

## An Open Letter from Sister Helen Prejean to Assistant U.S. Attorneys: **Stand Down from the Killings**

By Sister Helen Prejean<sup>1</sup> and Denny LeBoeuf<sup>2</sup>

When the new administration takes over, most of the lawyers at the Department of Justice will stay on. As is the case with much of our government, the people at the top come and go with a change of Presidents; the rank and file stay put, and do the work. That will still be true even in this most unusual and chaotic of times.

One sort of work won't continue after the inauguration: the efforts by DOJ to secure executions. There are warrants for Tuesday, January 12, for Lisa Montgomery; Thursday, January 14, for Corey Johnson, and Friday, January 15, for Dustin Higgs. By the time Biden is President, these three people will be dead, or his inauguration will make them at least [temporarily](#) safe.

We write to say: stand down from these killings. Just walk away from them. Do your other work, but not this. Don't add your writing, your legal research, your skillful paralegal efforts to the job of killing the remaining three human beings scheduled to die at the hands of the federal government. Do something else next week.

In Louisiana, where we first began our work of abolition, the group of men who put the condemned on the gurney and fasten them there is called the strap-down team. At Angola prison the Wardens told us that no correctional staff could be ordered to perform the role of restraining a man in the electric chair or, later, to the gurney. That was initially a matter of respect for conscience. Later, after [The Farm](#) and other documentaries showed the faces of some of the strap-down team, it was also to protect anonymity. Warden Burl Cain called the defender office one time and asked us to find a way to get information we were entitled to in a lawsuit while maintaining that anonymity. "I've got a grown man with 25 years at the prison crying in my office. He says if his daughter finds out he was part of an execution, she'll never speak to him again."

The Trump/Barr execution spree took the lives of [10 men in 5 months](#) this year. In every one of those cases, there were last-minute filings and virtual arguments before multiple courts. Lawyers for the condemned report that no effort was spared by the DOJ lawyers during this flurry of filings. There was a response to every memo and pleading, there were DOJ lawyers and legal teams working all day and through the nights.

You are the legal strap-down team. These executions cannot proceed without you. You may not have to see the fear or smell the sweat in the execution chamber, but your hand is in this. Or not. You should have the same right to just say no.

Don't let someone tell you that it's all for the victims' families. That's just not true. Even when the [victim's family did not want the execution](#), DOJ plowed forward. And the terrible suffering of losing a loved one to homicide is not confined to capital cases – just a tiny fragment of murders is prosecuted as

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capital, just a tiny few of those actually get a death sentence. You cannot believe that all the other families suffered less. Executions don't heal. We've seen enough of them, and their tragic aftermaths, to know.

There are a lot of reasons to say "no" this week. The world is moving toward abolition of the death penalty, toward universal recognition that it is a violation of fundamental human rights. Just last week Kazakhstan formally abolished punishment by death, [joining the majority of nations](#). In the United States, [34 states](#) are either abolitionist or have not carried out an execution in 10 years. The trend toward abolition is inexorable, and one-way. If that does not speak to you, perhaps the fact that the executions will be conducted during the worst month, so far, of the pandemic, and [they are super-spreader events will](#). Perhaps you can't bring yourself to care about the condemned, or the strap-down teams themselves, but you don't want to risk the teams returning to their communities with the virus. Maybe you just think, as we do, that the U.S. has enough death right now, enough of the rhetoric of death, too. Or perhaps you don't want to face your adult children, decades from now, and try to explain what you did and why.

For whatever reason, we're saying – just say "no" this week to working to get one woman and two men executed the week before the Inauguration. Do something else. Work for life. Just say "no."

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