

# URGENT ACTION

## EXECUTION WOULD VIOLATE INTERNATIONAL LAW

**Marcellus Williams, a 55-year-old Black man, is scheduled to be executed in Missouri on September 24, 2024. He was convicted by an almost all-white jury in 2001 of the 1998 murder of a white woman and sentenced to death. The primary evidence at trial was informant testimony provided by two individuals incentivized by reward money and the possibility of leniency on their own charges. None of the forensic evidence ties Marcellus Williams to the crime. Male DNA on the murder weapon that was not his was contaminated by officials, meaning it cannot be used to identify a possible perpetrator. We urge Missouri governor to grant clemency and commute Marcellus Williams's 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 81.24**. 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.

### Governor Michael L. Parson

Capitol Building, Room 216. PO Box 720  
Jefferson City, Missouri 65102, USA  
Webform: <https://governor.mo.gov/contact-us>  
Fax: +1 573 751 1495

Dear Governor,

**Marcellus Williams** is due to be executed on September 24, 2024, despite the efforts of the St Louis County Prosecuting Attorney to have the conviction vacated. I am appealing for your intervention to stop the execution.

At his trial, the prosecutor dismissed six of the seven Black would-be jurors. The jury comprised of 11 white people and one Black person. Furthermore, a US District Court in 2010 ordered that Marcellus Williams receive a new sentencing hearing, having found that his trial lawyer had failed to present any mitigating evidence of Marcellus Williams's violently abusive childhood. That decision was reversed by a divided Court of Appeals.

The prosecution's case relied primarily on the testimony of two informant witnesses whose family and friends have since signed affidavits that both were known police informants, with a history of lying to seek leniency in their own cases, who were also incentivized by the prospect of reward money. Three DNA experts have concluded independently of each other that Marcellus Williams was not the source for male DNA on the murder weapon. However, this DNA evidence that could have helped to exonerate him was contaminated by prosecutorial mishandling of the evidence at trial.

International standards prohibit execution of anyone whose guilt is not based on "clear and convincing evidence leaving no room for an alternative explanation of the facts". This standard has not been met. There is strong evidence that the integrity of the trial in Marcellus Williams's case was undermined by racially discriminatory jury selection tactics and ineffective defense representation. Therefore, I urge you to grant clemency and to commute Marcellus Williams's death sentence.

Yours sincerely,

**ADDITIONAL INFORMATION**

The murder victim, a 42-year-old white woman, was stabbed to death in her home in University City, St. Louis, Missouri, on August 11, 1998. With no leads, the police suggested that the victim's family offered a \$10,000 reward for information leading to the identification of the perpetrator. A man (H.C.) contacted police to claim that Marcellus Williams (arrested in a separate case) had told him while sharing a cell that he had committed the murder. H.C. directed police to L.A., a former girlfriend of Marcellus Williams, who also implicated Marcellus Williams.

The perpetrator left behind a crime scene with much forensic evidence, but none of this forensic evidence tied Marcellus Williams to the murder. At the 2001 trial, the prosecutor dismissed six of the seven Black would-be jurors. The jury comprised 11 white people and one Black person. The prosecution's case rested primarily on the testimony of H.C. and L.A. The only other evidence was from a witness who said that Marcellus Williams sold him a laptop computer taken from the victim's house. The jury voted to convict him of first-degree murder and for the death penalty.

In 2010, a federal judge ordered that Marcellus Williams receive a new sentencing hearing, having found that his trial lawyer failed to present any mitigating evidence of how Williams was subjected to physical and sexual abuse by family members and of how he was exposed to guns, drug, and alcohol use at an early age. The US Court of Appeals reversed the ruling by two votes to one, applying the highly deferential standard for federal review of state court decisions.

Since the trial, new information calls into serious question the soundness of the conviction. There was trace male DNA on the murder weapon, a kitchen knife left lodged in the victim's neck. Three DNA experts have reviewed the post-conviction DNA testing of this knife and each independently excluded Marcellus Williams as the source of the DNA. Also, family members of H.C. provided sworn affidavits to the effect that he often lied, including to police to try to obtain leniency in his cases. Friends of L.A. also signed affidavits that she was a known police informant and expected money for her testimony against Marcellus Williams. Finally, the trial witness who testified at trial that Marcellus Williams sold him the laptop signed an affidavit that Williams told him that the laptop belonged to L.A. and that if asked at the trial, he would have told the jury.

In January 2024, the current St. Louis County Prosecuting Attorney filed a motion to vacate Marcellus Williams's conviction. A court hearing was set for August 21, 2024, on the motion to vacate, but on the eve of the hearing, the Prosecuting Attorney discovered that the murder weapon had been contaminated by the DNA of members of the trial prosecution. Given this development and to prevent his execution, Marcellus Williams entered an "Alford plea", not admitting guilt but agreeing to a sentence of life imprisonment without the possibility of parole. However, the state Attorney General objected, and the Missouri Supreme Court blocked the judge from re-sentencing Marcellus Williams. The judge then held an evidentiary hearing on August 28, 2024. On September 12, the judge denied the motion to vacate, leaving the execution date in place.

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

**PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL:** September 24, 2024

**NAME AND PRONOUNS:** Marcellus Williams (He/Him)

**LINK TO PREVIOUS UA:** <https://www.amnesty.org/en/documents/amr51/6791/2017/en/>;  
<https://www.amnesty.org/en/documents/amr51/6986/2017/en/>