

URGENT ACTION

EXECUTION SET AS STATE MISCONDUCT REVEALED

Jamie Mills is scheduled to be executed in Alabama on May 30, 2024. He was convicted in 2007 of the murder of an elderly couple in 2004 and sentenced to death after the jury voted 11-1 for the death penalty. There is new evidence that the key prosecution witness, then facing the same capital murder charges as Jamie Mills, was offered a plea deal in return for her testimony, something the state denied at the trial. We urge the Governor to recognize that executive clemency serves as a failsafe against injustices left unremedied by the courts and to commute this death sentence.

TAKE ACTION:

- Write a letter in your own words or using the sample below as a guide to one or both government officials listed. You can also email, fax, call or Tweet them.
- [Click here](#) to let us know the actions you took on **Urgent Action 35.24**. It's important to report because we share the total number with the officials we are trying to persuade and the people we are trying to help.

The Office of Governor Kay Ivey

State Capitol, 600 Dexter Avenue

Montgomery, AL 36130, USA

Email: <https://contact.governor.alabama.gov/contact.aspx>

Fax: +1 334 353 0004

Dear Governor,

I am writing to urge you to grant clemency to **Jamie Mills**, who is scheduled to be executed in Alabama on May 30, 2024. In so doing, I do not seek to downplay the seriousness of violent crime or its devastating consequences.

It is deeply troubling that after over a decade and a half of the state denying that there was any plea deal promised to the prosecution's key witness in return for her testimony, it would now seem false. That witness was herself facing capital murder charges in the same crime for which Jamie Mills now faces imminent execution. Her lawyer signed an affidavit earlier this year making clear that there was a deal agreed with the Marion County District Attorney in return for her testimony, that the capital murder charge, the death penalty, and the sentence of life without the possibility of parole would all be taken off the table if she testified against Jamie Mills.

The UN Guidelines on the Role of Prosecutors require them to "respect and protect human dignity and uphold human rights, thus contributing to ensuring due process and the smooth functioning of the criminal justice system." The District Attorney's conduct in this case failed to comply with this standard, thereby undermining the integrity of the trial process, as well as confidence in the jury's verdict. It is possible that, if the jury had known of any such deal, it would have weighed the testimony of this witness differently and may have reached a different verdict. International safeguards state that "Capital punishment may be imposed only when the guilt of the person charged is based upon clear and convincing evidence leaving no room for an alternative explanation of the facts."

Without a court fully examining this new evidence on the merits, executive clemency remains the only route for remedy. I urge you to take that path.

Yours sincerely,

ADDITIONAL INFORMATION

An 87-year-old man was found dead at his home in Guin, Alabama on June 24, 2004, with cause of death determined to be blunt and sharp force injury to his head and neck. His 72-year-old wife was found alive with multiple injuries but died two and a half months later from complications associated with blunt force trauma. **Jamie Mills** and his common-law wife, JoAnn Mills, were arrested after items belonging to the victims were found in the trunk of their car.

Jamie Mills was charged with capital murder and tried in 2007. The state's evidence consisted primarily of the testimony of JoAnn Mills (who had also been charged with capital murder) and the evidence of the items found in their car. JoAnn Mills testified that the day before the murders, she and her husband had stayed up all night smoking methamphetamine, and that the following day they went to the victims' home to look for money for drugs and there, Jamie Mills bludgeoned the couple. She testified that after they returned home, her husband called "BH", a known drug user in the area, who came and purchased some of the pills. Jamie Mills' defense was that he was innocent, that JoAnn Mills was lying, and that BH could have framed him, by putting the items in the trunk of their car.

JoAnn Mills had initially told police in two different statements that she suspected BH had planted the weapons in their car. In a third, new, and different statement, she implicated Jamie Mills. At the trial, the prosecutor told the jury that the defense had failed to impeach JoAnn Mills' credibility, and that she had been made no promises in return for her testimony. She herself testified that she had received no deal and asserted that her testimony would leave her still facing the possibility of the death penalty or life imprisonment without the possibility of parole.

The jury convicted Jamie Mills of capital murder. By 11 to one, the jury voted for the death penalty, which the judge imposed on September 14, 2007. Ten days later, the state dismissed the capital murder charges against JoAnn Mills. She pleaded guilty to murder and was sentenced to life imprisonment with the possibility of parole.

On February 26, 2024, JoAnn Mills' lawyer signed an affidavit stating that prior to his client's testimony in 2007, the prosecutor had indeed promised to forgo the death penalty in her case and agreed to a life sentence with the possibility of parole if she agreed to testify against Jamie Mills. This would mean that the DA lied when he told the trial court that JoAnn Mills testified without a suggestion or promise of a plea deal. It also means that JoAnn Mills' response – "no" – to the prosecutor's question on whether there had been "any deals, offers or anything like that made to you" – was false. Moreover, her statement that she understood that following her testimony, she would still "get either life without parole or death by lethal injection" – was also untrue.

Not just at the trial, but during post-conviction proceedings and appeals in state and federal courts, the state has asserted that, at the time of Jamie Mills' trial, the prosecution had no plea agreement with its central witness. Lawsuits have now been filed by Jamie Mills' lawyers in state and federal court with this new evidence revealed in the affidavit.

PREFERRED LANGUAGE TO ADDRESS TARGET: English or your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: May 30, 2024

NAME AND PRONOUNS: Jamie Mills (He/Him)