

THE EXONEREE AND THE MADONNA

How Does Mary Standing beneath the Cross Speak to Us?

Ruth Agnes Evans

Ray Krone Speaks

ON 12 OCTOBER 2013, at Amnesty International's Human Rights Action Centre in Shoreditch, London, I watch Ray Krone stand and speak before a gripped audience. Ray Krone is a tall, courteous man in his fifties with a kindly, somewhat careworn face. He is a former Arizona death-row prisoner, exonerated by DNA testing after ten years' imprisonment—the hundredth such prisoner to be exonerated since the death penalty in the USA was reinstated in 1976. I have already seen his name in legal articles describing the murder of a young woman, Kim Ancona, in December 1991 and the miscarriage of justice that ensued.

Owing to police incompetence, the state prosecution's fixation on a false lead and 'junk science',¹ Ray Krone was prosecuted, found guilty of the crime and sentenced to death. A macabre piece of evidence, a bite-mark on the victim's body, was manipulated at trial by a highly paid expert for the prosecution to demonize and convict Ray Krone, despite the absence of conclusive evidence against him. Ray's lawyer had only limited funds with which to research the case. The media latched on to the bite-mark and Ray, whose front teeth happened to be crooked after an accident, was named 'the Snaggletooth Killer'.²

Ray was an acquaintance of Kim Ancona; he was 35 at the time and had no criminal record.³ There were no eyewitnesses to the crime. Ray's alibi, his housemate, claimed that they were both at home on the evening

¹ Sarah L. Cooper, 'Ray Milton Krone: Once Bitten, Twice Convicted', *Amicus Journal: Assisting Lawyers for Justice on Death Row*, 20 (2009), 32–5.

² Hans Sherrer, 'Ray Krone Settles for \$4.4 Million after Two Wrongful Murder Convictions', *Justice Denied: The Magazine for the Wrongly Convicted*, 32 (Spring 2006), 16.

³ Sherrer, 'Ray Krone Settles for \$4.4 Million', 16.



Ray Krone

in question, but his testimony was discounted:⁴ at trial, the prosecutor called him a liar.⁵ Ray was convicted, and went on to spend nearly three years on death row. There the guards would sometimes throw the midday meal on to the ground in the prison yard and then amuse themselves by watching to see whether the prisoners would eat it.⁶

During a second trial, achieved through the sacrifices of Ray's mother and family,⁷ it emerged that the bite-mark evidence against Ray, which had so impressed the jury at trial, was false.⁸ The judge was unnerved by the 'lingering and residual doubt' over Ray's guilt, yet instead of being set free he was given a life sentence.⁹ This led to another six years in prison. In March 2002, DNA testing established that biological evidence on Kim Ancona's clothing exonerated Ray and matched someone else on the FBI database.¹⁰ Still the prosecution contested Ray Krone's release.¹¹ The suspect implicated by the DNA tests partially confessed from an Arizona prison, where he was serving time for assault. He feared that he might have

⁴ Cooper, 'Ray Milton Krone: Once Bitten, Twice Convicted', 32.

⁵ Lottie Niemiec, 'LifeLines 25th Anniversary Conference', *The Wing of Friendship* (Winter 2013), 6.

⁶ Ray Krone, speaking at the LifeLines Conference at the Human Rights Action Centre in Shoreditch, London, on 12 October 2013.

⁷ Sherrer, 'Ray Krone Settles for \$4.4 Million', 16.

⁸ Cooper, 'Ray Milton Krone: Once Bitten, Twice Convicted', 34–35.

⁹ Niemiec, 'LifeLines 25th Anniversary Conference', 7.

¹⁰ Cooper, 'Ray Milton Krone: Once Bitten, Twice Convicted', 36.

¹¹ Sherrer, 'Ray Krone Settles for \$4.4 Million', 16.

committed the crime during a period that had lapsed from his memory. Finally, in April 2002, Ray Krone was exonerated and set free. He was 45 years old.¹² This case has much to tell us about how innocent people in the United States may come to be convicted of crimes, and its implications have been discussed in legal workshops and articles.¹³

I happen to be sitting next to Ray at the 2003 conference. We exchange a few words and I feel comfortable in his presence. He is very easy to get along with, someone it is effortless to like. I watch him as he begins to speak in public. He is a gifted speaker; he is adept at putting the realities of the death penalty into words. For him, the grim details of the US justice system are the stuff of his experience: 'If they can do it to me, they can do it to anybody'.¹⁴ This lesson cost him ten years of his life. He knows that in the USA the death penalty is manipulated to serve political ends.¹⁵ The way the death penalty is 'dished out to human beings' is, he affirms, 'a lie'.

He tells his story powerfully, allows it to gain momentum, inhabits it as he speaks. He shows pain and anger as he relives his experience; I am impressed that he can control the expression of these feelings. They remain a part of his narrative; they do not destroy it or control him. He never loses sight of his audience, never comes to the point that his narrative becomes merely about himself and his loss. He keeps in contact with us; he includes us, shares himself with us. The audience is warm; the majority of its members correspond with a death-row prisoner under the guidance of 'LifeLines', an organization created for this purpose. It is as if we wish that our sympathy could ease the pain imprinted on his soul. Ray's eyes carry the shadow of memories most of us cannot imagine, and yet what strikes me about him most of all is that he is himself.

I am glad to see that he is Ray Krone who worked in a post office, enjoyed socialising with friends and took pride in the integrity of his life. He is proof not only that you can get out of death row but also that you can get out of death row alive. Not every exoneree fares so well.¹⁶ Ray was

¹² Cooper, 'Ray Milton Krone: Once Bitten, Twice Convicted', 36.

¹³ I attended one of these workshops, led by Sarah L. Cooper, on 3 March 2013 at the Amicus training weekend on the death penalty in the USA, held at Freshfields law school in London. Sarah Cooper was a member of Ray Krone's defence team.

¹⁴ Ray Krone at LifeLines Conference, 12 October 2013.

¹⁵ 'They would have executed me ... I can't be the only one People need to address this issue.' See Dennis Wagner, Beth Defalco and Patricia Biggs, 'DNA Frees Arizona Inmate after 10 years in Prison', *The Arizona Republic* (9 April 2002).

¹⁶ See Sandra D. Westervelt and Kimberly J. Cook, 'Coping with Innocence after Death Row', *Contexts* (Fall 2008), 33–37.

living a well-balanced, socially integrated life before his nightmare began, and had loving parents. Resources are the reason he survived.¹⁷ The finance that Ray's mother and stepfather found after his first trial, by remortgaging their home, meant that Ray eventually procured a defence team with the funds it needed to seek evidence for his innocence.¹⁸

Ray remembers the young woman who lost her life—and her mother, with whom he was not allowed to communicate until after his exoneration. Only then did Ray have the opportunity to speak to her. Finally, he tells us, he was able to tell her that he was sorry for her loss, 'This is my first opportunity to offer condolences for your daughter'. He remembers his fellow death-row prisoners, including the guilty. He learnt in prison not to judge them but to care about them: 'They are human beings'.¹⁹ He learnt how to give other prisoners basic legal help. Now he campaigns against the death penalty and gives talks. I ask myself what it is about a person that can withstand such pressure with courage, humanity and grace. Ray sought a measure of justice, prosecuting his prosecutors. Kim Ancona's mother had been encouraged to believe that Ray was a monster. After his exoneration, she was appalled to realise what he had been put through: 'My God, I hope he becomes a millionaire, because I can't give him those 10½ years back'.²⁰

Why should this man have been chosen for this experience? Initial clues had strongly pointed to another suspect, but the police chose to pursue their lead about Ray exclusively.²¹ From the outset, the police failed to explore evidence at the crime scene that could have led to Ray's immediate acquittal.²² At the second trial, the prosecution opposed evidence in Ray's favour rather than admitting that they had made a mistake.²³ The prosecution office opposed the defence's motion to carry out the crucial DNA tests that led to Ray's release. Highly unusually, senior members of Arizona's Senate Judiciary Committee have offered him an apology for what was done.²⁴

¹⁷ Typically, death-row prisoners are underprivileged people who, innocent or guilty, cannot afford a good defence at trial or subsequently and, once on death row, are socially abandoned. See 'How the Death Penalty Really Works', in *Machinery of Death*, edited by David R. Dow and Mark Dow (New York: Routledge, 2002), 19–26.

¹⁸ Cooper, 'Ray Milton Krone: Once Bitten, Twice Convicted', 34–5.

¹⁹ Ray Krone at LifeLines Conference, 12 October 2013.

²⁰ Sherrer, 'Ray Krone Settles for \$4.4 Million', 17.

²¹ Cooper, 'Ray Milton Krone: Once Bitten, Twice Convicted', 33.

²² Sherrer, 'Ray Krone Settles for \$4.4 Million', 17.

²³ Cooper, 'Ray Milton Krone: Once Bitten, Twice Convicted', 35.

²⁴ Sherrer, 'Ray Krone Settles for \$4.4 Million', 16, 17.

After Ray was set free, Sr Helen Prejean told him: 'Forgiveness is for you to go on with your life. Forgiveness is for yourself.' By this, I believe she meant something like this: *do not let them absorb you. Make your own choice in response to what they did to you. Do not allow what they did to become your own last word. Forgive, so that you can live.*

A Crowd Assembles at Medjugorje

I met Ray Krone towards the end of a sabbatical study period following the closure of the Poor Clare Convent where I lived until May 2011. During these studies I focused on death row in the USA. I also studied Mary, the mother of a condemned son, through the eyes of Francis of Assisi. I had often struggled to understand the maternity of Mary as it relates to ourselves. It was with interest, therefore, that I accepted an offer to go on pilgrimage to Medjugorje in April 2014, not long after I joined the community of Augustinian sisters at Boarbank Hall.

On 2 June 2014, I walked towards a gathering at a hill in Bosnia. As I passed vineyards and enjoyed views of the two mountains which define the town of Medjugorje, it promised to be another glorious sunny day. Many other people were going in the same direction. Under the Madonna's patronage, the town was doing well, and for the few days of my pilgrimage I had seen only exceptional harmony and good will. As I reached my destination, we were packed a little too close, and I was briefly nervous about the powerful emotions and overcrowding, but the crowd was restrained and peacefully left us each our own space. I was fairly close to the centre of the excitement, where a woman, surrounded by protective friends, was waiting at a place known as the Blue Cross, at the base of Apparition Hill.

But I was not close enough to see, and was prevented from having any view by a stone wall which, in their enthusiasm, some of my neighbours had climbed. Hence, I was taken unawares when a deep and beautiful silence fell and seemed to immerse us all, bringing a heavenly relief from the public hymns and prayers. People stopped and bowed their heads. Later, as the contented crowd dispersed after the apparition, I reflected that in her life Our Lady was able to give herself completely, despite the wounds that life inflicted upon her. I shared this thought with my friends in my pilgrimage group, not thinking that I was saying anything more than the obvious, but they loved the thought, which led me to reflect on it more deeply.

As the story of Ray Krone illustrates, human beings possess the power to inflict wounds on one another of a gratuitously cruel nature. Sometimes these wounds alter the whole experience of a life, and the act



Statue of the Madonna at Medjugorje

of forgiveness has to extend over a lifetime's consequences. Deep personal injury can lead to a sense of diminished experience and capacity. It is as if a person has been wounded twice. The first time is when the hurt is inflicted, but the second time occurs through living with the effects.

Certainly, in concentrating on the experience of Mary here, I do not intend to show any lack of understanding for the long struggle towards healing, reconciliation and integrity that is the experience of many wounded people. Nor is this article intended as an attempt to present a neat solution for complex suffering that would benefit from advice and help. My aim is to look at Mary in the integrity of her person, to see how she can help us on our journey. She had a self-possession and capacity to give herself completely. However, she was still wounded, and had to suffer and struggle with her experience as we do. I wish to explore how she struggled to achieve her integrity and how, as our mother, she becomes a model for ourselves. We live in a world where hostages are murdered as political trophies, and the USA, one of the great democracies, regularly executes prisoners. I wish to draw attention here to the fact that the consciousness of Mary was formed as mother of a condemned man.

Mary at the Foot of the Cross: Forgiveness

When everything has been taken from us, we may not feel as if we care to find the strength to make the right choice. Nonetheless, in facing every life event, however tragic and unexpected, if we can, we must make choices. Our choices always have a bearing on both others and ourselves.

What does Our Lady's life teach us about the choices we must make? I wish for my meditation to focus on Our Lady at the foot of the cross. Out of all the choices she has made in relation to her son, this is all she has left: either to stand at the foot of the cross and watch him as he dies or not to stand there.

Meanwhile, standing near the cross of Jesus were his mother, and his mother's sister, Mary the wife of Clopas, and Mary Magdalene. When Jesus saw his mother and the disciple whom he loved standing beside her, he said to his mother, 'Woman, here is your son'. Then he said to the disciple, 'Here is your mother'. And from that hour the disciple took her into his own home. (John 19:25–27)

We believe Mary participated in the forgiveness of Jesus, imitating it within her heart. But forgiveness does not stop what is happening or change the attitude of the perpetrators. In fact, Luke lets us know that immediately after Jesus uttered his words, 'Father forgive them', the soldiers shared out his clothing (Luke 23:34). Their first response to his forgiveness is indifference. They are interested in the cloth they have acquired, not the man whom they have stripped and nailed to the cross.

Mary saw them and forgave. She did not wish to reject or hurt the men who were torturing her child. She stood there in her pain. We know from the story of the finding in the Temple that she was anxious on Jesus' behalf, like any mother; on that occasion she and her husband had searched for three days in the hope of finding him and protecting him (Luke 2:41–50). Now she can offer no protection. She stands there as the mother of the man who is being killed.

Forgiveness does not undo what has been done or its harmful effects; rather it prevents another aggressive act from being provoked in response to the first. It means that the violence that has happened does not become the inspiration for more aggression. Thus, the person who forgives takes responsibility for what is happening, chooses to assert her own peacefulness towards others in the face of its opposite. She allows herself to be wounded in a way that does not destroy her integrity or provoke her to return more harm.

Identity in Christ

Implied in Jesus' bequest is the recognition that Mary will outlive him. As she stands beneath his cross, she faces his death. Her son knows this. He needs to speak and make provision for her. She will go on living a life that

stretches before her like the desert. Out of this mutual knowledge of approaching separation, which absorbs them, he speaks to her. Making a great effort from his weakness, he achieves the strength to refer to his death, which will leave her alone. At this moment Jesus asks her to become a mother again. Implicit in what he says is his own experience of her mothering. One can see both the demand on her and the hope for her in what he asks. The demand is in asking her to be mother to another son, at this moment. The hope is also in asking her to be a mother, which is her fulfilment in his eyes and her greatest gift. Gently, he affirms her in her motherhood as the world disgraces her. We also can be comforted by the thought that the world's scant evaluation of our efforts is not the final word on what we have done, and is not God's final word on who we are.

Yet, however lovingly Jesus speaks, there can be no denying the pain caused to his mother by his request. By the very fact of asking her to give herself to another son, Jesus confirms that he knows he is about to die. The next verse states: 'After this, when Jesus knew that all was now finished, he said (in order to fulfil the scripture), "I am thirsty"' (John 19:28). Imagine his physical condition. It is as if he is withdrawing from the grasp in which she longs to hold him, leaving her nothing of himself except this poor disciple. She can hear in his voice his anticipation of dying up there on the cross. Her life, as she has known it, ceases to exist. Jesus entrusts her to John, and she allows herself to be entrusted. It is as if, in imitation of her son at this hour, her earthly life, with its human needs, desires and longings, recedes to reveal her vast, inexhaustible submission to the will of God.

For us also, suffering may present us with a bitter fiat. We see that it has come to this, the last place we wanted to be, and we must acknowledge that this is how it is. Perhaps we can derive strength from knowing that Mary also stood in darkness.

Despite the violation of her being, Mary is able, in obedience, to entrust herself to another person—to John—and will be able to give herself to the Church that will derive its life from this moment. For Jesus' words include more than provision for her survival. At the moment where everything is being taken from her, he teaches her once more who she is. At the moment when, humanly speaking, her fruitfulness is squandered, he calls her anew into more fruitfulness. She is 'woman' and she is 'mother'. How powerfully these great tributes refute the way her inner life is being desecrated by the soldiers. She is mother of John and of all of us. She is pierced to the core (Luke 2:35), and yet is called to be.

The Trial of Faith

The perfection of Mary's motherhood of Christ does not spare her the anguish and degradation of witnessing the place to which the son she bore has come. She is present at his execution. She knows, like no one else, the injustice that has produced this result. Her pure presence testifies against it. Mary knows the human darkness, the lies, envy and betrayals that have contrived this outcome. She can see that hatred has destroyed his human chances. It was she who solemnly permitted the Son of God to come into this world at the Annunciation (Luke 1:38). What began in her body is ending on a cross. As far as the legal decision is concerned, she is powerless. How deeply the predicament of the condemned person must have penetrated her heart and mind! We see Mary's faith in God in the fact that she can give herself to such a moment, a moment in which we might be tempted to say: *what is there left for me do but grieve for him and die?*

But Jesus does not call her 'mother' for himself (perhaps it would have comforted her a little if he had cried out to her as his own); he calls her 'mother' for John and for us. She is able to accept this gift because she knows her son and can trust that God has not betrayed her. Perhaps this thought may comfort us in life's dark moments: that God has not betrayed us. Ultimately and eternally, we are not doomed. We can pray with Mary not to be overwhelmed by darkness and know that she understands our prayer.

We notice how Mary gives herself to John and to the Church at the time of her desolation. She looks at Jesus and can see that he does not have long to live. She knows that when he dies she will be plunged into a darkness that, for her, cannot be remitted in



Lamentation beneath the Cross, by Lucas
Cranach the Elder

this life. She will never again hold him close as hers, as she has done. Whatever consolations his resurrection and her life within the early Church will bestow—and at this moment she cannot be expected to imagine them—this loss is with her till the end. Yet it is now, at Jesus' instruction, that she embraces John. Implicitly and unreservedly, she gives herself to John. By receiving John as a son, she commits herself to life at the very moment when, in her natural existence, she must surely long to die. John stands there, also in pain and bewilderment, and we can understand the text to imply that she will care for him.

When we are deeply wounded, there is a tendency—with good reason—to say: *if only this had not happened, I would have been a different person. I lost some of my capacity to give myself to others at that time. I would have been able to respond more fully to others if I had not been hurt myself.* These may well be authentic insights. But Mary's attitude can offer us the hope that, with her help, our capacity to give ourselves to others will unfold. We can pray to her to help us to believe in the possibility of a self-giving that seeks to imitate her own.

The Gospel states that Jesus can see both Mary and John. The fact that Jesus makes this demand upon his mother illustrates that he knows she is uniting herself to his sacrifice and to its meaning. At such a moment, to ask a mother to give herself in a personal and spiritual way to a new son could be too much. The words of provision for Mary's future do not have to be phrased in such a way that Mary's personal gift of herself is elicited. In fact, if Jesus had perceived that Mary was distraught to a point that she had lost the capacity for consent or cooperation, as could be the case at such a scene, it would have been impossible to make this new demand on her. She would not be able to renew her gift of herself. Hence, in the words of Jesus we can see the strength and endurance he sees in his mother as he looks down on her. We can glimpse his image of her as she stands and watches him. We can see how he respects and trusts her.

Mary is receptive, capable of understanding and responding. She allows her son to make contact with her. She recognises his request. To know the request of another person when we are in pain and vulnerable is not easy. It means being open and available in our shattered world. She must respond to her son in his torment and humiliation. Rather than thinking of herself, she allows Jesus the dignity of her obedience and recognition. Unlike the disciples in Gethsemane, she has the strength to be with him and to listen. She recognises his authority over her. Her confidence in him is not crushed by his defeat. Mary is still her own person. Her son

can still speak to her and she will obey him. She is his at his disposal, even as she gives him up to death. She continues to listen to his word and to receive his mission. In this way she opposes the injustice of his murder, which seeks to wipe him out. As she accepts her new motherhood, she gives back the most precious gift, for which she has lived. She will be a mother for others, as Jesus has asked her to be. In this way her life continues and the Church comes to birth. The scene may comfort us when we are required to surrender our hold on something that is precious to us, even something which has been our life.

The Foot of the Cross

As I watched Ray Krone stand and speak, I was caught up in the energy of his delivery. His subject was the desecration of his own life, and yet what stayed with me was its beauty. I remember, too, the compassion of his audience. What began as the destruction of his story has become a story told for other people whose plight he knows all too well. Later, when that moment of peace fell on a hillside in Bosnia, I found myself wondering about the relationship between the Madonna's gift and our troubled, struggling lives. The more I reflected, the more I realised that her gift of herself to us was no painless marvel. It was achieved through grief and pain, and she can strengthen us. While the world may pay little heed to the manner in which we choose to stand at the foot of the cross, we are called to stand there in love, forgiveness, obedience and faith. How hard this is. For this reason we need the Madonna, so that we can believe that her willingness to give herself unreservedly may become possible for us.

We live in a world where prisoners are still executed. The USA, the world's most powerful democracy, refuses to abolish this practice. Pope Francis has recently spoken out against capital punishment.²⁵ There is scope for meditation upon Mary as the mother of a condemned prisoner. Surely Our Lady, who suffered at the foot of the cross of her only son, holds all condemned prisoners in her heart.

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²⁵ *The Catholic Herald* (31 October 2014).