# افغانستان آزاد – آزاد افغانستان

**AA-AA**

چو کشور نباشد تن من مبـــاد بدین بوم و بر زنده یک تن مــباد
همه سر به سر تن به کشتن دهیم از آن به که کشور به دشمن دهیم

www.afgazad.com afgazad@gmail.com

| European Languages | زبانهای اروپائی |
|---|---|



Liliana Segura

18.10.20

# The Hidden Cruelty of Trump's Executions

***Less than a week after executing Christopher Vialva in front of his mother and aunt, the DOJ announced it will kill Orlando Hall next.***

Lisa Brown visiting her son Christopher Vialva on federal death row in August 2020. Photo: Courtesy of Lisa BrownLisa Brown visiting her son Christopher Vialva on federal death row in August 2020. Photo: Courtesy of Lisa Brown

On the morning she buried her son Christopher Vialva, Lisa Brown arrived at Affordable Burial and Cremation Service, a small funeral home in a strip mall in Killeen, Texas. Her older sister was waiting, along with the funeral director, who wore a suit and a mask. The last time Brown had seen her son, he was lying under a blanket on a gurney in Terre Haute, Indiana, where a federal official had declared his time of death. Now he lay in a casket in a blue pinstripe suit, a prayer shawl, and a kippah he crocheted himself.

"I walked over to the casket and put my hand on his chest," Brown recalled. It was the first time she had touched her son in more than 20 years. Looking down, she saw something she'd noticed inside the execution chamber. "The whole back of his hand was bruised," she said.

The funeral director said it was probably where they had inserted his IV. “And I said, ‘I know it was.’”

Brown moved her hands to Vialva’s hands and face. She touched him all over, so eagerly, the funeral director “probably thought I was mauling my son,” she chuckled. “I was thankful that he said he was an understanding man.” Brown’s sister did the same thing. “She was hugging on him and she was touching his chest. She kissed him on the forehead.”


A portrait of Stacie and Todd Bagley on the tombstone of Stacie Bagley’s grave in Dyersburg, Tenn., on Sept. 18, 2020.

Photo: Liliana Segura/The Intercept

Vialva had been executed one week earlier, on September 24, for the carjacking and murder of two youth ministers from Iowa in 1999. He was 19 years old when he shot Stacie and Todd Bagley on the grounds of Fort Hood, not far from the funeral home. Vialva’s co-defendant, Brandon Bernard, was only 18 at the time. Both were sentenced to death. After the Trump administration restarted federal executions following a 17-year pause, Vialva became the seventh man killed in the Terre Haute death chamber since July.

Even to those paying close attention, the loved ones of the condemned had remained largely invisible in Terre Haute. Although the Bureau of Prisons books travel and accommodations for the families of the victims — and arranges for them to address reporters following the executions — no such help is given to relatives of those facing execution. Until Vialva, none of the condemned had arranged for family to attend.

Brown was disturbed by the lack of communication from prison officials. After confirming that she would be in attendance, they did not speak to her until the day before he was to die. Brown was on an elevator leaving the prison after her last visit with her son when Vialva’s case manager told her that the Crisis Support Team was waiting to brief her. Answering her questions in the lobby, they were courteous, almost overly polite. “They almost seemed nervous. You know, like it was a new thing for them. Which it probably was.”

By the time she woke up on the morning of her son's death, Brown had done as much as she could to prepare herself. She had even read the filings in a lawsuit over lethal injection, which warned that autopsies from executions carried out using pentobarbital showed clear evidence that the condemned had experienced pulmonary edema: the filling of their lungs with fluid. "For me, knowledge is power," Brown said. "The more I'm aware of what can go wrong, the more comfortable I am." Still, it wasn't easy to read that Vialva might suffer a sensation akin to being waterboarded — "that same panic, suffocating, drowning feeling."

There were also things she could not prepare for. Nobody told her that, after reporting to the parking lot of the Vigo County Sheriff's Office and being taken to the prison, she and her sister would spend two and a half hours inside a van, waiting to be taken to the death house, with just a port-a-potty and a cooler of water bottles nearby for comfort. Nobody warned that, once they were finally escorted into the witnessing room, the shades would go up so quickly, revealing her son on the gurney. "I didn't even have a chance to sit down."

Brown knew where her son would be positioned. She had told him, "Look at me. Look to your left." He did. Like his mother, Vialva practiced Messianic Judaism and was deeply devout. His last words were a prayer for the family of his victims. Then he said, "I'm ready, Father." After the drugs began to flow, she saw him open his eyes wide. "Then, once it starts affecting their lungs, they like blow their cheeks out," she said, imitating the sound. "He did that twice. And then he yawned once, which is another sign of the drug, because they're trying to get more air."

Brown described the execution calmly, matter of factly. But this particular memory spilled out in an anguished sob. "What took me aback so much was that when he yawned, it took me back to when he was a baby," she said, "when he would yawn when he was ready to go to sleep."

"My sister was holding my hand," Brown said. They saw no signs of struggle. Instead, she said, she felt an overwhelming feeling of peace wash over her. "I prayed for the Father to allow me to feel his spirit leave him and he answered my prayer," Brown wrote in a text message later that night. "He was looking at me when he died."

The next morning, Vialva's lawyers dropped off a box of things for Brown at the Drury Inn & Suites in Terre Haute. Arriving home in Killeen close to midnight, she went through the contents before going to sleep. There were photos she had sent him over the years, along with some Bible teachings and legal records. Vialva's best friend on death row had suggested that it might be comforting for his mom to receive some of the clothes he'd worn in his last days. On his shirts and sweatshirts, she could smell the prayer oils he used to use, which she had ordered for herself.

Finally, the box contained two letters and a CD. One letter was to be read at his funeral. The other was for her. She inserted the CD into her computer and watched her son reading the second letter. He told her how sorry he was for his crime and the weight it had placed on her life for so long. "Now is the time to lay down your burden," he said. "No more money wasted on monthly allowances. No more long drives for prison visits. No more crying over the unknown. The deed is done and I am in the care of the Father."

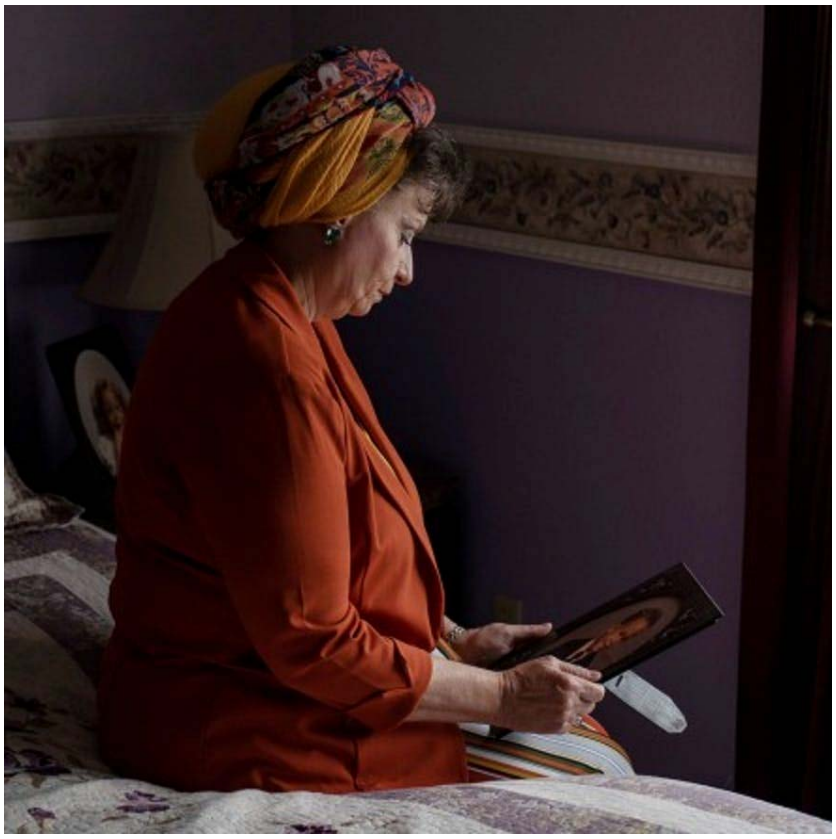
Ron Kaz of Charleston, S.C., helps organize the Abolitionist Action Committee's annual protest and hunger strike against the death penalty outside the U.S. Supreme Court on July 1, 2019, in Washington, D.C.
Photo: Chip Somodevilla/Getty Images

**A Well-Oiled Death Machine**

Amid a global pandemic, national protests, and the impending presidential election, news of the federal executions had been largely eclipsed since they began this summer. Vialva had been dismayed by the lack of national media attention as the men around him went to their deaths. After the execution of Lezmond Mitchell on August 26, he wrote to a friend that they had mentioned him on the CNN crawl, but that was it. "A man's life is taken by the government but not even a segment to talk about it," he said.

"They are a well-oiled death machine now," he went on. "It was sad watching them walk Mitchell right past me so they could drive him to the death house. Everything was so clinical."

Vialva's execution was a painful blow to those who knew and worshipped with him on death row. "I just want everyone to know that Chris was the real deal when it came to his faith and being sorry for all he had done," one neighbor wrote to his own supporters in late September. As with every round of executions, a wave of anxiety spread across the Special Confinement Unit after Vialva died. "We don't know when they will pick someone else, but we believe it will be 3-5 more people in the coming months."



**Related**
**Trump Prepares to Execute Christopher Vialva for a Crime He Committed as a Teenager**

On September 30, the Department of Justice announced the next execution date. Orlando Hall, 49, is scheduled to die on November 19. He would be the second Black man killed in the federal execution chamber this year. In a media release, his lawyers noted that Hall was sentenced to death by an all-white jury, one of myriad ways in which the federal death penalty mirrors the same flaws and inequities of state systems. On October 16, the DOJ announced execution dates for two more people. One is Lisa Montgomery, the only woman on federal death row. The other is Vialva's co-defendant, Brandon Bernard.

Politicians on both sides have remained almost completely silent about the federal executions. Although it was the Trump administration that was preparing to take his life, Vialva was particularly critical of the Democrats before he died. The party has enshrined opposition to the death penalty as part of its platform, yet ignored the issue during the Democratic National Convention. Presidential candidate Joe Biden, who was instrumental in the expansion of federal death row but now claims to disavow capital punishment, has said nothing about the executions. Neither has vice presidential candidate Kamala Harris, despite touting her opposition to the death penalty.

Two days before Vialva's execution, as the DOJ prepared to kill William LeCroy on September 22, activists with Death Penalty Action gathered for a press conference in front of the United States Capitol in Washington, D.C. Faith leaders were present from different religious denominations. They spoke out against the executions and called out Attorney General Bill Barr, who was scheduled to be honored the next day during the National Catholic Prayer Breakfast.

The event featured New York Rep. Adriano Espaillat, the sponsor of a bill to abolish the federal death penalty introduced last summer. A parallel bill was brought forward by Rep. Ayanna Pressley, who last year called for an investigation into the federal government's lethal injection plans.

"We've gotta be louder about this," Espaillat said. He echoed a new report by the Death Penalty Information Center, linking the death penalty to the legacy of slavery and lynching in the United States. Not only are Black people overrepresented on death row today, he said, "defendants convicted of killing white victims are executed at a rate 17 times greater than those convicted of killing Black victims." Indeed, of the seven men executed in Terre Haute, almost all of their victims were white.


Activist and attorney Ashley Kincaid Eve leads a vigil across from the federal penitentiary in Terre Haute, Ind., moments before the execution of Christopher Vialva on Sept. 24, 2020.
Photo: Liliana Segura/The Intercept

Later that day, activists under the banner of the Terre Haute Death Penalty Resistance returned to the grassy field next to the Dollar General on Route 63, directly across from the federal penitentiary. Ashley Kincaid Eve, a lawyer and activist from Indianapolis, was leading the protests that week, although she still harbored hope that Vialva's execution would not go forward. Eve had developed a close friendship with Vialva after he saw her on the news and wrote to thank her for caring enough to protest the executions. "We are here because people decided that we are trash to be thrown in the dumpster," he said in his first letter. But over the years, "I have listened to men sing the praises of their children, mourn the loss of their loved ones, talk about their ambitions while knowing they will not come to fruition, discuss their spiritual journey, and lament the decisions that put them here."

Eve had previously spearheaded a successful lawsuit against the Indiana State Police, who barred the activists from the area across from the prison during the first round of executions in July. It was one of many ways in which authorities tried to tightly control what the public was able to see. In a nod to the First Amendment, the BOP had designated two spots in the fields along Route 63 for protesters on either side of the issue, but required participants to be transported by government buses hours in advance. No phones or electronic devices would be allowed. In the briefings for press before each execution, BOP spokespersons have repeatedly told reporters that no one has shown up to protest the executions.

BOP officials have been tight-lipped with journalists. For media witnesses, who have waited long hours on prison grounds to carry out their assignments, there are few explanations or updates. In contrast to death penalty states where prison officials routinely provide detailed descriptions about the last meals of the condemned, the BOP refuses to disclose even such trivial information. But Vialva had told Eve about LeCroy's last meal. He had asked for KFC but his request had been rejected, she told me. The bones in the chicken presented a security risk, he was told. So, like Vialva, he requested Pizza Hut instead.

**Victims on Both Sides**

LeCroy's execution went later than planned. Although it was scheduled for 6 p.m., he was not declared dead until after 9 p.m. LeCroy had been sentenced to death for the brutal killing of a nurse practitioner named Joann Lee Tiesler. Court records showed that LeCroy, who had a history of mental illness, said he had killed her in the mistaken belief that she was a former babysitter who had molested him when he was a child. In a clemency application for LeCroy, according to the Atlanta Journal-Constitution, his attorneys pointed out that LeCroy's own family had lost his brother, a Georgia state trooper, to murder in 2010. "The pain and sorrow felt by the LeCroy family at potentially losing two of their sons is unimaginable," they wrote.

Tiesler was engaged to be married when she was murdered; her fiancé witnessed LeCroy's execution, as did her father, Tom Tiesler. In a written statement, Tom Tiesler thanked Trump and Barr for restarting federal executions. LeCroy "died a peaceful death in contrast to the stark horror he imposed on my daughter Joann," he wrote. "He was allowed to live nineteen years longer than Joann, with us taxpayers paying for his food, shelter and medical care. I am unaware that he ever showed any remorse for his evil actions, his life of crime, or the horrific burden he caused Joann's loved ones."

LeCroy had prepared a lengthy statement of his own, which he mailed to Sister Barbara Battista, a Catholic nun who served as his spiritual adviser, to read at his execution. But it did not arrive on time. Two days later, on the morning of Vialva's execution, Battista brought the letter to a press conference outside the Dollar General. It began with a quote from the poet W. H. Auden. "'Those to whom evil is done do evil in return,'" it read. This was not an excuse, he said. "Yet it describes many of us human beings in our primitive emotional states as children. It is a fact that some abuse — physical, emotional, and/or sexual — can stunt emotional growth. … We feel that we are what happened to us, that we cannot be that which we desire to become. And we lash out in anger. … We did things that we were unable to take back, harmed another human being, ourselves, and so many who loved us."

Activists stood behind Battista as she read the letter, holding signs and wearing masks. They were joined by Lisa Brown. In a purple mask, a black headscarf, and a gold Star of David pendant, she came forward after Battista was done, to say a few words about her son. "This is really hard," she said, her voice breaking. "This is the first venue that I've had in which I could say to Todd and Stacie's family, I am so sorry for your loss. I've never been able to tell you that because I was told I could not have access to you."

Lisa Brown addresses reporters on the morning of her son's execution. Christopher Vialva was executed on Sept. 24, 2020, at the federal penitentiary in Terre Haute, Ind. He was the seventh person executed by the Trump administration.
Photo: Liliana Segura/The Intercept

Brown emphasized that her son was remorseful for his crime. But she also shared a story she told me the first time we spoke. Like LeCroy's family, she had experienced the legal system from both sides of the courtroom. "In 2009, my daughter's ex-husband attempted to murder her," she said. "He bludgeoned her in the head with a hammer, poured gasoline over her and set her on fire. She survived with second and third degree burns over 80 percent of her body. And she forgave her attacker shortly after it happened. … And she taught me that I had to forgive. And it changed my life from being in a perpetual state of victimhood to a life that I can put that behind me, and see that there is peace in that."

Later that day, as Brown reported to the parking lot of the Vigo County Sheriff's Office, Eve returned to the same spot at the Dollar General to set up for the protest against Vialva's execution. She had said goodbye to Vialva on the phone the night before, hoping to convince him to let her file a last-minute challenge to his execution. But he asked her not to. Everyone on death row had seen what happened to Daniel Lewis Lee, the first man to be executed in Terre Haute this year: Lee was lying on the gurney for four hours before the government took his life, as lawyers fought over his fate. Vialva did not want that to happen to him.

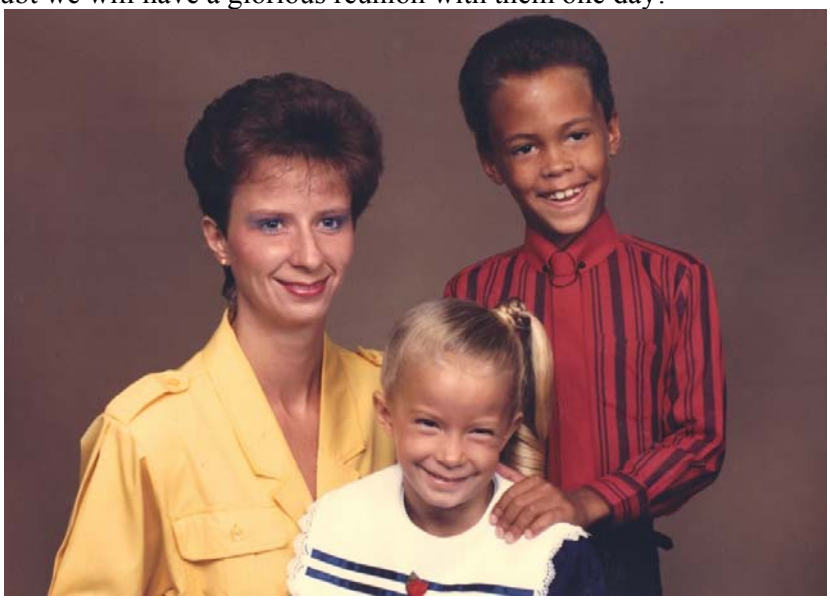
"He's lost faith in our courts and I don't blame him," Eve said. "I've lost faith in our justice system. But I haven't lost faith in humanity." In the last several weeks, she had heard from people all over the world who were moved by his story.

It was just after 6 p.m. when Eve introduced the final speaker, a woman named Katie, who had traveled to Terre Haute from Minnesota. "I don't know Chris personally," Katie said. But she knew Vialva's younger sister, Audrey. The two had met at a retreat for survivors of domestic violence, where Audrey had shared the story of how her ex-husband tried to kill her. "I am at risk of being a murder victim," Katie said. Before going to prison for violating a restraining order, her own abuser beat, choked, and sexually assaulted her, she said. He is no longer incarcerated — and he could still kill her one day, she said. But she does not want his life.

Katie pointed to the penitentiary complex behind her. "Do you think that what's going on behind us right now is going to save my life?" she asked. "Do you think he knows that this is happening and it's going to deter him from anything he wants to do? It's not."

At 6:48 p.m., a BOP spokesperson sent out an email to reporters. "Please report back to the Media Center at this time if you choose to," he wrote. The execution had been carried out. At the media center, officials handed out a statement from the mother of Todd Bagley. She said

she was “hurt and disappointed” by the coverage of the case that morning, which focused on Vialva and how he had changed. Todd and Stacie also touched many lives, she wrote. “We will never know how many people they could have influenced for good if they had been given the chance.” She was heartened by the fact that they were in Heaven, she said. “I know without a doubt we will have a glorious reunion with them one day!”



Lisa Brown with her son Christopher Vialva and his younger sister, Audrey, in 1988.
Photo: Courtesy of Lisa Brown

**The Ultimate Price**

On October 1, a few dozen guests gathered at the Killeen City Cemetery for Vialva’s funeral. His gray casket was covered in white lilies and chrysanthemums. His mother and sister sat in the front row. Eve, who drove down from Indianapolis, sat behind them under the tent.

Vialva’s 11-year-old nephew read a tribute from Vialva’s best friend on death row. Then Vialva’s sister Audrey delivered his eulogy. She shared childhood memories: how they would break the rules and ride their bikes to Walmart; how he would tickle her, play freeze tag with her, and have water balloon fights with her every summer. As he got older, she said, Vialva started spending more time playing video games and listening to music with his friends. But she remembered the time they stayed up all night memorizing the lyrics to the 1994 song “Funkdafied” by Da Brat. “He kept hanging his head off the top bunk asking why it was taking so many playbacks for me to get it,” she said. “His memory was always better than mine.”

Brown read the letter Vialva had written for his funeral. He was no longer the angry 19-year-old he had been, he wrote. “If you have written me a thousand letters or only just sat and thought about me from time to time, I appreciate it. If you came to visit me once a year or just saw my mother in passing and told her to tell me hello, I appreciate it. … If anyone here feels they could have done more, don’t. You did what you could and that is all that matters. So, thank you for those mercies and for your attendance today.”

The funeral director, Robert Falcon, was moved by the service. It was not the first time he had presided over the burial of a man executed by the state. Often times, he told me, such families “want to arrange something very private, something very, very quiet,” he said. “I’ve had services where nobody shows up. … There may be a representative from the family, a minister, and the funeral director. And that’s it. And Christopher’s situation was quite unique in that there was about 40 people present. And I’ve never seen that.”

Falcon did not minimize the pain of the victims in cases like Vialva's. In his decades helping families bury their loved ones, he had seen his share of murder victims. He knew that their families continued to hurt after an execution, he said. But "sometimes we forget that the person has now paid the ultimate price for their crime, and now *that* family is left to hurt."

Five days after her son's funeral, Brown spoke to the mother of Orlando Hall, the next man in line to die in Terre Haute. She learned that he has six children and a number of grandchildren. Hall's mother is in poor health and was not sure whether she will attend the execution, Brown said. "I told her, I want to be able to help facilitate their peaceful transition through this process," Brown said. "And she said, 'Oh thank you, Jesus.' She says, 'You just made my day, Miss Lisa.' That blessed me."

Brown has not yet spoken to the mother of Brandon Bernard. But she feels called upon to support other families as their loved ones get execution dates. "There are so many more like me," she said. It is also what her son would have wanted. Over the phone, she read from a card that was waiting in the mail when she returned from Terre Haute. "I know this is hard for you," he had written. "I would even go so far as to say that it's harder on you than me. … I just want you to stay strong. I need you to do that for me. If they do take me away, then you can let them know how much it hurts. Maybe one day your love will change things."

October 17 2020, 7:00 a.m.