

April 18, 2017

Governor Terry McAuliffe
Commonwealth of Virginia
P.O. Box 1475
Richmond, Virginia 23218

Re: [URGENT] April 25th Execution Date for Ivan Teleguz

Dear Governor McAuliffe:

We would like to add our voices to those calling for you to commute the sentence of Ivan Teleguz. As former Attorneys General of the Commonwealth of Virginia—under both Republican and Democratic administrations—we are familiar with the difficult decision before you when asked to spare the life of a death-sentenced prisoner.

We know that as you make this difficult decision, you undoubtedly will keep in mind the memory of Stephanie Sipe and that there can be no accounting for the senseless brutality of her murder. In our view, however, justice cannot be served by executing a prisoner in a case replete with unreliable investigative techniques, coercive tactics by both law enforcement and the prosecution, recantations of key trial witnesses, and consideration of false testimony in support of a death sentence. In short, we believe this to be precisely the kind of case that calls out for executive clemency.

The prosecution of Ivan Teleguz rested on the testimony of three witnesses—two of whom have now recanted their statements. The remaining witness, Michael Hetrick—whose DNA was found at the murder scene—inculcated Teleguz only after an extensive and highly suggestive interrogation. When questioned by investigators, Hetrick initially said he did not even know Teleguz. It was at this point that the police shared the notes of their investigation with Hetrick. When Hetrick sought to end the questioning and requested a lawyer, the police then turned to the prosecutor in the case who told Hetrick that he must agree to testify against Teleguz or face the death penalty himself. Hetrick soon acquiesced and, following the script provided to him by the police's investigative notes, inculcated Teleguz in the murder of Ms. Sipe.

To make matters worse, once Teleguz was convicted, the prosecution told the jury it should sentence him to death because of his alleged involvement in a murder in Pennsylvania, asserting that Teleguz would be a future danger if he was not executed. Shortly thereafter, the jury returned with a death sentence. It later came to light that not only was Teleguz not involved in the Pennsylvania murder, but that no such murder even took place.

Given the extraordinary doubt surrounding the validity of the conviction and appropriateness of a death sentence in this case, it is our view that the ends of justice cannot be served by an execution. Without your intervention, we fear that great uncertainty surrounds not only the justness of the conviction and death sentence in this case, but also casts into doubt the very

integrity of the system that came to that result. Accordingly, we hope that you will see Teleguz's request for clemency to be one of the instances that compels a commutation of sentence.

Sincerely,

William Broaddus, Virginia Attorney General (1985-1986)

Mark Earley, Virginia Attorney General (1998-2001)

Mary Sue Terry, Virginia Attorney General (1986-1993)