

ATTORNEY STATEMENT RE: EXECUTION OF BRANDON BERNARD

“Tonight, those of us who love Brandon Bernard -- and we are many -- are full of righteous anger and deep sadness at the actions of the federal government in taking his life. Brandon’s life mattered. To us, his legal team; to his two beautiful and talented daughters; to his mother, brother, and sister; and to the countless people around the country who came to know him and his story in recent weeks.

Brandon made one terrible mistake at age 18. But he did not kill anyone, and he never stopped feeling shame and profound remorse for his actions in the crime that took the lives of Todd and Stacie Bagley. And he spent the rest of his life sincerely trying to show, as he put it, that he “was not that person.” Brandon showed us that and so much more, carrying himself with grace and generosity, and always treating everyone around him with kindness and respect. He worked to help other troubled kids avoid similar devastating mistakes, and he lived every day his commitment to serving both God and humanity.

Many things went wrong to put Brandon on death row, including egregious government misconduct in concealing evidence and misleading the jury, which the courts refused to remedy. Before Brandon’s execution, five of the jurors who sentenced him to death said they no longer stood by that verdict. They joined the lead appellate prosecutor on Brandon’s case in urging President Trump to commute his death sentence to life without parole. Those pleas for clemency were joined by hundreds of thousands of supporters, including celebrities, faith leaders, and members of the United States Congress.

Brandon’s execution is a stain on America’s criminal justice system. But I pray that even in his death, Brandon will advance his commitment to helping others by moving us closer to a time when this country does not pointlessly and maliciously kill young Black men who pose no threat to anyone, when we hold prosecutors to the highest standards of integrity in every case, and when our leaders exercise their moral authority where it is needed.

We were proud to call Brandon our client and our friend, and we will miss him greatly.”

- *Robert C. Owen, attorney for Brandon Bernard*

- *December 10, 2020*