

February 21, 2018

Governor Kay Ivey
600 Dexter Avenue
Montgomery, Alabama 36130

Re: Doyle Lee Hamm

Dear Governor Ivey:

I write on behalf of a very knowledgeable and distinguished group of former judges of Alabama's appellate courts and former Presidents of the Alabama State Bar Association. This group includes former Alabama Supreme Court Justice Ernest "Sonny" Hornsby, and former Court of Criminal Appeals Judge William Bowen, as well as Bobby Segall and William Clark, both of whom served as State Bar Presidents. Based on their long experience in the administration of criminal justice and the death penalty in Alabama, they urge you to stop the execution of Doyle Lee Hamm.

As you likely are aware, the imposition of the death penalty in Alabama has long been fraught with substantial defects that raise a myriad of questions regarding its legitimacy. Regardless of your position on the death penalty as a just punishment, we should all agree that it must be imposed equitably, judiciously, and in the absence of torture or inhumane treatment.

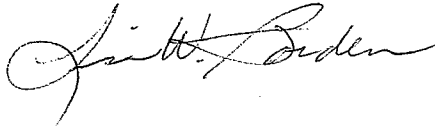
As his attorney has advised you, Mr. Hamm has been very ill for a number of years. As a result of his condition and the treatment of it, his veins are not accessible in the way that is required for the humane implementation of Alabama's lethal injection protocol (if, indeed, any such implementation could be said to be humane). Alabama adopted lethal injection as its method of execution because it is deemed to be a relatively painless process. Whether that is ever the case for any condemned person, it is highly unlikely to be true for Mr. Hamm. The prospect of the prolonged, agonizing execution of a very sick cancer patient cannot be a desirable one for anyone in our State, even those who support retention of the death penalty in general. Shall we become Oklahoma to Mr. Hamm's Clayton Lockett, with all of the grotesque international attention that comes with it? These former judges and State Bar officials implore you to say no.

We are aware that Mr. Hamm's counsel has sought a temporary reprieve to allow a more appropriate amount of time for the conduct of the medical testing ordered by the federal district court. While we of course support that reprieve, we also urge you to go further and grant

clemency so that Alabama will not again face this horrific dilemma within a few weeks time. Mr. Hamm's life expectancy is diminished by his condition, and he would spend whatever time remains to him on Alabama's death row - a fate that certainly cannot be said to afford leniency.

Thank you for your consideration of our views in this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lisa W. Borden". The signature is fluid and elegant, with a large initial "L" and a long, sweeping underline.

LISA W. BORDEN
Pro Bono Shareholder