



DeafHope

April 2, 2007

Open Letter to ABC Nightly News and Daphne Wright's Defense Team,

We have been asked by people in the community to comment on the South Dakota case against Daphne Wright, a Deaf woman accused of murdering Darlene VanderGiesen in February 2006. It is alleged that Daphne Wright kidnapped and murdered Darlene because of Darlene's friendship with Daphne's intimate partner, Sallie Collins. Darlene's dismembered body parts were found in both South Dakota and Minnesota. It is also alleged that during their relationship, Daphne was abusive to Sallie. Wright's attorneys are arguing that although Daphne is intelligent, sentencing her to the death penalty would be cruel and unusual punishment, because her communication skills and control over her environment are limited by her "deafness".

DeafHope's mission is to end domestic and sexual violence against Deaf women and children through empowerment, education, and services. While our mission is to work only with survivors and not perpetrators of violence, Daphne's case and the media attention surrounding it raise serious issues about gender, race and access with far reaching implications for our Deaf community. First, we strongly disagree with the message from the attorneys and the media that because someone is Deaf they are unable to understand right from wrong and incapable of participating in their own defense.

Being Deaf does not limit a person's mental capacity. If it is clear that a person has no cognitive disabilities, then the true issue for a Deaf defendant is communication access. If access is provided through certified legal interpreters who are appropriate for the Deaf defendant's linguistic preferences, then there is no reason that Deaf people should not be held to the same standard as everyone else.

The language used in the media about this case, particularly the recent story on ABC Nightly News, has been offensive and incorrect, implying that Deaf individuals may not have the cognitive ability to stand trial just because they are Deaf. This misconception could set into motion a terrible chain of consequences, where Deaf individuals are no longer considered competent parents or capable of self-determination, and are not afforded the same rights as all other Americans.

Again, if equal access to communication is provided at all times, just being Deaf does not make a person incompetent. Daphne Wright deserves advocacy for access, not sympathy for her actions. As long as she is given interpreters that meet her communication needs, she should be held to the same standards as other perpetrators.

Beyond competence and communication access, race, gender, sexual orientation, and audism are also important factors in this case. Our society is built upon a foundation that is discriminatory to those not in the hearing white, male, heterosexual majority. Patriarchy and racism are a part of ALL of our institutions: social, judicial, and cultural.

There is an imbalance in the media attention given to domestic and sexual violence cases when the perpetrator is a woman, particularly a person of color. Murders and other crimes happen in our Deaf community often, and yet when it is a male perpetrator, we usually hear very little about it. When a woman perpetrates the same crime, there is dramatic media attention and often harsher penalties. For example, fathers often murder their children (particularly in conjunction with domestic violence) and there is rarely much heard about it. But when a mother kills her children, there is uproar around the country. Women are held to a different standard.

Under this system of institutionalized patriarchy, heterosexism, racism and audism, we are against the death penalty. Historically the death penalty has not been fairly applied – people of color are grossly over-represented in our prison systems and on death row. Being a Deaf, Black, Lesbian woman, Daphne Wright already has four strikes against her. Compounded by the fact that American Sign Language (ASL) is often not fully accessible in the legal system, she faces many barriers to her rights for a fair trial.

As a community, we must demand accountability for all perpetrators of violence. Also as a community, we must demand equal access to communication for all Deaf individuals. And we must stay vigilant about preserving human and civil rights for everyone.

DeafHope Advocates

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