

EXECUTIVE ORDER
97-03

FEB 25 1997

Rebecca McDowell Cook
SECRETARY OF STATE

WHEREAS, Roosevelt Pollard, Jr., is currently under a sentence of death and incarcerated at the Potosi Correctional Facility awaiting execution of said sentence which is currently to occur on March 5, 1997; and

WHEREAS, Section 552.060.1, RSMo, provides that "No person condemned to death shall be executed if as a result of mental disease or defect he lacks capacity to understand the nature and purpose of the punishment about to be imposed upon him or matters in extenuation, arguments for executive clemency or reasons why the sentence should not be carried out;" and

WHEREAS, Section 552.060.2, RSMo, provides that "If the director of the department of corrections has reasonable cause to believe that any inmate then in confinement in a correctional facility and sentenced to death has a mental disease or defect excluding fitness for execution, he shall immediately notify the governor who shall forthwith order a stay of execution of the sentence if there is not sufficient time between such notification and time of execution for a determination of the mental condition of such person to be made in accordance with the provisions of this section without such stay;" and

WHEREAS, Dr. Dora Schriro, Director of the Department of Corrections, has notified the Governor of the State of Missouri that she has a reasonable cause to believe that Roosevelt Pollard, who is currently incarcerated at the Potosi Correctional Facility awaiting execution scheduled for March 5, 1997, has a mental disease or defect excluding fitness for execution; and

WHEREAS, there is not sufficient time between such notification and time of execution for a determination of the mental condition of Roosevelt Pollard, Jr., to be made in accordance with the provisions of Section 552.060, RSMo.

NOW, THEREFORE, I, Mel Carnahan, Governor of the State of Missouri, by the powers vested in me by the Constitution and the laws of the State of Missouri, do hereby order a stay of execution for Roosevelt Pollard, Jr., until such time as a final determination can be made pursuant to Section 552.060 as to whether or not Roosevelt Pollard, Jr., has a mental disease or defect excluding fitness for execution.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 25th day of February, 1997.

Mel Carnahan
GOVERNOR

ATTEST:

Rebecca McDowell Cook
SECRETARY OF STATE

