



NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE
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May 31, 2018

Governor Eric Greitens
201 W Capitol Ave, Room 216
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Dear Governor Greitens:

RE: Marcellus Williams Request for Commutation

I am writing to respectfully request that you commute the death sentence of Marcellus Williams. Last August you took the courageous step to stay Mr. Williams's execution, and I ask that you make this decision permanent before leaving office tomorrow. The National Association for the Advancement of Colored People (NAACP) has long been opposed to the death penalty in any case because it is a cruel, inhumane, and unnecessary punishment that has been applied in a racially disparate manner. However, above and beyond these general problems, there are compelling reasons to spare Mr. Williams's life.

DNA evidence supports his innocence: New DNA tests show that Mr. Williams's DNA is not a match to the male DNA on the murder weapon. This means that the only physical evidence in the case points towards another killer. As a result, Mr. Williams's conviction is based only on the testimony of a short-term girlfriend and a jailhouse snitch. This testimony was inconsistent and was motivated by reward money. It is inconceivable that the State of Missouri is prepared to take someone's life based on such weak evidence.

Mr. Williams's case demonstrates the racial injustices of the death penalty: The death penalty was imposed on Mr. Williams for the death of a white woman, and six of the seven African-American potential jurors were excluded from his jury. These racial dynamics are familiar and significant. Several studies have shown that the death penalty is more likely to be imposed when the victim is white. (*See the NAACP's Death Penalty Fact Sheet, <http://www.naacp.org/latest/naacp-death-penalty-fact-sheet/>.*) In addition, racial discrimination in jury selection continues to occur in spite of court decisions forbidding the practice. These persistent racial dynamics undermine the supposed neutrality of our system of justice.

Governor Eric Greitens

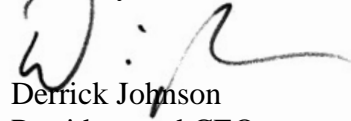
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Mr. Williams was denied proper representation: Missouri is facing an indigent defense crisis. It ranks 49th out of 50 in funding its public defender system. This overburdened public defender system is intrinsically related to the fact that Mr. Williams came within hours of his execution on the basis of flimsy testimony. Mr. Williams's public defender admitted that he was not prepared and as a result was not able to properly defend against the witness testimony. Mr. Williams should not die because he was too poor to afford a lawyer with enough time and resources to mount a defense.

There are many reasons to spare Marcellus Williams's life, but they all come down to one: you have the life of a man in your hands, and in this life or death decision lies the weight of moral responsibility. I am writing to entreat you to preserve the life of an innocent man who is on death row in large part because of his race and poverty. On behalf of the NAACP, I am asking you to make the right choice. Let your last act as governor of Missouri be an act of courage and justice.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Johnson", is written over a light gray rectangular background.

Derrick Johnson
President and CEO
NAACP