

Congress of the United States
Washington, DC 20515

December 27, 2022

The Honorable Michael L. Parson
Governor of Missouri
P.O. Box 720
Jefferson City, MO 65102

Dear Governor Parson:

We write to you today to urgently ask that you halt the execution of Amber McLaughlin scheduled for January 3, 2023. As lawmakers, we are committed to building a Missouri that is a beacon of justice, and we strive daily to represent the needs and demands of Missourians in our districts and across the state. For this reason, we are urging you to immediately commute Ms. McLaughlin's sentence.

Ms. McLaughlin faced a traumatic childhood and mental health issues throughout her life. She experienced horrific abuse and neglect at the hands of various caregivers; court records indicate her adoptive father would frequently strike her with paddles and a night stick, and even tase her. Alongside this horrendous abuse, she was also silently struggling with her identity, grappling with what we now understand is gender dysphoria. The abuse, coupled with the persistent mental turmoil surrounding her identity, led to mild neurological brain damage and multiple suicide attempts both as a child and as an adult.¹

Yet at the sentencing phase of Ms. McLaughlin's trial, the jury never heard crucial mental health evidence because her lawyers failed to present it. A psychiatrist was set to testify and provide expert insight into Ms. McLaughlin's mental health at the time of the offense before her lawyers decided not to call him as a witness. The lawyers had previously told the jury that this expert testimony would be a critical component in their decision, but the testimony was withheld and the jury deliberated without highly relevant information.²

Even without this significant evidence, the jury deadlocked on whether to impose capital punishment; at that point, a single person – the presiding judge – stepped in and unilaterally

¹ Ryan Krull, *Amber McLaughlin transitioned on death row. Now she faces execution*, ST. LOUIS PUBLIC RADIO (Dec. 15, 2022), <https://news.stpublicradio.org/government-politics-issues/2022-12-15/amber-mclaughlin-transitioned-on-death-row-now-she-faces-execution>; Application for Executive Clemency to the Honorable Michael L. Parson, Missouri Governor on Behalf of Amber McLaughlin (2022), https://drive.google.com/file/d/1CZ3ipmqj8nb1qES_Oc1yrk09B1za1KNf/view

² *Id.*

condemned Ms. McLaughlin to death. As Ms. McLaughlin's attorneys note in their petition for clemency:

Mercy is warranted for these compelling reasons. First, executive clemency will not disturb a jury verdict imposing the death penalty because the jury did not vote to impose the death penalty. An act of executive clemency therefore will not encroach on the reverence of jury verdicts and, in fact, will more accurately reflect the jury's wishes regarding punishment since it did not vote for death. Second, McLaughlin consistently and genuinely expressed remorse for the death of Ms. Beverly Guenther. She remains tormented by memories of her death. Third, McLaughlin endured extensive childhood trauma at the hands of her biological, foster and adoptive parents, abuse resulting in brain damage even before McLaughlin was born. Those with a moral duty to protect her wantonly inflicted this childhood abuse.³

Each of us is more than the worst thing we've ever done.⁴ The same is true for Ms. McLaughlin. As ordained ministers, we believe in accountability but also the sanctity of life, and do not think these tenets are mutually exclusive. We must therefore make investments in the social and economic well-being of all people. In order to do so, we must first acknowledge the moral depravity of executions. They are not about justice; they are about who has institutional power and who doesn't. We urge you to correct these injustices using every tool available, including the power to grant clemency.

Ms. McLaughlin's cruel execution would mark the state's first use of the death penalty on a woman since the U.S. Supreme Court reinstated capital punishment in 1976, and even worse it would not solve any of the systemic problems facing Missourians and people all across America, including anti-LGBTQ+ hate and violence, and cycles of violence that target and harm women. It would simply destroy yet another community while using the concepts of fairness and justice as a cynical pretext. We must dedicate ourselves to the actual fundamental principles of liberty and justice that animate our laws and our governance. We can collectively save the lives of people all across America. You have it in your power to save a life by granting clemency. We urge you to use it.

³ Application for Executive Clemency to the Honorable Michael L. Parson, Missouri Governor on Behalf of Amber McLaughlin (2022), https://drive.google.com/file/d/1CZ3ipmq8nb1qES_Oc1yrk09B1za1KNf/view

⁴ Bryan Stevenson, JUST MERCY (2014).

Sincerely,

A handwritten signature in black ink that reads "Cori Bush". The signature is fluid and cursive, with the first name "Cori" and last name "Bush" clearly distinguishable.

CORI BUSH
Member of Congress

A handwritten signature in blue ink that reads "Emanuel Cleaver". The signature is cursive and stylized, with a large circular flourish around the letter "C" in "Cleaver".

EMANUEL CLEAVER
Member of Congress