

EXECUTIVE ORDER  
99-08

SEP 23 1999

  
 REBECCA McDOWELL COOK  
 SECRETARY OF STATE

WHEREAS, Steven Parkus is currently under a sentence of death and incarcerated at the Potosi Correctional Facility awaiting execution of said sentence; 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, on August 13, 1999, the Office of the Attorney General filed a motion with the Missouri Supreme Court to set Steven Parkus' date of execution; 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 Steven Parkus, who is currently incarcerated at the Potosi Correctional Facility awaiting execution 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 Steven Parkus 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 virtue of the authority vested in me by the Constitution and laws of the State of Missouri, do hereby order a stay of execution for Steven Parkus until such time as a final determination can be made pursuant to Section 552.060 as to whether or not Steven Parkus 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 23rd day of September, 1999.



  
 GOVERNOR

ATTEST:

  
 SECRETARY OF STATE