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Governor of Alabama Kay Ivey

Office of the Governor of Alabama

600 Dexter Avenue

Montgomery, AL 36130

USA

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Dear Governor,

**I urge you to commute the death sentence of David Roberts** who has been on death row for three decades. He has been diagnosed with paranoid schizophrenia and symptoms of psychosis, delusions and hallucinations, which may have undermined his ability to assist in his defence. It also raises questions about whether he has a rational understanding of the reality of and reason for his punishment. The use of the death penalty on those with severe mental disabilities is prohibited under international law and standards.

At his trial, the jury decided against the death penalty, with seven of the 12 jurors voting for a sentence of life imprisonment without parole. Eighteen months after the trial, the judge overrode the jury and sentenced David Roberts to death. In 2017, you signed into law repeal of the jury override law, making Alabama the last state in the USA to do so. However, the law is not retroactive, denying David Roberts and others the benefit of the reform, thereby contravening a key principle in criminal and international human rights law. I would urge you to apply the spirit of this principle to your clemency consideration.

Not only did seven of the jurors vote for life without parole, but the Marion County District Attorney apparently considered this a sufficient sentence when he offered a plea deal to that effect. This deal was scuppered when David Roberts’ lawyer – who was subsequently suspended for his conduct in other cases – did not even tell his client of it until the first day of the trial when he asked him to plead guilty, which David Roberts refused to do. The lawyer was ill-prepared to defend David Roberts and within two days he had been convicted of capital murder.

The power of executive clemency can address injustices the judiciary has been unable or unwilling to remedy. **I appeal to you to halt David Roberts’ execution and to commute his death sentence.**

Yours sincerely,

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**Copie**

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