

September 6, 2012

Governor Tom Corbett
225 Main Capitol
Harrisburg, PA 17120

Pennsylvania Board of Pardons
333 Market Street, 15th Floor
Harrisburg, PA 17126

Re: Terrance Williams' Clemency Petition

To the Honorable Governor Tom Corbett:
To the Honorable Members of the Pennsylvania Board of Pardons:

Terrance Williams is scheduled to be executed on October 3, 2012. As former prosecutors we respectfully urge you to grant clemency to Mr. Williams and commute his sentence to life imprisonment without the possibility of parole. Although Mr. Williams committed terrible crimes, several factors weigh heavily in favor of clemency.

Those of us who prosecuted serious crimes in the past also know how difficult it is for even the most psychologically stable and emotionally supported victims to talk about what they have endured. Just as we would not blame a child who remained silent, we should not discount or discredit Mr. Williams' ordeal as a child simply because it did not come to light sooner. Terry Williams was the victim of horrific physical and sexual abuse. As former prosecutors, we know that abuse is frequently part of criminal defendants' backgrounds. However, in this case, mental health experts have found that Mr. Williams' history of abuse was directly related to the crimes he committed.

Because the death penalty should be reserved for the worst of the worst, we believe it is important that prosecutors have as much information as possible about the offense and the defendant when selecting cases for capital prosecution. Today, capital defendants are given the opportunity, before trial, to present mitigating evidence to the prosecution to show that they are not the worst of the worst and thus, should not be subjected to a capital trial. Mr. Williams had no such opportunity. If Mr. Williams were charged today, we strongly believe that the current climate of sexual abuse awareness would have led a diligent prosecutor to ask the questions that were not posed in 1984, evaluate the evidence in a different light, and not seek a death sentence.

Additionally, we believe that jurors must be provided with accurate and complete information. The jurors who sentenced Mr. Williams did not have all of the information they needed to make their life-and-death decision. Several jurors have stated that they would not have voted for a death sentence had they known about the sexual abuse Mr. Williams suffered as a child, the abuse he suffered at the hands of the men he killed, and the psychological impact of that abuse. In addition, several jurors have also stated that they only voted for death because they mistakenly believed Mr. Williams would someday be eligible for parole.

Equally important, is the fact that the victim's widow does not want Mr. Williams executed for her husband's killing. As prosecutors, we tirelessly, and rightfully, worked to give meaning to victims' voices. In murder cases, we often called on family members to "speak for" their departed loved ones. In this case, Ms. Norwood has spoken. Her voice is valuable and worthy of consideration and we believe you should place great significance on her desire to see Mr. Williams' death sentence commuted to life without the possibility of parole.

Yours is an awesome responsibility and we are keenly aware of the difficult decision you must make. You have the difficult task of balancing victims' and defendants' rights, respecting the will of the people expressed through a jury verdict, ensuring that the public will be safe from future harm, and promoting just punishment. Mr. Williams' case happens to be one where all of those goals align in favor of clemency and a sentence of life without parole. Mr. Williams does not deserve to be executed and we urge you to exercise your power of clemency and spare his life.

Respectfully,

Walter S. Batty, Jr., Esq.

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