



NAACP

Derrick Johnson
*President and
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September 17, 2024

Governor Michael L. Parson
201 W. Capital Avenue
Room 216
Jefferson City, MO 65102

Re: Request to Stay Execution of Marcellus Williams

Dear Governor Parson:

On behalf of the NAACP, we request that you stop the execution of Marcellus Williams, which is currently scheduled for September 24, 2024. Since the death penalty was reinstated in the state in 1976, Missouri has executed nearly one hundred people. The NAACP has long been opposed to the death penalty because it is cruel, inhumane and an unnecessary punishment, which has been historically applied in a racial disparate manner. This is particularly true in Missouri.

As noted by the Death Penalty Information Center: “Throughout the 19th and 20th centuries, at least 60 Black Missourians were killed in lynchings, making it the state with the second highest number of racial terror lynchings outside of the South. . . . Public executions were a form of racial violence: there are examples of sheriffs providing execution attendees with souvenirs such as pieces of the ropes used to hang Black people and even the victim’s body parts. After a quadruple execution in St. Louis, a drug store owner was permitted to display the severed head of a Black person who was executed in his shop.”¹

A 2015 study conducted by the University of North Carolina Chapel Hill found: “Missouri’s use of the death penalty in the modern era has been marked by substantial disparities by the race and gender of the victim of the crime, and by geography. These disparities are so great that they call in to question the equity of the application of the harshest penalty, adding to growing concerns that the death penalty is applied in an unfair, capricious, and arbitrary manner.”²

¹ *Compromised Justice: How A Legacy of Racial Violence Informs Missouri’s Death Penalty Today*, Death Penalty Information Center (Dec 01, 2023) available at <https://deathpenaltyinfo.org/facts-and-research/dpic-reports/dpic-special-reports/compromised-justice-how-a-legacy-of-racial-violence-informs-missouris-death-penalty>.

² Baumgartner, Frank R., *The Impact of Race, Gender, and Geography on Missouri Executions*, University of North Carolina at Chapel Hill (July 16, 2025) available at <https://fbaum.unc.edu/articles/MissouriExecutions-2015.pdf>.

The study noted:

- Homicides involving White female victims are nearly 14 times more likely to result in an execution than those involving Black male victims.
- Eighty-one percent of the individuals executed in Missouri were convicted of killing White victims even though White victims are less than 40% of all murder victims in the state.
- Even though the vast majority of murders involve an offender and victim(s) of the same race, 54% of the African-American men executed by Missouri were convicted of crimes involving White victims.

Mr. Williams is a perfect example of these statistics. Killing Mr. Williams, a Black man who was wrongfully convicted of killing a White woman, would amount to a horrible miscarriage of justice and a perpetuation of the worst of Missouri's past. As you know, the Prosecuting Attorney of the County of St. Louis, by and through Special Counsel for Wrongful Convictions Matthew A. Jacober and, pursuant to Section 547.031, RSMo, moved to vacate or set aside the judgment by which the defendant, Marcellus Williams, was convicted of first-degree murder in the death of Felicia Gayle.

Put simply, Mr. Williams did **not** commit the murder for which he was convicted. The prosecutor knows it, and the citizens of Missouri know it. To quote the prosecutor:

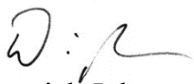
None of this physical evidence tied Mr. Williams to Ms. Gayle's murder. Mr. Williams was excluded as the source of the footprints, Mr. Williams was excluded by microscopy as the source of the hairs found near Ms. Gayle's body (which did not match Ms. Gayle or her husband, the home's only residents, and thus were presumably the perpetrator's), and Mr. Williams was not found to be the source of the fingerprints. Now, three DNA experts have reviewed the DNA testing performed on the knife and each has independently concluded that Mr. Williams is excluded as the source of the male DNA on the handle of the murder weapon. Ms. Gayle's murderer left behind considerable physical evidence. None of that physical evidence can be tied to Mr. Williams. Prosecutors are "bound by the ethics of [their] office to inform the appropriate authority of afteracquired or other information that casts doubt upon the correctness of the conviction." *Imbler v. Pachtman*, 424 U.S. 409, 427 n.25 (1976). In this respect, public confidence in the justice system is restored, not undermined, when a prosecutor is accountable for a wrongful or constitutionally infirm conviction.

Execution of Marcellus Williams would not be seen as just punishment for a crime. It would not be viewed as Missouri being "tough on crime", being "a law and order" state or any other bumper sticker political rhetoric. Instead, taking the life of Marcellus Williams would be an unequivocal statement that when a White woman is killed, a Black man must die. And **any** Black man will do.

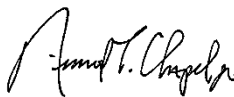
Governor Parson, you have the power to prove that Missouri is better than its ugly history of racism and unspeakable treatment of its Black residents. The NAACP urges you to do the right thing – stop the execution of Marcellus Williams.

Thank you for your consideration.

Sincerely,



Derrick Johnson
President and Chief Executive Officer



Nimrod Chapel
President, Missouri State Conference