



July 9, 2020

The Honorable William Barr
Attorney General of the United States
U.S Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Attorney General Barr:

We are writing as a group of national mental health organizations to urge you to commute the execution of Wesley Purkey, a man who lives with schizophrenia, dementia and Alzheimer's disease, to life without parole. Mr. Purkey is scheduled to die on July 15, 2020. We believe that proceeding with his execution would violate the U.S. Constitution's prohibition on executing people who are not competent to understand the reason for their execution. In addition, this Administration has been committed to addressing the needs of individuals with serious mental illnesses, such as schizophrenia and bipolar disorder, and commuting this execution would further the Administration's leadership on these issues

As a young child, Wesley Purkey was subjected to horrific physical and sexual abuse. He was first institutionalized at age 14 and was in and out of psychiatric hospitals from that point on until shortly before the crime that resulted in his death sentence. His diagnoses included schizophrenia, bipolar disorder, and brain damage. He experienced terrifying delusions and hallucinations, including the belief that people were spraying a poisonous mist into his room and that drug dealers had implanted a device in his chest that was intended to kill him.

Mr. Purkey's condition has worsened during his many years on death row. His thought patterns have become increasingly bizarre and he has filed numerous complaints against prison officials that reflect his irrational state of mind. In 2016, he was diagnosed with the beginning stages of Alzheimer's disease, a condition that grows progressively worse over time and usually results in death within three to seven years.

In 2019, a psychiatrist, Bhushan S. Aghjarkar, M.D., concluded, based on his evaluation of Mr. Purkey, that his "brain damage, dementia and delusions prevent him from working with counsel or working for his own interests" and that at the time of the evaluation, "Mr. Purkey lacked a rational understanding of the basis for his execution."

In 1986, the U.S. Supreme Court held in *Ford v. Wainwright*, 477 U.S. 399 (1986) that it is unconstitutional to execute people who are "insane." In 2007, the Supreme Court clarified in *Panetti v. Quarterman*, 551 U.S. 930 (2007) that this prohibition applies to persons whose mental or cognitive conditions result in their inability to understand the reason for their imminent execution.

In expressing our position, we do not trivialize in any way the magnitude of Purkey's crime or the suffering of his victim and her family. However, we are gravely concerned that the issues concerning Purkey's competence to be executed have not been adequately considered by the U.S. or by any court of law.

Irrespective of one's position on the death penalty, it is well established that executing people whose developmental or medical status renders them less than fully able to comprehend the purpose of their punishment constitutes cruel and unusual punishment and does not comport with "evolving standards of decency." Mr. Purkey's multiple and progressive mental and neurological conditions raise serious doubt about whether he comprehends the purpose of his execution. We therefore strongly urge the federal government to not proceed with his execution and instead commute Wesley Purkey's sentence to life without parole.

Such action would be consistent with the Administration's policies taking into account the unique needs of people with serious mental health conditions. Many of the organizations below have had the privilege of working with the Administration on these issues and respectfully request that the Department of Justice take action to commute Mr. Purkey's sentence to life without parole.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul Gionfriddo".

Paul Gionfriddo
President and Chief Executive Officer
Mental Health America

A handwritten signature in blue ink, appearing to read "John Snook".

John Snook
Executive Director
Treatment Advocacy Center

A handwritten signature in black ink, appearing to read "Daniel H. Gillison, Jr.". The signature is written in a cursive style.

Daniel H. Gillison, Jr.
Chief Executive Officer
National Alliance on Mental Illness