

Lifelines

NEWS FROM THE NATIONAL COALITION TO ABOLISH THE DEATH PENALTY • NUMBER 99 • SPRING 2009

NCADP Helps New Mexico Become Third State In Three Years to Just Say No to Capital Punishment

New Mexico is a prime tourist destination, offering magnificent scenery and Native American culture. Today it has another distinction. The Land of Enchantment is one of 15 states free of the death penalty, a milestone of profound importance to the anti-death penalty movement as we accelerate the momentum toward abolition in the United States.

Governor Bill Richardson signed the death penalty repeal bill on March 18 in the state capital at Santa Fe, replacing lethal injection with life without the possibility of parole. New Mexico joined New Jersey and New York as states that were freed of capital punishment over the past three years.

The successful campaign was an extraordinary team effort with Viki Elkey as the Executive Director of the New Mexico Coalition to Repeal the Death Penalty (NM Repeal) and numerous past and present members of a Steering Committee, including Ruth Hoffman, Director of Lutheran Advocacy Ministry, Diane Wood of the American Civil Liberties Union of New Mexico, and Holly Beaumont of the New Mexico Conference of Churches. The New Mexico Conference of Churches also serves as NM Repeal's fiscal sponsor. The National Coalition to Abolish the Death Penalty provided substantial technical assistance and support. NM Repeal is a statewide, grassroots organization formed in 1997 that has grown to over 3,600 individual members and more than 100 supporting organizations.

The struggle to eliminate the death penalty was a twelve-year effort. Abolitionists came close in 2005 but a repeal bill was stopped in the state Senate's Judiciary Committee. The belief was that even if the bill did pass, Governor Richardson would not have signed it into law. Gradually, as public opinion nationally was moved by exonerations, the Illinois death row commutations, the repeal in New Jersey, and the ending of capital punishment in New York, NM Repeal continued to build capacity through public education, membership development, and by building relationships with state



Following the repeal legislation in the state, some of the principals in the effort convened in Rome where Pope Benedict XVI welcomed overturning the death penalty. The Coliseum was lighted to honor the hard work. Addressing the gathering is Gail Chasey, New Mexico state representative who sponsored the legislation. Behind her, from the left: Allen Sanchez, New Mexico Catholic Bishops representative, Viki Elkey, New Mexico Coalition to Repeal the Death Penalty, Matteo Bruni, translator, Mario Marazzatti, Community of Sant'Egidio, Mauro Cutrufo, deputy mayor of Rome, and Santa Fe Diocese Archbishop Michael Sheehan.

legislators. But the movement faced an almost insurmountable task in changing the mind of its state's chief executive.

In 2002 Governor Richardson said: "I am in favor of New Mexico's death penalty law. It sends a strong message of zero tolerance for heinous crimes, and it provides certain justice for the victim's families."

Over time, however, NM Repeal gathered strength and in 2008 the New Mexico Coalition intensified its campaign. The Coalition received help from NCADP through its Executive Director Diann Rust-Tierney and Director of Affiliate Support, Abe Bonowitz. In August Celeste Fitzgerald, former director of New Jerseysans for Alternatives to the Death Penalty, traveled to New Mexico with Abe to help NM Repeal benefit from the lessons learned in the successful New Jersey campaign.

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NCADP Lifelines

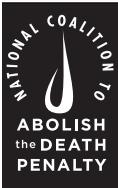
NCADP *Lifelines* is published quarterly by the National Coalition to Abolish the Death Penalty, the nation's oldest organization devoted exclusively to abolishing capital punishment. Founded in 1976, NCADP unifies a network of more than 100 Affiliate organizations, dedicated advocates and volunteers, and prominent national human and civil rights organizations in the fight to end the death penalty in the United States.

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Editor: Paul O'Shea
 Photography: Abe Bonowitz and Tom Elkey
 Design: Linda Silk, Brecher Design Group

National Coalition to Abolish the Death Penalty
 1705 DeSales Street, NW, Fifth Floor
 Washington, DC 20036
 202-331-4090
 Fax: 202-331-4099

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A Message from Diann Rust-Tierney



Welcome to this issue of *Lifelines*. As I write today we are making so much progress on the death penalty. We continue to celebrate the victories in New Mexico, New Jersey and New York. Virtually every state that has the death penalty is engaged in a serious debate about the death penalty at some level.

Recently, I attended a bill signing and celebration in Annapolis, Maryland of legislation that will severely restrict the scope and reach of the death penalty in that state. Colorado's Families of Homicide Victims and Missing Persons and Coloradans Against the Death Penalty came within one vote of final passage of legislation that would have increased funding for the Colorado Bureau of Investigation to solve cold cases with the money now wasted on the death penalty.

These are wonderful times. In addition to the breakthroughs in statehouses we are breaking down barriers and finding common ground. Key to the successes in New York, New Jersey, New Mexico and soon in Colorado is the strong bond of common purpose being formed between surviving family members of murder victims and advocates for ending capital punishment. And it makes sense. We all know the death penalty doesn't work. It doesn't work for anyone and it causes real harm to everyone it touches, whether it is the prison guards and chaplains who must participate in the killing of a person they have come to know—perhaps even believe to be innocent or the lawyers—prosecutors and defense attorneys—who must carry the stress of a life hanging in the balance at their hands, the families of murder victims and death row prisoners—we are all harmed by the process.

We are building a broad-based coalition of law enforcement, lawyers, and families and communities touched by violent crime and homicide. NCADP continues to work with our Affiliates around the country on the basics of changing public policy. We are designing new programs such as Rachel's Fund which will provide concrete support for efforts to provide tangible assistance to organizations helping family members of victims of homicide and a stronger voice for abolition.

But even as I report these successes, NCADP is on alert to get the word out about Troy Anthony Davis, the man on Georgia's death row with a strong case of innocence. We struggle here not only to prevent the unthinkable from taking place—the execution of an innocent man—but to educate the public at large as to just how broken the system is that we are required to wage a public struggle that should well have been remedied by the courts. Here again we are garnering a broad base of support from across the country and around the world; across party lines and belief systems about the death penalty.

We can do this together. If you have not already done so—go to our website and sign-up to receive our action alerts. Send five friends to do the same. Begin talking to your representatives in the state house and Congress about why we need to make a change.

The Death Penalty Information Center: An Invaluable Resource on Capital Punishment

Years from now, when someone writes the history of capital punishment and tells how it came to be abolished in the United States, one of the principals in the story will be a small organization with David-like impact, the Death Penalty Information Center. For nearly twenty years the Center has provided news and information to the media and the American public, letting facts and statistics speak for themselves, demonstrating that our current system of capital punishment is irreparably flawed.

DPIC is widely respected as the go-to source, providing unvarnished information.

Founded as a non-profit entity in 1990 with the support of the Roderick MacArthur Foundation, the Death Penalty Information Center is comprised of four professionals and an intern. Its reach and influence extend throughout the United States and internationally, far from its Washington, D.C. base.

DPIC anticipates and reacts to developments about capital punishment that occur in cities and states across America as well as in cases that come before local courts and gain national attention at the Supreme Court. When a case with national and sometimes international interest is before the Court, DPIC's Executive Director Dick Dieter will often hold an early-morning briefing for journalists who will be covering the story later that day.

Reporters frequently call or e-mail for comment and the Center issues news releases on such subjects as Supreme Court decisions, the judicial progress of individual cases, national trends in the use of the death penalty and the high cost to taxpayers of states continuing to employ capital punishment.

Dick Dieter says, "Our first commitment is to provide accurate information to the news media and to others who need factual, timely information about capital punishment. Journalists know we give them an honest answer, whatever the facts may be on a given issue. We describe how the death penalty really works and let individuals draw their own conclusions."

The Center's principal activity is in serving journalists on the news side and they appear to be well served. "(DPIC) is the only place that journalists, researchers and activists need to look for information on capital punishment," notes Jonathan Groner of the Legal Times.

"We ask ourselves, what needs exposure?" Dieter says. "We look at a problem realistically and practically, and focus our research and reportage on what the public should know in order to make a determination about the death penalty's fairness, its usefulness in combating crime."



**Dick Dieter, DPIC
Executive Director**

Dieter is a well-known expert voice in the media. Over the years he has been quoted and cited as a source in literally thousands of news stories, columns and blogs and appeared on most of the major network news and discussion shows including The Newshour with Jim Lehrer, the Today Show and Frontline. He has spoken at international events in Taiwan, Tokyo, Paris and London, and recently testified before the European Parliament in Brussels and testified about the death penalty before numerous state legislatures and prepared reports for the U.S. House Judiciary Subcommittee.

A graduate of the University of Notre Dame with a master's degree from Ohio State University, Dieter began his career as director of the Community for Creative Non-Violence's pre-trial release program in Washington, D.C. He and his wife then moved to Alderson, West Virginia where the couple founded a home for families visiting the Federal women's prison. Later, the Dieters returned to Washington where he joined the Quixote Center, originating its death penalty project, and began law school at Georgetown University. He received his degree in 1992 just when the DPIC executive director position opened up.

Today, the heart of DPIC's outreach is its website (deathpenalty-info.org). With the substantial international interest in the death penalty and the progress toward repeal in this country, Web pages and reports are available in Spanish, French and German.

DPIC's Facts About the Death Penalty is a comprehensive summary of key measurements of where we stand including the number of executions since 1976, racial composition of defendants and victims, exonerations and death row inmates by state, as well as a host of other useful statistics and findings.

In addition DPIC publishes comprehensive studies on developing death penalty issues. Its "Innocence and the Crisis in the American Death Penalty" report (an "Innocence" study was first published in 1993) is now in its third update as a result of the continuing increase in exonerated individuals (now 132). "Innocence" is the Center's most requested publication and has played an increasingly important role in the national discussion of the likelihood that innocent prisoners have been and are being executed. Other frequently requested publications are "A Crisis of Confidence: Americans' Doubts About the Death Penalty" and "The Death Penalty in Black and White: Who Lives, Who Dies, Who Decides."

Another Information Center staple is its Year-End Report which presents statistics, opinion poll results, trends in capital punish-

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New Mexico From Page 1

Viki Elkey, who became the executive director for the New Mexico Coalition just six months before the state legislative session began, praised NCADP's Abolitionist Leadership Training Institute which she attended in August, 2008. "The networking I did and classes I attended that weekend helped me become an effective advocate for repeal. Two weeks later Abe and Celeste came to New Mexico to help us re-do our strategic plan for repeal.

"As the campaign heated up during the legislative season, Margaret Summers (NCADP's Director of Communications), Diann and Abe were incredible on so many levels. Abe came to New Mexico to help with our Repeal Day, which had over 225 advocates at the capitol to meet with their legislators and ask them to support repeal. Margaret helped me draft media plans each step of the way, and helped coordinate the message with national and international organizations, as well as the national media, on each historic vote and the Governor's signing of the bill.

"Besides being available for calls and advice each time I needed it, Diann also allowed her staff the freedom to help when I called them. I can't tell you how much it has meant to me personally to know that I could pick up the phone at any time and call NCADP and know I would get an answer."

Pat Tyrrell, co-chair of New Mexico Coalition said, "NCADP played multiple roles as trainer, consultant and partner. The Abolitionist Leadership Training Institute last summer was a powerful resource for us. The Institute and its workshop sessions were transformative for Viki Elkey, who had just joined us as our executive director. NCADP staff offered expert consultation throughout the legislative process. Abe Bonowitz became an extended family member of our Coalition. Celeste really inspired us with her informative account of the New Jersey experience and offered proven strategies in working with the executive branch.

"NCADP became a valued partner in getting us over the top and securing Governor Richardson's signature," Tyrrell said. "Drawing from this productive and collaborative relationship, New Mexico Coalition to Repeal the Death Penalty is fully committed to joining the effort to abolishing capital punishment in other states."



Allen Sanchez, executive director of the New Mexico Conference of Catholic Bishops, and Viki Elkey, executive director of the New Mexico Coalition to Repeal the Death Penalty, celebrate the historic victory in their state.



Michelle Giger and Cathy Ansheles of Murder Victims' Families for Reconciliation delivered thank you notes to the New Mexico state senators who voted to repeal the death penalty.

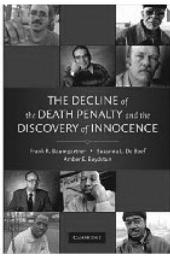
Richardson sought to engage New Mexico citizens in a final dialogue about whether to retain the death penalty, hearing from victims, law enforcement, legal scholars, NCADP Board member and Florida death row survivor Juan Melendez and other citizens. In the end, the Governor decided to sign the repeal measure, voicing his concern about problems with the process, and his belief that life in prison was just retribution. "It may be worse than death."

After the hard work and planning of hundreds of individuals, the Governor repealed the state's death penalty law, saying: "I have decided to sign legislation that repeals the death penalty in the state of New Mexico. Regardless of my personal opinion about the death penalty, I do not have confidence in the criminal justice system as it currently operates to be the final arbiter when it comes to who lives and who dies for their crime. If the state is going to undertake this awesome responsibility, the system to impose the ultimate penalty must be perfect and can never be wrong. But the reality is the system is not perfect-far from it. The system is inherently defective. DNA testing has proven that. Innocent people have been put on death row all across the country."

Ending capital punishment will have additional benefits. "Repealing the death penalty in New Mexico creates the space for a serious conversation about how we can respond more effectively to the needs of surviving family members of murder victims," said Diann Rust-Tierney, NCADP's executive director. "We are pleased that State Representative Gail Chasey, author of the repeal bill, has also introduced legislation that provides murder victims' family members leave from work to attend judicial proceedings and a measure to create a Murder Victim Family Services Fund. NCADP wholeheartedly supports these efforts, as survivors' needs are often overlooked."

NM Repeal will remain in existence to continue to advocate for passage of the murder victims' support legislation.

Books From the Death Penalty Library



The Decline of the Death Penalty and the Discovery of Innocence, by Frank R. Baumgartner, Suzanna L. DeBoef and Amber E. Boydston, Cambridge University Press, 2008, \$23.99.

Eight men stare from the cover of “The Decline of the Death Penalty and the Discovery of Innocence.” They are some of the exonerated that, according to the authors, “puts into greater clarity than our words can do the human cost of the issues that are at the core of our discussion throughout this book.”

How much more error can we stand in the tortured world of capital punishment? Penn State University political science professors and researchers ask that question, and conclude that the possibility of executing an innocent person is a primary reason for the decline of public support for the death penalty.

Frank Baumgartner, who spoke at NCADP’s annual conference in January, writes, “If the U.S. Postal Service failed to deliver even 1 per cent of the billions of pieces of mail it delivers each year, or if the Social Security Administration erred the same percentage of its monthly checks, Americans would be outraged. Our entire system of government is based on the idea that man is imperfect and other actors in the political system must act as checks and balances on the others. Yet, attention to the possibility of error has been virtually absent in the debate until recently.”

The Decline of the Death Penalty is based on extensive analysis of almost four thousand New York Times’ articles on capital punishment published over a 45-year period ending in 2006. Their conclusion – death sentences resulted from a combination of factors, including previous death sentences, public opinion, the tone of the media coverage and the number of homicides. The discovery of innocence, documented through painstaking analyses of media coverage with methods developed by the authors, has led to historic shifts in public opinion and a sharp decline in the application of the death penalty by juries across the country.



The Future of America's Death Penalty, edited by Charles S. Lanier, William J. Bowers, James R. Acker, Carolina Academic Press, 2009, \$50.

As we look ahead after the New Mexico repeal, what are the critical issues confronting capital punishment in the United States? What role can research play in bringing us closer to abolition? Some of the anti-death penalty movement’s distinguished individuals examine the future of the death penalty in *The Future of America’s Death Penalty*, in such areas as administration of the death penalty, litigation, legislation and executive action.

Among the book’s leading authors, all of whom have contributed original work to this volume are Hugo Adam Bedau, Michael Radelet, David Baldus, Richard Dieter and David Dow. Attorney Ron Tabak introduces the chapters with a forward, which makes a strong case for using research.

The book is organized in six sections. They are institutional and disciplinary perspectives on the death penalty, capital punishment, public policy perspectives, the death penalty as applied, participants in the capital punishment process, the punishment of death, and interdisciplinary perspectives toward a research agenda for the future.

Charles S. Lanier and James R. Acker, professors of criminal justice at SUNY-Albany, and William J. Bowers, director of the Capital Jury Project, edited *The Future of America’s Death Penalty*.

Thinking, talking and writing about the ultimate punishment continues to be of substantial interest to the American public. Lifelines reports on two books which help influence the national conversation.

Yes We Can!

I want to help NCADP in its fight to end the death penalty! *All contributions are 100% tax deductible.*

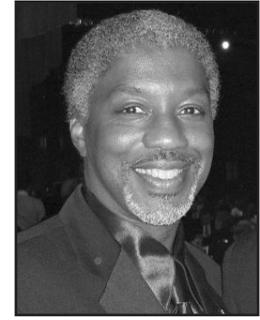
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Q&A With H. Alexander Robinson

H. Alexander Robinson, 50, currently serves as the Executive Director and Chief Executive Officer of the National Black Justice Coalition, and president of NBJC Action Fund. NBJC is the nation's black same-gender loving, lesbian, gay, bisexual and transgender civil rights organization. A former CPA and corporate executive, Robinson also has a long history as a public policy analyst and commentator. He holds Bachelor of Science degrees in accounting and political science from Pennsylvania State University and an MBA from Stanford University Graduate School of Business.



Robinson is president of Robinson & Foster, Inc. and spent three years as an independent political strategist and communications specialist serving a wide variety of public interest groups and candidates including the NAACP, National Council of LaRaza, National Urban League Policy Institute, and the Leadership Conference on Civil Rights. From 1990-1996 Mr. Robinson was the senior congressional lobbyist for the American Civil Liberties Union Gay and Lesbian Rights and AIDS Projects. Mr. Robinson also served as the Director of the Washington, DC-based Inner City AIDS Network, Deputy Executive Director for the National Minority AIDS Council and the Director of Public Policy for the Drug Policy Foundation.

In addition to his work on LGBT issues and AIDS, Robinson has worked with the Breakthrough Foundation's Youth-at-Risk Program and Washington Area Council on Alcoholism and Drug Abuse, and currently serves on the Board of Directors of the National Coalition to Abolish the Death Penalty. Robinson was a member of Obama for America's National LGBT Steering Committee. He is the recipient of numerous awards including most recently the Andrew Goodman Freedom Prize.

A writer and political commentator, his coming out story is chronicled in the recently released book, *Crisis: 40 Stories Revealing the Personal, Social, and Religious Pain and Trauma of Growing up Gay in America*. Robinson's writings have appeared in the *New York Times*, *Bilerico.com*, *BlackAmericanWeb.com*, the *Advocate*, the *Washington Blade* and numerous other local and national journals. His television and radio experience includes interviews on nationally syndicated programs such as the *Bev Smith and Tucker Carlson Shows* and appearances on NPR, CNN, Fox News and MSNBC. Alexander has one son, Stuart Christian and resides with his husband, Gregory Satorie in Baltimore.

Q: Why do you oppose the death penalty?

A: As an Orthodox Christian, I do not believe that there should be any state-sanctioned killing. Every life is precious and of value. As a libertarian, I view the death penalty as an extreme exertion of state power, of little use in a free society. Finally, as an African American I am troubled by the racial disparities in those who are prosecuted and sentenced to death in my name.

Q: In speaking with colleagues about your involvement with NCADP and its mission, what can you tell us about building alliances and connecting to broader movements and constituencies?

A: I spend much of my time working with African Americans

and lesbian, gay, bisexual and transgender people of all races. The coalitions of progressives that support racial justice and LGBT equality are natural prospects to become abolitionists. My experience has been that there are many who support our causes who are not at all engaged in the efforts to end this state tyranny. One common theme is the misperception that failure to support the death penalty is a failure to support murder victims and their families. This is an area where we could use more public education.

Q: You've been involved in social change and political work for many years. What kinds of organizations are best suited to effect change? What kind of leadership brings this about?

A: Change comes in many ways and from most sectors of our society. Leadership is what is needed. In my experience, organizations that use grassroots support to influence political leadership have experienced much success. Nevertheless, there is room for organizations that focus on making broad social change through the use of the media. When discussing changes in view of the death penalty, my thoughts turn to the use of popular media to make the realities of execution real. We need to tell the truth about the failures of the criminal justice system and to share the views of murder victims' families who know that their pain will not be satiated by executing the perpetrators of the heinous crime of murder.

Q: What are your observations about the changes in the way

the issue is discussed in policy circles? Has the debate changed, and if so, what caused the change?

A: I believe we are more willing to talk about our views. Abolitionists are more out of the closet if you would allow me that turn of phrase. I would say that leadership has made the difference. As we have seen elected officials, murder victims' families, law enforcement officials step forward, it has created the space for others to question and share their personal reservations.

Q: We're making progress in turning public opinion against the death penalty. What has to happen for more states to join New Mexico and New Jersey in repealing this law?

Continued on next page



Capital Quotes

“From an international human rights perspective, there is no reason the United States should be behind the rest of the world on this issue. Many of the countries that continue to support and use the death penalty are also the most repressive in the world. That’s not something to be proud of.”

“In a society which values individual life and liberty above all else, where justice and not vengeance is the singular guiding principle of our system of criminal law, the potential for wrongful conviction, and God forbid, execution of an innocent person stands as anathema to our very sensibilities as human beings. That is why I am signing this bill into law.”

GOVERNOR BILL RICHARDSON
STATE CAPITOL OF NEW MEXICO
MARCH 18, 2009

“Like the majority of our states, California wastes resources on the death penalty while most murders go unsolved and most killers walk the street. It’s time to invest in real justice for all and stop wasting money on symbolism for a few.”

NATASHA MINSKER
DEATH PENALTY POLICY DIRECTOR
ACLU OF NORTHERN CALIFORNIA
THE NEW YORK TIMES
MARCH 1, 2009

“The death penalty doesn’t deter crime. It’s expensive. I thought the state doesn’t have the right to take anyone’s life. How can you believe in the sanctity of life and want to electrocute someone?”

ROBERT M. MORGENTHAU
MANHATTAN DISTRICT ATTORNEY
THE NEW YORK TIMES
FEBRUARY 28, 2009

A: We must continue to spread the word that the death penalty is wrong and ineffective. We must re-double our efforts to encourage people of faith to express their beliefs about the value of every human life. We have to celebrate political leadership. Most importantly, we have to lead by example, be proud to be an abolitionist.

Q: Why do we find strong allies in the human rights and LGBT communities—where is the common ground?

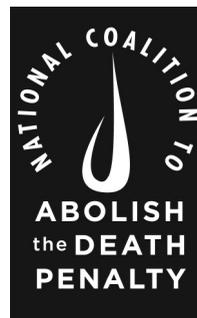
A: Those who experience discrimination and marginalization often come to know how important it is to value the humanity of every individual. The death penalty is inhuman. Our LGBT allies are at the heart of the matter as

advocates for human rights and human dignity. As such, many are unwilling to live with the contradiction that support for the death penalty would represent.

Q: As an NCADP board member and leader in this movement, what do you want your personal legacy to be? How do you want the work that you do to contribute to abolition?

A: I am flattered and humbled that you would call me a leader in the movement. I am doing what I can for a cause I believe is just. When my time in this life is done I pray someone will say: He stood for justice and equality for all people...oh, and maybe to note that he did it with style. If that included preserving life, all the better.

A New Symbol for NCADP

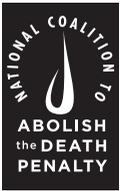


With this issue of *Lifelines*, NCADP introduces its new logo. A more contemporary representation of the organization, the logo consists of a candle-like icon in the center surrounded by the organization’s title and our mission.

“...represents the values we embrace: justice, equity, life.”

“The symbol represents the values we embrace: justice, equity, life. We believe it captures the essence of who we are and what our goal is, and visually interprets our partnership with more than 100 other organizations who help us in our fight to end capital punishment,” said Executive Director Diann Rust-Tierney.

Linda Silk of the Brecher Design Group created the logo.



**NATIONAL COALITION TO
ABOLISH THE DEATH PENALTY**
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DPIC From Page 3

ment, Supreme Court decision summaries and excerpts, and features a section called New Voices which identifies prominent individuals who once opposed but who now endorse capital punishment repeal.

The Weekly Newsletter is e-mailed to thousands of individuals and organizations that want to be informed about the latest developments in court cases, state and Federal legislation and comments from public officials as well as death penalty proponents and opponents.

One American captured DPIC's role when he said, "I commend the distinguished (Death Penalty) Information Center for its continuing and impressive leadership on all aspects of the ongoing battle against the death penalty...And thanks to their efforts, Americans have become increasingly aware of the lack of fairness in the imposition of the death penalty and the risk of executing the innocent." The voice of praise is that of Senator Ted Kennedy.

Lifelines

Keeping Up Between the Lifelines

NCADP provides several ways to keep up with breaking news and action opportunities. Visit NCADP's web page for links to breaking news, commentary by Executive Director Diann Rust-Tierney and others on our blog and in the Huffington Post, and ways to weigh in with your own involvement.

Sign up with the NCADP cause on Facebook at <http://www.causes.com/ncadp>. Follow us on Twitter at <http://twitter.com/ncadp>.