

July 6, 2017

Governor Terry McAuliffe
Governor of the Commonwealth of Virginia
1111 East Broad Street
Richmond, Virginia 23219

Re: Clemency Application of William Morva, currently scheduled for
execution on July 6, 2017

Dear Governor McAuliffe:

This letter is written in support of requests that you commute the death sentence of William Charles Morva, scheduled for execution on July 6, to a sentence of life without possibility of parole. The power to commute a death sentence is designated by our Constitution. It is among a governor's most solemn responsibilities, and we trust that your decision will be made after careful consideration of circumstances and thoughtful deliberation.

Our support of commutation is based on an appreciation of the unusual circumstances of Mr. Morva's case, as we understand them.

Mr. Morva was sentenced to death for the 2006 killings of Derrick McFarland, a hospital security guard, and Eric Sutphin, a corporal with the Montgomery County Sheriff's Office. As we understand it, there is no dispute that Mr. Morva committed these crimes, or that the loss of these two men in the commission of their duties is an immense tragedy. The fact that each man was killed senselessly in service of public safety compounds the tragedy and extends the grief to everyone they sought to protect. Our support for clemency should not be interpreted to diminish in any way our wholehearted support for efforts to promote public safety and protect law enforcement.

The noble character of the service Mr. McFarland and Corporal Sutphin provided, however, does not change the impact of mental illness on Mr. Morva's behavior. As we understand the facts of the case, there are serious reasons to question whether putting Mr. Morva to death is the appropriate response.

According to Mr. Morva's lawyers, the only psychiatrist to have interviewed Mr. Morva and reviewed his complete psychiatric history determined that Mr. Morva suffers from "delusional disorder," a chronic psychotic disorder akin to schizophrenia. Apparently, jurors who sentenced Mr. Morva to death were not aware of the serious nature of Mr. Morva's mental illness and, in fact, were told that his behavior was simply the result of his problematic "attitudes towards the world."

The psychiatrist noted that Mr. Morva's delusions included beliefs that he had a life-threatening illness necessitating a diet of raw meat, blocks of cheese, and pinecones in order to preserve his health (despite no confirming medical evidence); that he had special skills, knowledge, and physical features that would cause Native Americans to acknowledge his call to lead them; and that local law enforcement and the presidential administration were conspiring to prevent him from helping these tribes, even if it meant killing him.

About a year before the crimes, Mr. Morva was charged with attempting to rob a convenience store. He was in jail awaiting trial for the next year. According to a forensic psychiatrist, Mr. Morva became increasingly convinced that he would die in the crowded jail conditions due to his gastrointestinal illness, and that conspirators intent on ending his life prearranged his circumstances. Irrationally convinced by his delusions that his life was in danger, Mr. Morva escaped custody after receiving treatment for an injury at a nearby hospital. He shot both of his victims during the course of his escape.

Although Mr. Morva's sentencing jurors were told there was little chance Mr. Morva would change, the prognosis for treating delusional disorder with antipsychotic medications is actually promising. This course is especially encouraging because Mr. Morva's older brother was diagnosed with a psychotic disorder and successfully treated with medications when he was about the age Mr. Morva is now.

In the past decade the General Assembly has recognized the need to address the overlapping areas of public safety, criminal justice, and mental health. We vow to continue to work to develop the most effective means for addressing these important interests, keeping in mind your observation: "How we care for our most vulnerable is not only a sign of good government, it is a reflection of our priorities and our values as a Commonwealth."

Respectfully submitted,

DEL. LAMONT BAGBY
DEL. JOHN BELL
DEL. JEFF M. BOURNE
DEL. JENNIFER B. BOYSKO
DEL. EILEEN FILLER-CORN
DEL. CHARNIELE L. HERRING
DEL. PATRICK A. HOPE
DEL. KAYE KORY
DEL. PAUL E. KRIZEK
DEL. JOSEPH LINDSEY
DEL. ALFONSO LOPEZ
DEL. DELORES L. MCQUINN
DEL. KEN PLUM
DEL. SAM RASOUL

DEL. MARK SICKLES
DEL. MARCUS B. SIMON
DEL. RIP SULLIVAN
DEL. ROSLYN C. TYLER
DEL. JEION A. WARD
DEL. VIVIAN E. WATTS

SEN. ADAM P. EBBIN
SEN. BARBARA A. FAVOLA
SEN. MAMIE E. LOCKE
SEN. L. LOUISE LUCAS
SEN. LIONELL SPRUILL, SR.
SEN. SCOTT SUROVELL