

The following is an excerpt from the full Clemency Application that was submitted to the Governor of Texas and the Texas Board of Pardons and Paroles on behalf of Mr. Jones.

VI. Executive Summary

5. Clemency is a power reserved to this Board and the Governor that is designed to ensure – after a holistic review of all of the relevant facts and circumstances – that a miscarriage of justice does not ensue. The life of Quintin Phillippe Jones (“Mr. Jones”) presents a unique and exceptional case that lies at the heart of what clemency is designed to preserve: the essential ability, before an irrevocable sentence is carried out, to determine – based on all available evidence today – that a sentence previously imposed is not just and warrants reconsideration.

6. There are multiple grounds that support the essential role for clemency as it pertains to Mr. Jones, grounds that individually and collectively demonstrate that the death penalty is not warranted in his case. This is true, first and foremost, because Mr. Jones, his remorse, and the way he has lived his life over the past two decades reveal his deep humanity and have led to forgiveness by his family members – the family of the victim of his crime – who are pleading that he not be

executed lest the family be traumatized anew. This is thus that rare case where the victim's family is also Mr. Jones's family, and where those family members recognize Mr. Jones's personal transformation and remorse and are urging this Board and the Governor to grant their pleas for clemency to permit him to live the balance of his natural life in prison. Mr. Jones's genuine remorse and personal growth provide an extraordinary example of the rehabilitation that is possible through the criminal justice system, an example that itself creates grounds for recognition, reprieve, and mercy.

7. Clemency is also warranted here, and indeed is imperative, to correct the mistaken grounds upon which Mr. Jones was sentenced to death – grounds presented to the jury and the court over 20 years ago that have since been shown, through advances in scientific knowledge and understanding, to be deeply flawed and unreliable. Further supporting grounds for clemency, as set forth in detail below, include the absence of due process afforded to Mr. Jones in his legal proceedings, the direct disparate treatment he suffered at the time of his sentencing, and the serious conflicts of interest that have corrupted the recent process for proceeding with imposition of the death sentence in his case.

8. By way of essential background, Mr. Jones had just turned twenty years old when he committed the murder of his great-aunt, for which he was sentenced to death, as a young, drug-addicted, and extremely troubled individual who had endured an exceptionally harsh and abusive childhood. He has since accepted full responsibility for his crime and is filled with deep remorse for the grievous wrong he

committed. And while Mr. Jones's actions in September 1999 have forever altered the trajectory of his life, they do not define the person he is today. Over the two decades that Mr. Jones has lived on death row, he has worked hard to transform himself into a thoughtful and compassionate person who serves as a positive force for good in the relationships he has developed and sustained over many years while on death row.

9. As noted, the relatives of the victim, Mr. Jones's great-aunt Ms. Berthena Bryant, are foremost among those requesting that Mr. Jones's life be spared. Ms. Berthena Bryant's sister, Mattie Long, has signed a declaration pleading with the Board and the Governor to "please spare [Mr. Jones's] life." As Ms. Long states in her declaration, Mr. Jones "is remorseful and he has changed for the better" and he is "not the same person" that he was when he committed his crime. While the death of her sister has been very painful, she believes that "[e]ven so, God is merciful." Ms. Long's sentiment speaks to the very purpose of clemency, which is "a matter of grace entirely distinct from judicial proceedings." *Harbison v. Bell*, 556 U.S. 180, 192 (2009). In addition, the victim's great-nephew and Mr. Jones's twin brother, Benjamin Jones, "ask[s] for mercy for [Mr. Jones] for his life to be spared." Benjamin makes clear that both he and Ms. Long "have long forgiven" Mr. Jones based upon Mr. Jones's acceptance of responsibility and the person he is today, and that his execution would only "cause us to be victimized again."

10. In addition to Ms. Long and Benjamin, numerous individuals from around the world attest powerfully to Mr. Jones's positive transformation. In

particular, Mr. Jones has developed a close friendship with journalist and bestselling author Suleika Jaouad, who was diagnosed with leukemia when she was just 22 years old. During her years-long battle with cancer and attendant isolation from the outside world as she awaited a bone marrow transplant, she developed a close bond and friendship with Mr. Jones, which she has chronicled in her recently published book, *Between Two Kingdoms: A Memoir of a Life Interrupted*. The person Mr. Jones is today shines through in her account of their relationship and through their extensive correspondence. As Mr. Jones once told Suleika, his goal in life is “to put as much positive energy as [he] can back into the world when he interacts with others.” Excerpts from Ms. Jaouad’s memoir and her correspondence with Mr. Jones are included in the Appendix at App.149-167.

11. By all accounts, Mr. Jones has lived his life since his incarceration in keeping with that philosophy. He has touched the lives of numerous people who have exchanged letters with him over many years, many of whom have submitted signed testimonials on his behalf. As one person states in her testimonial, Mr. Jones “is the living proof that a human being who once killed someone under the influence of drugs can reform himself, flourish and illuminate the world around him, if given the opportunity and if considered as a human being[.]” A second person states that Mr. Jones “has dedicated himself to improving the lives of others,” and has “touched the lives of many across the world, including me.” A third person remarks that, “[t]o let [Mr. Jones] stand as a representative of a life saved through self-guided rehabilitation seems the most just conclusion for this kind and thoughtful man who offers genuine

remorse.”

12. While this application includes statements from Mr. Jones’s friends and family in support of his request for clemency, the Board and Governor Abbott are encouraged to review the wealth of support included in the Appendix at App.001-009, 148-192 and shared online at www.clemencyforquin.com, where individuals have delivered personal and deeply moving testimonials of the person Mr. Jones has become and is today.¹ This outpouring of support and the accompanying testimonials show Mr. Jones to be a person of extraordinary compassion, humanity, and insight. It is these qualities that support the pleas for clemency from the victim’s family, and from others who have witnessed Mr. Jones’s personal growth as he worked tirelessly to transform himself as a person, to atone for his guilt, and to achieve redemption as a human being.

13. While clemency is warranted based on the person Mr. Jones is today and the pleas from the victims of his crime and the family and friends who powerfully attest to his humanity, multiple and varied additional grounds are present in this case, including the evidence today that the science upon which the jury was asked to find Mr. Jones to be deserving of death has been discredited. The jury’s decision to impose the death penalty was principally based on testimony regarding the “Hare Psychopathy Checklist” (the “Checklist”), on which experts from both the State and the Defense relied. In particular, the State used the Checklist to argue that Mr. Jones

¹ To date, the recently launched website has had more than 10,000 views; and a petition requesting that Mr. Jones be granted clemency is approaching 3,000 signatures.

was a “psychopath” who posed a continuing threat to the public and other prisoners. The State argued to the jury that this Checklist was based on hard scientific evidence that proved that Mr. Jones was in approximately the 88th percentile for future dangerousness. But this Checklist has since been discredited, including by the creator of the checklist itself – Dr. Robert Hare – who has expressly disavowed its reliability in capital cases as a predictor of future dangerousness. (App.134-147).

14. Further, as set forth below, Dr. John Edens—a licensed psychologist, professor, and renowned expert in the field of psychological and personality assessment—has testified to the numerous ways in which the Checklist is unreliable and not grounded in any credible scientific evidence. The very imposition of Mr. Jones’s death sentence was, therefore, based on flawed and unreliable evidence that caused the jury incorrectly to believe that Mr. Jones was an irredeemable psychopath who posed a grave danger to others. In reality – as evidenced by Mr. Jones’s non-violent history during his two decades of incarceration, and the exceptional declarations and testimonials from his family and friends – far from being a “psychopath,” Mr. Jones is an extraordinarily compassionate, caring, and humane person.

15. Given the jury’s and the court’s reliance on flawed scientific evidence central to the question of appropriate punishment, it would be a grave injustice to proceed with an execution of Mr. Jones where the grounds upon which he was sentenced to death have since been discredited by advances in scientific knowledge and understanding. These advances have led in recent years to a complete disavowal

of the reliability and utility of the methodology upon which Mr. Jones was sentenced to death, thereby invalidating the legitimacy of the punishment imposed.

16. In addition, the validity and justness of the decision in 1999 to impose the death penalty on Mr. Jones must be separately considered in light of recent developments in the field of neuroscience showing that the juvenile brain is not fully mature until an individual reaches his or her mid-twenties. Based on these advances in scientific knowledge and understanding, we now know that, given Mr. Jones's age at the time of his crime, it was not possible for the jury to reliably predict whether Mr. Jones would be prone to violence in the future. Indeed, Mr. Jones's history of non-violent behavior during his decades of incarceration has shown unequivocally that the prediction of his future dangerousness was erroneous. This new scientifically informed understanding of brain maturity helps to account for the divergence between the jury's prediction of future dangerousness and the reality that Mr. Jones has not engaged in any act of violence over the lengthy period of his incarceration.

17. As additional grounds for clemency, and as set forth more fully below, the legal system failed Mr. Jones to an extraordinary degree, as his counsel during early phases of the proceedings repeatedly failed to file pleadings and motions in a timely manner and neglected to pursue critical avenues for relief. In addition, as also set forth in detail below, Mr. Jones was subjected to direct and stark disparate treatment, as he was sentenced to death, as a twenty-year old Black man, for one murder, while the ringleader who directed the criminal conduct, a White man in his forties, was sentenced to life in prison without parole for two murders. Finally, this

Board and the Governor should consider the serious conflicts of interest detailed below that corrupted the recent process for proceeding with imposition of the death penalty in this case.

18. When considered individually and collectively, these grounds and related facts and circumstances demonstrate that, for justice to be served, the power of clemency must be exercised in favor of a commutation of the death penalty in recognition of: (i) the pleas of Mr. Jones's family – the victim's family – that his life be spared given Mr. Jones's remorse and the person he is today; (ii) the extensive testimonials and accompanying evidence of Mr. Jones's recovery of his true self in prison, and his deep compassion, caring for others, and humanity; (iii) the scientific advances in psychology and neuroscience that have exposed the flawed basis upon which Mr. Jones was sentenced to death in 1999; (iv) the failure of the legal system to afford due process to Mr. Jones during his early, critical legal proceedings; (v) the direct disparate treatment Mr. Jones suffered on account of his race and without regard to his youth; and (vi) the serious conflicts of interest that have irrevocably tainted the procedure by which the State has acted to set an execution date for Mr. Jones.

19. For all of these reasons, the circumstances here present that rare and exceptional case where the power of clemency must be exercised in the interests of justice to commute Mr. Jones's death sentence to a sentence of life imprisonment without parole. Indeed, based upon current scientific knowledge and the proof of Mr. Jones's lack of dangerousness (as reflected in his actual life experience since 1999),

no jury or court acting today would impose a sentence of death on Mr. Jones, as justice plainly requires otherwise. This case therefore represents the quintessential case for which the power of clemency was conceived and intended. This Board and the Governor possess the power to intervene prior to Mr. Jones's scheduled execution date on May 19, 2021, and we submit that clemency should be granted forthwith to commute Mr. Jones's sentence, thereby preventing a grave miscarriage of justice and allowing Mr. Jones to live the rest of his natural life in prison.