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Marie Deans saved lives that society scorned

Colman McCarthy | May. 16, 2011

Marie Deans walks to a new conference with Earl Washington Jr. in Virginia Beach, Va., on Feb. 12, 2001, the day he was released from prison. (Newscom/Richmond Times Dispatch/Alexa Welch Edlund)

Facing certain death, 34 men in South Carolina and Virginia asked Marie Deans to stay close to them in their final hours and minutes. They were death row inmates.

Years before the electrocutions or druggings in the government?s death chambers, it was Marie Deans who came into the cellblocks to offer whatever professional or personal services she could provide to the condemned.

For nearly four decades, from the early 1970s to March this year when she died at age 70 of cancer in a Charlottesville, Va., hospice, Marie?s ministry had a double strand, one that humanized rather than demonized death row inmates and one that provided all the legal and judicial help to which they were entitled but could rarely afford.

She came to her life?s work of advocacy and service through personal tragedy. In 1972, her mother-in-law, Penny Deans, was shot to death in her Charleston, S.C., home by an escaped convict. At the crime scene, a police officer, seeking to comfort Marie, told her not to worry, ?We?ll get the bastard and fry him.? Not in my name, she replied. Having been opposed to the death penalty before the murder, but only in an intellectual way, Marie faced one of life?s ultimate challenges: You don?t really know what your principles are until they are tested.

In 1976, she founded Murder Victims? Families for Reconciliation, an advocacy group that would not only support grieving survivors of the killed but work to abolish capital punishment. In 1983, she moved from South Carolina to Virginia -- America?s leading executioner going back to colonial times and home of the archconservative U.S. Court of Appeals for the 4th District. She founded the Virginia Coalition on Jails and Prisons, a low-budget but high-standards operation.

On a salary that rarely went higher than $15,000, she did the tedious work of going through trial records to uncover evidence of wrongful convictions due to coerced confessions, prosecutorial lies, sloppy police work and false testimony. She badgered wealthy law firms in Richmond, Washington and New York to provide pro bono attorneys for impoverished inmates. In *An Expendable Man: The Near-Execution of Earl Washington, Jr.*,

author Margaret Edds reports that Marie ?found attorneys for dozens of death row inmates. No one died without a lawyer. She assisted in over 220 capital trials and only two of the defendants were sent to death row.?

For more than 15 years, Marie worked to free Earl Washington. Black, poor, illiterate, mildly retarded and for years lawyerless, his conviction of capital murder was twice upheld by two Supreme Courts: Virginia?s and the United States?. He was freed from prison in 2001, fully exonerated by DNA evidence. Asked once what motivated her to save lives and befriend people that much of society scorns as monsters, Marie replied: ?I have the need to understand why we are so good at passing on violence and so poor at passing on love.?

I met Marie in 1988 when she phoned to suggest I get to know Joseph Giarratano, a Virginia inmate facing imminent execution. ?I?m convinced he?s innocent,? she said, a sentiment based on hard research. I made several visits to Giarratano, bringing along students to his cellblock. Thanks to Marie and a team of lawyers she gathered, he was freed from death row in 1991 -- but not given a new trial due to Virginia?s 21-day rule. Proof or claims of innocence must be brought to the court within 21 days of conviction. Virginia is the only state with that rule, in a country that has seen nearly 140 men freed from death row since 1977. In a recent letter, Giarratano, caged now in Wallens Ridge State Prison, Big Stone Gap, Va., said of his 30-year friendship with Marie: ?She has been such a strong and powerful force and influence in my life. No one has had more impact on my life, my soul, than she.?

I admired Marie for her passion for justice, as well as her clarity of thought that only a regular visitor to death row could offer: ?I have yet to find a case where there wasn?t a red flag thrown up years ago -- in grammar school or somewhere -- where a kid said, ?I?m in trouble, help me.? He gave us the message loud and clear and we didn?t pay any attention. And he ended up, years later, going down and down and killing someone. Let me tell you something: I resent the hell out of that as a member of a murder victim?s family. ? These governors, these prosecutors, Ronald Reagan and George W. Bush, all getting up and saying, ?I care about victims, I want the death penalty.? If they cared about victims, they would have taken care of that victimized kid when he was 6 years old and prevented a homicide later.?

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