

# Michigan's Death Penalty History

Compiled by Marietta Jaeger-Lane

**March 1, International Death Penalty Abolition Day, marks the anniversary of the date in 1847 in which the State of Michigan officially became the first English-speaking territory in the world to abolish capital punishment. It is a day to remember the victims of violent crime and their survivors; it is a day to remember those killed by state sanctioned violence — guilty or not— and their survivors; and it is a day for intensified education and action for alternatives to the death penalty.**

1. 1828: Patrick Fitzpatrick was a Detroitier living across the Detroit River at an inn in Sandwich (now known as Windsor), Ontario, Canada. When the daughter of the innkeeper was found raped and murdered, Fitzpatrick was arrested for the offense, summarily declared guilty by the local Canadian government even though the evidence was only circumstantial, and hung from the gallows shortly thereafter.

2. 1830: Stephen Simmons, a Detroit bartender with a wicked temper which was exacerbated by drinking, came home from work late one night (early one morning) after consuming large amounts of alcohol, and engaged in a violent argument with his pregnant wife. He began to beat her and in the process, killed her and their infant-in-utero. Charged with murder, Simmons was sentenced to die by hanging.

The Sheriff, however, convinced that Simmons had not really intended to kill his wife but was too drunk to realize what he was doing to her, resigned rather than carry out the death sentence. A hurriedly appointed temporary Sheriff Woodworth, seeing this situation as an excellent means to further his career, gleefully set out to make this execution the gala event of the year.

Invitations were issued gratuitously, bleachers built, and the community was caught up in a blood-thirsty roil. On the appointed day, every inn and hotel was packed and masses of people jammed the area, vying for the best seats to view the grisly scene and partake of the carnival atmosphere. Accompanied by brass bands, local officials and vendors hawking their wares, Stephen Simmons was paraded along a circuitous route so that all could get a good “last look” at the man to be hung on the gallows, where now stands the Downtown Detroit Library.

As the condemned man stood quietly on the platform, the rope already around his neck, Sheriff Woodworth magnanimously asked him if he had any last words. Stone-cold sober and grievously aware of the cost of his actions — the tragic death of his wife and child — Simmons sang out in what history records as a rich baritone voice:

Show pity, Lord, O Lord, forgive;  
Let a repenting rebel live.  
Are not Thy mercies full and free?  
May not a sinner trust in Thee?  
My crimes are great, but can't surpass  
The power and glory of Thy grace.  
Great God, Thy nature hath no bound,  
So, let Thy pardoning love be found.

The floor opened beneath and Stephen Simmons was hung 'till dead. The stunned and horrified audience was deeply moved. A pall was cast over the gathering. In somber silence they filed away, disgusted with this version of "justice," feeling that they were the ones who were ashamed. One witness called the execution both "cruel and vindictive."

3. 1835: Back in Sandwich (Windsor), Ontario, Canada, Patrick Fitzpatrick's former roommate lay on his deathbed. Needing to clear his conscience before departing this world, the man confessed that it was he who had raped and killed the innkeeper's daughter in 1828. In Detroit, Fitzpatrick's hometown, people were enraged that an innocent man had been executed.

4. 1846: Michigan had just become a State, and the first official act of the legislature was to constitutionally abolish the death penalty. The constitutional language was approved in the Spring of 1847, and became official on March 1st, 1847. They had learned their (history) lesson well. The people of Michigan continue to hold forth to their noble heritage; the current penalty for capital crimes is a mandatory life sentence with no chance of parole. The sentence can only be commuted by the governor. The very, very few, and none in recent years, life sentences which have been commuted, occurred only after an average of 29 years have been served.

**There are many reasons to support alternatives to the death penalty. Mistakes are one. Misapplication of “justice” is another. No matter what one believes about the *concept* of the death penalty, the way in which it is *practiced* is morally, socially and economically bad public policy. Learn more by contacting:**

**Citizens United for Alternatives to the Death Penalty**  
PMB 335, 2603 Dr. Martin Luther King Jr. Hwy,  
Gainesville, FL 32609  
Tel: 800-973-6548, Fax: 561-744-7256  
<cuadp@cuadp.org>  
www.cuadp.org