. I’m honored to be another link in this intergenerational chain that pulls us to abolition.

I thankfully have not lost an immediate family member to murder. May none of us ever have to endure such a tragedy. I cannot imagine the inner strength that must be summoned to ask for clemency of someone who intentionally took the life of your loved one. And yet, countless victims’ families do just that every day, advocating against execution for the very people who robbed them of their most sacred treasure. I’ve met some of these remarkable people through Abe. What I can say is this: if HaShechinah (the Divine Presence) ever saw fit in to bend time and space and put before me the individuals who took the lives of countless members of my family during the Shoah/Holocaust, and if I were poised over them like Avraham over Isaac with a dagger in my hand, I would not need to hear an angelic voice calling my name to tell me to throw down my weapon. The voice already has come from within - from my experience and tradition - and I would cast away the knife like breadcrumbs cast to the sea at tashlich... without a second thought.

I want to be clear: if - heaven forbid - someone were to wantonly take the lives of my loved ones today (even my own wife and child, who I of course would protect with my very life without hesitate), I can say now that I would consider capital punishment nothing less than an offense to their memories. And I would be livid in Olam Habah/the World to Come if any murderer of mine were to be executed! As Sister Helen Prejean has written: “I would not want my death avenged.” (*Dead Man Walking*) Even if such killers were never to repent, but instead remained forever unapologetic and bloodthirsty, I believe that society’s decision to spare them from execution would constitute a triumph for civilized humanity and for the universal human virtues of compassion, mercy and the sanctity of life. And - brace yourselves - I make no exception for perpetrators of war crimes - even genocide...even the Holocaust. . . even Hitler. You may well disagree with me - and that is perfectly okay! You have that right in our country. This simply is my truth - a truth shared by countless other Jewish leaders in the wake of the Holocaust, including Martin Buber, who joined other Jewish human rights luminaries to advocate against the execution of another Adoph - Adolf Eichmann. Gandhi famously said: “an eye for an eye makes the whole world blind.” Sister Helen Prejean affirmed: “I cannot believe in a God who metes out hurt for hurt, pain for pain, torture for torture. Nor do I believe that God invests human representatives with such power to torture and kill.” (*Dead Man Walking*) Amein, Selah. I recognize that many might feel differently, and I respect their opinions, but the cycle of killing must end somewhere. I am willing to lead by my own example and have the buck stop with me. Per Hillel, “if not now, when?”

My personal t’shuvah on this issue over the years is quite real - not something contrived to make a point today. I was not born a heaven-bent abolitionist. Experience has taught me that each of us in the right conditions has the capacity to change, from individuals charged with capital murder to third-generation Holocaust survivors and prison chaplains turned proud abolitionists. And I have come to believe that the government should not deprive any among us of that opportunity to grow, grieve, and repent. And I am not alone in my teshuvah on the issue. Supreme Court Justice Harry Blackmun began his career as a staunch supporter of the death penalty. Yet, on February 23, 1994, after struggling with the issue for over twenty years, Justice Blackmun wrote in a dissent from the Court’s opinion that allowed the execution of Texan Bruce Edward Callins, that “from this day forward, I no longer shall tinker with the machinery of death.” Justice Ruth Bader Ginsburg, Yita Rachel bat Tzirel Leah vNatan, of blessed memory, was much more direct: “If I were queen,” she said, “there would be no death penalty.”

We have collected many Jewish sources, texts and thoughts on the issue at [DeathPenaltyAction’s Jewish Action page](#). What I have offered you today is my own spiritual journey and what led me to become a ba’al t’shuvah (“one who returns”). So as Abe charged me, let me lay down my own charge to all of you: whatever opinion you may have on this subject, voice it. Continue the dialogue. In matters as important as the sanctioned termination of life - occurring now more frequently than in recent memory - we owe it to ourselves to constantly revisit the morality, ethic, and efficacy of this practice. Remember: your voice matters! Laws in this country can be changed...and laws are born out of opinions and attitudes. Let us today say that the Eighth Amendment’s prohibition against cruel and unusual punishment now extends to a prohibition of

capital punishment. And maybe, before today is over, consider adding your name to a petition for an upcoming execution that could help save a life. So...again: what do you think?

I recently received in the mail my coveted shipment of cloth masks from Death Penalty Action that feature the phrase “Abolish the Death Penalty!” in bold lettering. I sported one of these on a trip to a US Post Office to mail apology letters written to two individuals scheduled to be killed by the federal government. The postal workers noticed my mask and I explained what it was I was mailing. The two postal workers were shocked to learn that our federal government had the legal right to execute human beings. They were eager to learn more and I directed them to the petition on DeathPenaltyAction.org. This is how we change attitudes. This is why it is so important for us to initiate a national dialogue on this issue and to educate our fellow Americans about the legal boundaries of what our country can do...and to ask others what we should also be asking ourselves: do the current legal boundaries make sense? Do we want the USA to be known as the “Land of the Free and Home of the Death Penalty?” A congregant at one synagogue where I gave this sermon emailed me afterward to share the story of how when she was on government duty in China, she was asked eagerly if she wanted to attend an execution that was set to occur of someone who had poached a panda. When she respectfully declined, the response was shock that an American would not want to see an execution. The implication was clear: Americans clearly love their executions.

Finally, a note about a man named Christopher Vialva. Christopher identified with certain Jewish practices. He was one of the federal death row inmates to whom I was mailing those USPS packages. Christopher - who was my age - was repentant of a horrible crime committed at the age of 19. He brutally murdered two beautiful youth pastors, Todd and Stacie Bagley, of blessed memories, who preached God’s love and compassion throughout their lives. I wonder how they felt watching from above when our country demonstrated none of these qualities and executed Christopher during the 10 Days of Repentance. I had written to Christopher as a chaplain to ask forgiveness for what our federal government was going to do to him. Two weeks before Christopher’s death, he sent me this message: “I am writing to thank you for your compassion. Though this is a dark time, I am so appreciative of those who have chosen to reach out to me and let me know they respect and acknowledge my humanity. You are now someone I am adding to that list. Thank you Michael. It means a lot. I accept your apology. I thank you for your prayers achi [Hebrew: “my brother”]. In return may ABBA YAH [Father God] bless you with favor and mercy. ...Shalom v’Ahava [Hebrew: “Peace and Love”], Christopher.” Three days before Christopher’s death, I received another note from him - a letter that he knew to be his last. Christopher thanked me for sharing his story with the Jewish world. Christopher died at 6:46pm on Sept. 22nd, 2020. In a last statement, Vialva asked God to comfort the families of the couple he had killed, saying, “Father ... heal their hearts with grace and love.” His final words were: “I’m ready, Father.” He died looking at his mother through a screen. She had been denied contact visits for 20 years and her appeal for a final in-person contact visit also was denied by our federal government.

No question that Christopher had committed heinous acts in his past, like most on death row. But during this season of forgiveness, Christopher chose to end the cycle of hate and forgive a

society that would not forgive him. The death penalty stands as an indelible reminder of our failure to heed the lessons of the Talmud: “Who is forgiven? One who forgives others.” (Rosh Hashanah 17a). We need more people who will strive to fulfill this promise. Christopher ended the cycle of hatred, whereas we as a society could not. As renowned theologian Lewis Benedictus Smedes famously quoted: “To forgive is to set a prisoner free and discover that prisoner was you.” I for one feel liberated after having forgiven the Nazis, collaborators and bystanders for the Holocaust and ending my lust to avenge my murdered family members. Can we as a nation finally release ourselves from the prison of the death penalty to which we are shackled? Capital punishment reveals infinitely more about the society that enacts it than the human beings it condemns; indeed, it condemns us all. Let there be no doubt: the death penalty is not about “them;” it is about “us.” The Rev. Dr. Martin Luther King, Jr. powerfully articulated this when he commented that “capital punishment is society’s final assertion that it will not forgive.” When it comes to state murder, there is no marker more vile of our society’s outright rejection of the possibility of redemption in any worldly form. It is a slap in the face of any spiritual, legal or ethical tradition that is of any value to humanity.

It is my hope today that you will be inspired to continue this conversation and to change attitudes – maybe even your own. The headstone that marks my father-in-law’s Dr. Morton Winston’s grave proudly proclaims him a “Citizen of the World.” But it could have easily been inscribed with another of Mort’s favorite phrases from Hopi Elders: “We are the ones we’ve been waiting for.” It is up to us to end this abomination. It is up to us to raise awareness. And it is up to us to support the abolition bill and to fight for its enactment. An important step in achieving these goals is signing the petition at deathpenaltyaction.org to support the bill pending in the House of Representatives to abolish the federal and military death penalty. But I also urge you to poll your congregation and, if a majority of congregants support ending the death penalty, I beg of you to make yours an abolitionist synagogue by signing the petition on the organizational level, as well. I take great pride that this petition was envisioned and created by someone in the Jewish tradition like Abe Bonowitz, who has been on the front lines of abolition for nearly as many years as I’ve walked this Earth.

Call me crazy in my devotion to this cause, but when the situation is crazy - as state sponsored deaths are - then often the remedy is an equal dose of productive craziness. So please allow this “crazy” chaplain to wax prophetic for a moment. Recall if you will the final line of Chad Gadya, the last song in the Passover Seder that celebrates the consummate Jewish story of redemption. (I am a cantor after all!) It reads: וְאַתָּה הַקָּדוֹשׁ בְּרוּךְ הוּא וְשָׁחַט לְמַלְאַךְ הַמָּוֶת “then the Holy One, blessed be, came and slew the Angel of Death!” I invite you to join me in this sacred mission to slay our governmental Angel of Death. I assure you I receive no financial benefit from this plea – only perhaps some peace of mind that I have not stood by idly while I might have done more to end this unfolding tragedy that plagues our nation and leaves 2,618 lives hanging in the balance. My advocacy here honors the memory of Mr. Michael Cegielski, the Polish Catholic farmer and martyr who gave his life rather than betray the whereabouts of my grandmother and her three sisters who he was hiding on his farm. Without his sacrifice I would not be here today. Like Mr. Cegielski, I refuse to be a bystander when lives can be saved. We certainly do not have full control over many of the lives that continue to be taken by coronavirus and by the relentless medical conditions that I see wreak their havoc on human beings in my work every day as a

hospital. However, when it comes to the condemned on the federal Death Row we can have control. We can change the law. It starts here with you, and it starts now! We said Never Again in the wake of the Holocaust. Now let us unite to say Never Again to state-sponsored murder - to the massacring of our own citizens!

May we finally slay this Angel of Death that plagues this potentially great land, and replace it with humanity, mercy and chessed - lovingkindness - for everyone: certainly for the innocent, and even for those condemned for having done the unthinkable. There are so many important causes out there, and many that focus on stopping preventable deaths. Please let this be one of them for you. Do not let abolition fall through the cracks. Why? Consider again Gandhi's wisdom: "A nation's greatness is measured by how it treats its weakest members." And then consider the safe and experienced words of Bryan Stevenson "the true measure of our character is how we treat the poor, the disfavored, the accused, the incarcerated, and the condemned." (Just Mercy: A Story of Justice and Redemption)

Finally, executions. are the antithesis of compassion, forgiveness and the kind of restorative justice that should be at the heart of our criminal justice system. Consider the shining example of Holocaust survivor Eva Mozes Kor, z'l, who encountered the so-called Angel of Death directly and with horrific results. As a child, after losing her parents and two siblings, she and her twin sister Miriam endured the horrific medical experiments of Dr. Mengele, the "Angel of Death " of Auschwitz. Over the course of her truly inspiring life, she discovered the power of forgiveness to bring healing. She even engaged in breathtaking restorative justice practices directly with former Nazis. Indeed, in my own small way, I have discovered the same transformative power of forgiveness when I consider those who murdered my family members in the Shoah. Eva Kor concludes her memoir Surviving the Angel of Death: The Story of a Mengele Twin in Auschwitz by quoting the Declaration of Amnesty that she read at the fiftieth anniversary of the liberation of Auschwitz: "I hope, in some small way, to send the world a message of forgiveness; a message of peace, a measure of hope, a message of healing. Let there be no more wars, no more experiments without informed consent, no more gas chambers, no more bombs, no more hatred, no more killing, no more Auschwitzes." (134-135)

Eva Mozes Kor was a resident of Terre Haute, Indiana. It is in Terre Haute that one can find the CANDLES Holocaust Museum and Education Center that she founded and that shines its light on her message of hope and compassion. In another stunning synchronicity, it is also the very same Terre Haute, Indiana that is home to the federal death chamber that this year will have witnessed the killing of 13 people - the extinguishing of 13 Candles. Eva Mozes Kor died on Independence Day, July 4, 2019. I cannot help but wonder how she would feel about her adopted country's killing of its prisoners in her own backyard...sharing the same zip code. When it comes to another Holocaust Survivor and Nobel Laureate, Elie Wiesel (1928-2016), I do not have to wonder how he felt about this issue: "With every cell of my being," he wrote, "and with every fiber of my memory I oppose the death penalty in all forms. I do not believe any civilized society

should be at the service of death. I don't think it's human to become an agent of the angel of death." And elsewhere, when asked about his views on the death penalty, Weisel responded without equivocation: "Death is not the answer."

My favorite phrase in the Tanakh/Hebrew Bible comes from Song of Songs, 8: 6: Aza chamavet Ahavah - "Love is as strong as Death!" In this season of life and death, let us choose lovingkindness...and life. "Pikuakh Nefesh!" - "Save a life!" The call to do this trumps just about any other mitzvah/commandment in our tradition. And so, my previous understanding of the verse "Tzedek, tzedek tirdof" (Deut. 16: 20) ("Justice, justice shall you pursue" - as cited above), is now reflected by the phrase: "Abolition, abolition shall you pursue." I close with a familiar little toast from our tradition offered from this proud Jewish abolitionist appealing to you now for these condemned souls and for the very soul of our nation: "L'Chaim - to life!"

Cantor Michael Zoosman Elul, 5780/ September, 2020

A closing poem: "Choose Life: A Slikhot Blessing" By Devon Spier

"What of our lives, when our brother's blood cries out from the ground?

Do we remain clean-shaven? A peaceful shepherd?

Or do we spend our days, "few and evil," trying ceaselessly to steal what was never ours to claim?

As we prepare to trace the world's beginnings, may we choose life.

As we greet the wheel of violence turning through time, may we choose life.

As we prepare to account for our own souls, may we choose life.

As we prepare to look at our families and friends anew, may we choose life.

And as we prepare to loosen the chains of exile and at last return to G-d and all the living, may we always, always, always, always, choose life."