



COMMONWEALTH OF KENTUCKY

DEPARTMENT OF PUBLIC ADVOCACY

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November 25, 2019

Governor Matt Bevin
700 Capital Avenue, Suite 100
Frankfort, Kentucky 40601

Re: Leif Halvorsen – application to commute death sentence to LWOP sentence

Dear Governor Bevin,

I am writing, on behalf of, and at the request of, my long-time client, Leif C. Halvorsen to request you commute his two death sentences (one case) to sentences of life without the possibility of parole because of his unique and inspiring story of redemption during the thirty-six years he has spent serving a death sentence. During that time, he has dramatically and remarkably turned his life around to the point whereby he has for decades counsel troubled youth, guided people towards staying out of legal trouble and towards turning their own lives around, has inspired many, and has saved lives.

While in prison, Leif attempted to set up a reconciliation program between the defendant and victim family members, and his redemption story is so powerful that a family member of one of the victims has forgiven him, as she explained in a letter she sent him. The Kentucky prison system has even credited Leif with changing the lives of troubled youth, both through his writing and his counseling of others. Former Warden Philip Parker, who was the Warden at the Kentucky State Penitentiary for much of Leif's tenure on death row, wrote that Leif has a talent for expressing [himself] with pen and paper in a positive way," describing Leif's writing as "very thought provoking and inspirational." Warden Parker permitted Leif to become the first, and the only, death-sentenced inmate to be allowed to participate in the prison's "Youth Awareness Program," which brought at-risk youth to the maximum-security prison to meet with inmates who could advise the youth on turning their own lives around and the consequences of not doing so. Warden Parker's decision in this regard, and Leif's desire and ability to help others, has saved lives. Both the prison and the youth who participated in the program have said so. Prison CTO Kellie Oliver said Leif "changed a life." One of the youth participants said, Leif "changed the way I see life." Another youth entered a drug rehabilitation program because of Leif and turned his life around. Another student said, Leif "chang[ed] me and ma[de] my life so much better," which, as a teacher confirmed, led to that youth changing his behavior and life after hearing Leif speak. These stories from youth whom Leif counseled while on death row go on and on, and will continue to if Leif is given the opportunity of life instead of death.

Leif's efforts to help people do not stop with just troubled youth. While on death row, he helped raise money to aid poverty stricken and ill children. He has helped everyone with whom he has come into contact, and he has defused hostility within the prison to the point that it likely prevented other inmates from acting violently towards staff or inmates.

All of this is what Leif has done during his more than thirty-six years on death row, while also obtaining a college degree in prison to better himself, and all of it, and more, is discussed in detail in the enclosed clemency application/petition.

Leif does not deny the role he played in the violent crime for which he was convicted and sentenced to death. He has never maintained innocence. He would, though, do anything possible to take back the events of that fateful night, for the victims to be alive today. As we all know, he cannot do that. He can, though, turn his life around and dedicate it to helping others. He set on a path towards doing so shortly after arriving on death row and has continued with that path since then. He has been remorseful throughout and forgiven by a victim family member. The level of redemption and how Leif has helped people inside and outside the prison, along with the remarkable positive statements made by a former Warden at the prison made regarding Leif, is unlike anything we see. It is truly extraordinary.

All Leif asks for is the opportunity to continue these efforts -- to help others, to steer people away from crime, and to defuse situations as they arise in prison. The real question here should not be whether Leif should be executed, but instead how many lives may be lost or harmed if he is executed. We will never know an exact answer to that, but we do know that, unlike almost all death row inmates, he has the opportunity and ability to save lives in a way we rarely see. He has already developed the track-record of doing so, as evinced in the enclosed clemency application and the many documents and letters presented in support.

Beyond the passage of time, little has occurred since Leif last sought clemency when Steve Beshear was Governor. This clemency petition is therefore the same as the one that was submitted to Governor Beshear that Beshear did not act upon before leaving office (including the same attachments, with an affidavit from trial counsel and a copy of that clemency petition added to the attachments) with a small addition to account for events in Leif's case during the past four years. Since clemency was sought from Governor Beshear, Leif has continued to be a pillar of the prison society, continuing his exemplary prison record. However, he lost his federal habeas petition last year and is therefore close to execution if the injunction on executions is lifted and if clemency is not granted. That is so, even though his trial attorney recently admitted that he misunderstood the governing law at the time of trial and thus presented a defense that, under the law, amounted to no defense at all. Leif, though, is still just looking for the opportunity to continue to live his life in prison so he can continue to help others for the rest of his natural life. You, Governor Bevin, have the unique opportunity to grant that level of mercy and, by doing so, to potentially save, or at least improve, the lives of countless others.

Leif, and his attorney of more than twelve years, request that you, Governor Bevin, give him that opportunity. Please grant Leif Halvorsen clemency, by commuting his death sentences to life without the possibility of parole sentences.

On behalf of Leif, I request an opportunity to meet with you and/or your staff regarding Leif's compelling case for clemency. Please feel free to contact me regarding that or any other questions you may have at the below contact information.

I look forward to hearing from you and look forward to your executive order commuting Leif Halvorsen's sentences to life without the possibility of parole.

Sincerely



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