

In the Supreme Court of the United States

Brian Dorsey,

Petitioner,

v.

David Vandergriff, Warden,

Respondent.

RESPONDENT'S APPENDIX TO BRIEF IN OPPOSITION

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IN THE SUPREME COURT OF MISSOURI

STATE OF MISSOURI,)
Movant,)
)
v.) Case No. SC89833
)
BRIAN DORSEY,)
Respondent.)

RESPONSE TO MOTION TO SET EXECUTION DATE

Brian Dorsey files his response in opposition to the State's motion to set an execution date. This Court should decline to set an execution date at this time because constitutional and statutory issues relevant to Mr. Dorsey's sentences of death remain to be adjudicated, and because avoidable harm will be done to correctional staff and to Mr. Dorsey by scheduling a sixth execution in the past year.

I. MR. DORSEY HAS PENDING LITIGATION IN FEDERAL COURT ATTEMPTING TO SECURE AN ORDER FOR TRANSPORTATION TO OBTAIN MAGNETIC RESONANCE IMAGING.

Throughout his federal post-conviction proceedings including and for purposes of executive clemency, Mr. Dorsey has been and remains represented by federally appointed counsel. 18 U.S.C. §§3599(a)(1)(B) & (e); *Harbison v. Bell*, 556 U.S. 180 (2009). In comporting with their representation of Mr. Dorsey, based on Mr. Dorsey's history of head trauma from, *inter alia*, numerous concussive

head injuries while playing starting defensive lineman on his high school football team, as well as auto collisions, bicycle falls, other falls, and playing with friends, his federal counsel sought a neurologic opinion about whether magnetic resonance imaging would discern any organic brain damage. Dr. Joel Shenker, a neurosurgeon at the Missouri University Medical Center, reviewed medical and social history records of Mr. Dorsey, agreed an MRI was appropriate based on Mr. Dorsey's head trauma history, and provided a prescription for an MRI scan. Mr. Dorsey's federal counsel believe that an MRI scan is "reasonably necessary"¹ to evidence organic brain damage that might mitigate the death sentences and explain his behavior in a way that impels mercy at executive clemency proceedings.

Mr. Dorsey filed a motion in the United States District Court for the Western District of Missouri requesting an order requiring Potosi Correctional Center and the Missouri Department of Corrections to transport Mr. Dorsey approximately three miles to a private facility to conduct the MRI. *Dorsey v. Vandergriff*, 4:15-cv-08000-RK (W.D. Mo. January 6, 2023). The private facility is willing to conduct the MRI and the MRI would be at Mr. Dorsey's expense. *Id.* That motion was denied on January 11, 2023. Order, *Dorsey v. Steele* [sic], 4:15-cv-08000-RK (W.D. Mo. January 11, 2023). Notice of appeal was given on January 17, 2023, just three working days later. *Dorsey v. Vandergriff*, 4:15-cv-08000-RK (January

¹ 18 U.S.C. §3599(f).

17, 2023). Mr. Dorsey filed his brief on appeal with the United States Court of Appeals for the Eighth Circuit on March 22, 2023, and the State of Missouri filed Appellee's brief on May 1, 2023. Mr. Dorsey filed his reply brief on May 22, 2023. Mr. Dorsey's appeal is pending.

If Mr. Dorsey is able to obtain an MRI scan, it may provide critical information that would be relevant to legal issues this Court should consider and also significant to Governor Parson's executive clemency decision. Mr. Dorsey has expeditiously pursued this litigation, seeking the transport order prior to the State's motion to set an execution date, which was filed on February 21, 2023. He has not sought to delay this litigation in any way. Given the stakes, this Court should not set an execution date while this critical litigation is pending. This Court should not set an execution date until Mr. Dorsey's attempt to obtain an MRI scan has either been finally stymied or he has obtained such a scan.

**II. THIS COURT SHOULD NOT SET AN EXECUTION DATE
UNTIL THE LITIGATION CONCERNING MR. DORSEY'S
SOON-TO-BE FILED RULE 91 PETITION IS COMPLETED.**

The filing of this Response to the State's Motion to Set an Execution Date will shortly be followed by a Petition for Writ of Habeas Corpus pursuant to Mo. Sup. Ct. Rule 91. The petition will raise claims that have never been litigated in this Court. This Court should not set an execution date until the Rule 91 proceeding has been fully reviewed after full briefing and argument.

III. THIS COURT SHOULD NOT SET A DATE BECAUSE ANOTHER EXECUTION WILL CAUSE HARM TO CORRECTIONAL STAFF AND MR. DORSEY.

Since Thanksgiving, Missouri has executed four people: Kevin Johnson on November 29, 2022, Amber (formerly Scott) McLaughlin on January 3, 2023, Leonard “Raheem” Taylor on February 7, 2023, and Michael Tisius on June 6, 2023. Also, an execution is scheduled for Johnny Johnson on August 1, 2023. It is established that at least some correctional staff experience psychological harm and trauma from executions. The rapid pace of executions in this state can, and very likely does, exacerbate the risk of trauma to those who must participate in ending the life of another human being. That trauma can cause harm to those within the Department of Corrections. And, it also can impact their ability to carry out their assigned tasks during an execution, which could result in an unconstitutionally painful execution for Mr. Dorsey.

Executions are inherently traumatizing events for those instrumental in carrying them out. The DSM-5, which is the leading clinical resource for psychological diagnoses, provides that “[e]xposure to actual . . . death” is considered a traumatic event, specifically if the exposure is through “[w]itnessing, in person, the event[] as it occurred.” American Psychiatric Association, *Diagnostic and Statistical Manual of Mental Disorders* 271 (5th ed. 2013). A person who experiences a traumatic event like an execution is at elevated risk of

developing conditions such as posttraumatic stress disorder (PTSD), acute stress disorders, or an increased risk of suicide. *Id.* at 271-86. Such conditions can have lingering effects, including anxiety, fear, dysphoria and anhedonia, anger and aggression, and disassociation. *Id.* at 265; *see also* Amanda Gil, Matthew B. Johnson & Ingrid Johnson, *Secondary Trauma Associated with State Executions: Testimony Regarding Execution Procedures*, 34 J. Psychiatry & L. 25, 28 (2006) (collecting empirical and anecdotal evidence of secondary trauma associated with state executions).

An execution is particularly traumatizing for members of the actual execution team because they are not only exposed to the death, but they are directly involved in the killing. In general, increased proximity and level of exposure to a traumatic event increases the traumatic effects of that event. *See* Casey L. May & Blair E. Wisco, *Defining Trauma: How Level of Exposure and Proximity Affect Risk for Posttraumatic Stress Disorder*, 8 *Psychol. Trauma: Theory, Res., Prac., & Pol'y* 233, 237 (2016). Corroborating this general observation, studies demonstrate that taking part in a killing is significantly more traumatizing than simply witnessing it. *See, e.g.*, Barbara L. Pitts et al., *Killing Versus Witnessing Trauma: Implications for the Development of PTSD in Combat Medics*, 25 *Mil. Psychol.* 537, 541 (2013); Elizabeth P. Van Winkle & Martin A.

Safer, *Killing Versus Witnessing in Combat Trauma and Reports of PTSD Symptoms and Domestic Violence*, 24 J. Traumatic Stress 107, 109 (2011).

Available evidence robustly suggests people who participate in executions often experience extraordinary psychological suffering. Rachel M. MacNair, *Perpetration-Induced Traumatic Stress: The Psychological Consequences of Killing* 31–42 (2002). Because of the resulting extraordinary emotional and psychological burden, “guards can feel mentally tortured by their participation in executions, both before and after.” Walter C. Long & Oliver Robertson, *Prison Guards and the Death Penalty* 2-3 (2015), available at <https://cdn.penalreform.org/wp-content/uploads/2015/04/PRI-Prison-guards-briefing-paper.pdf> (collecting evidence of lasting psychological distress reported by prison guards who participated in executions). Numerous former execution team members have reported intense psychological distress in line with symptoms of PTSD, even with protocols in place meant to prevent traumatization. See MacNair, *Perpetration-Induced Traumatic Stress*, *supra*, at 32–38; Casey Chiappetta & Robert Johnson, “It’s Not Gonna Leave Any Scars”: *Trauma and Coping Among Execution Team Members*, Prison J., July 2021, at 15-16.

Symptoms reported by execution team members have included depression, inability to hold relationships, obsessive-compulsive personalities, and nightmares. Green, B.L., *Defining trauma: Terminology and generic stressor dimensions*,

Journal of Applied Social Psychology, 20, 1632-42 (1990); *see also* Robert T. Muller, *Prison Executioners Face Job-Related Trauma*, Psychology Today, October 11, 2018, available at www.psychologytoday.com/us/blog/talking-about-trauma/201810/prison-executioners-face-job-related-trauma (“unacknowledged stress experienced by guards on execution teams risks dangerous mental-health consequences”).

Missouri’s execution protocol places execution team members at a particularly heightened risk of psychological trauma. As is typical for execution protocols across states, Missouri law requires that members of execution teams maintain the secrecy of their identities. Mo.Rev.Stat. §546.720, ¶3. However, Missouri alone goes further to provide actual and punitive damages against anyone who does disclose any execution team member’s identity. *Id.*; Sandra Davidson & Michael Barajas, *Masking the Executioner and the Source of Execution Drugs*, 59 St. Louis U. L.J. 45, 45 (2014). This heightened requirement of secrecy severely chills the ability of execution team members to process their trauma openly and honestly, thereby inhibiting their ability to use the “proven best tools” of sharing and narration to cope with their trauma. Long & Robertson, *supra*, at 3.

Further, Missouri law provides that “[t]he director of the department of corrections *shall* select an execution team. . . .” Mo.Rev.Stat. §546.720, ¶2 (emphasis added). Missouri does not require that execution team members

volunteer for the role, nor does the state provide statutory employment protections should an officer refuse an execution assignment. This compulsory scheme stands in stark contrast to the practices of other states. *See, e.g.*, La. Dep’t of Pub. Safety & Corr., Dep’t Reg. C-01-001 § 20(D) (Aug. 1, 2012) (“Refusal to attend an execution shall not be used against any employee. . . .”); Okla. Dep’t of Corr., Execution of Inmates Sentenced to Death, OP-040301 §III(A)(2) (Feb. 20, 2020) (“All team members serve on a strictly voluntary basis.”). As a result, correctional staff in Missouri are left vulnerable to being coerced into participating in an execution at the director’s discretion. These features of Missouri’s execution protocol exacerbate the already significant risk of psychological damage inherent to execution participation.

Numerous correctional officers in other states have expressed to the media that even years later they are burdened by their role as executioner. They highlight the psychological impacts, noting nightmares that follow them for years, as well as thoughts of suicide. They also complain of the physical consequences of being charged with carrying out the sentence of death, revealing how anxiety and emotional distress has caused both heart conditions, as well as severe stomach pains. Eisner, *The Secrets of the Death Chamber*, *supra*; see also INTO THE ABYSS, Werner Herzog, dir. (2011) (documentary relating accounts of executioner’s trauma and being haunted by the experience, *e.g.*, “seeing the eyes of the

inmates”); Mitchell, P., *The weight of capital punishment on jurors, justices, governors, and executioners*, Verdict, available at <https://verdict.justia.com/2013/10/25/weight-capital-punishment-jurors-> (October 25, 2013) (one officer reported, “I myself was haunted by the men I was asked to execute in the name of the State of Florida. I would wake up in the middle of the night to find them lurking at the foot of my bed.”); Frank Thompson, *Ex-warden: Death penalty doesn’t make guards safer*, available at www.delawareonline.com/story/opinion/contributors/2015/04/01/ex-warden-death-penalty-make-guards-safer/70791272/ (April 1, 2015) (author states that “[m]any of us who have taken part in this process live with nightmares, especially those of us who have participated in executions that did not go smoothly”).

It is not only the executioners, and members of the execution team, who suffer psychological harm – it is also the correctional officers who work with capitally-sentenced individuals, knowing their life will be ended soon, and the correctional staff who have to prepare, process, and transport the person to be executed to Eastern Reception, Diagnostic and Correctional Center. This risk of psychological harm is magnified in Missouri, where the capitally sentenced inmates live in general population, hold jobs – like Mr. Dorsey, who has been the barber to correctional staff and wardens for the past decade – participate in and

lead programming, because the staff are more likely to know the individuals who are executed personally.

Finally, Mr. Dorsey also faces the prospect of being harmed by the trauma inflicted upon the execution team. The greater the anxiety and stress the executioner endures, the more likely it is that a breakdown in the execution procedure can occur. The performance of the execution team can be adversely affected at key junctures, creating a constitutionally impermissible risk of a painful or tortuous death. The absence of safeguards make it more difficult for the executioners to adhere to the protocol, successfully accomplish IV insertion, and to recognize and adapt to any exigencies.

There are substantial risks associated with even the single dose pentobarbital protocol. *See Matter of Fed. Bureau of Prisons' Execution Protocol Cases*, 471 F.Supp.3d 209, 218 (D.D.C. 2020) (noting “overwhelming” evidence of risk of “extreme pain and needless suffering … including sensations of drowning and suffocation” due to “flash pulmonary edema during the procedure”). These risks are enhanced if the performance of the execution team is hampered.

Ensuring that IV access is properly established, functioning, maintained, and monitored is also essential to ensure that lethal injection will bring about death in a humane and constitutional manner. Improper IV insertion, on the other hand, is likely to cause either significant pain from protracted IV access attempts, severe or

excruciating pain from injection of barbiturate into tissues other than veins, and/or prolongation of the execution process due to incomplete delivery of drug into the vein. Specifically, improper IV insertion may lead to infiltration, in which the drug is injected or bursts into the surrounding tissue, or in an artery instead a vein can cause excruciating pain, blistering, and local tissue destruction. Kagel EM, Rayan GM, *Intravenous catheter complications in the hand and forearm*, J. Trauma 2004;56(1):123-7; Institute for Safe Medication Practices, *Action needed to prevent serious tissue injury with IV promethazine*, The Institute (2006), available at www.ismp.org/resources/action-needed-prevent-serious-tissue-injury-iv-promethazine; Perdue M., *Intravenous complications*, Hankins J, et al., editors; Infusion therapy in clinical practice. 2nd ed. St. Louis: W. B. Saunders; 2001; Dychter, Samuel S. MD; Gold, David A. PhD; Carson, Deborah RN; Haller, Michael PhD, *Intravenous Therapy, A Review of Complications and Economic Considerations of Peripheral Access*, Journal of Infusion Nursing: March/April 2012 - Volume 35 - Issue 2 - p 84-91 doi: 10.1097/NAN.0b013e31824237ce; Hathaway L, *Infiltration and Extravasation: Preventing a complication of IV catheterization*, AJN, Vol. 107, No. 8, August 2007.

There are numerous documented instances where the procedure went awry due to human error in the process. *See, e.g.*, Elizabeth Bruenig, *Dead to Rights, What did the state of Alabama do to Joe Nathan James in the three hours before*

his execution? The Atlantic, August, 2022, available at www.theatlantic.com/ideas/archive/2022/08/joe-nathan-james-execution-alabama/671127/ (describing the “roughly three-hour period it took to … establish access to a vein so an execution team could deliver the lethal injection of drugs that would kill him.”). Indeed, such botches have become commonplace. *See generally*, Michael L. Radalet, Botched Executions, <https://deathpenaltyinfo.org/ executions/botched-executions> (summarizing 60 botched and failed executions).

The stress put on the staff from the compressed execution schedule increases the chance that the resulting trauma will cause the execution to go awry, which will cause severe pain to Mr. Dorsey.

CONCLUSION

Killing and executions should never be normalized. Within the past seven months, four executions have been carried out and another is scheduled imminently. This aggressive execution schedule unnecessarily risks harm both to correctional staff and to Mr. Dorsey.

Executions should not be scheduled when viable legal issues remain. The state’s request for an execution date is premature because Mr. Dorsey has a pending matter related to a request that he be transported for an MRI, and because he will file a petition for writ of habeas corpus pursuant to Rule 91 with this Court in the coming days.

Therefore, this Court should deny the State's motion to set an execution date at this time.

Respectfully submitted,

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Megan.crane@macarthurjustice.org

ATTORNEY FOR MR. DORSEY

CERTIFICATE OF SERVICE

I hereby certify that on the 21st day of June, 2023, a true and correct copy of the foregoing Motion for Extension was electronically filed using the Court's online case filing system, which will serve notice upon all counsel of record.

/s/Megan G. Crane
Counsel for Mr. Dorsey

Affidavit of G [REDACTED] and M [REDACTED] B [REDACTED]

I, G [REDACTED] B [REDACTED] and I, M [REDACTED] B [REDACTED], having been duly sworn, do hereby state the following under penalty of perjury:

1. We are the father and mother of B [REDACTED] B [REDACTED], who was murdered by Brian Dorsey on December 23, 2006. We were married in 1975, and our son B [REDACTED] was born in 1978. We have one other son.
2. On December 24, 2006, we were preparing to welcome our son, his wife, and our granddaughter to our house for Christmas. When they were late, we went to B [REDACTED]'s house. When we arrived and saw the police cars, we were concerned that something wrong happened in the house. When we found out our son was dead, it was hell.
3. The murders have had a terrible impact on us and our family. We were close with our son and his family, and went on frequent trips and vacations. B [REDACTED]'s murder took that away from us. The murder has impacted our entire family—even our grandchildren.
4. G [REDACTED] worked at the local 3M plant, and when our son was buried, hundreds of G [REDACTED]'s co-workers attended the funeral.
5. There is not a day that has passed since our son's murder that we have not felt the pain of losing our son. We think of our son every day. The hurt of losing our son is steady—but it comes back like a dagger.
6. We have attended every state court hearing that was held in Dorsey's case, including in the Missouri Supreme Court. Although the lawyers on both sides have changed—sometimes several times—we have continued to attend the court hearings and proceedings.
7. We are certain that we cannot obtain closure until Brian Dorsey's sentence is carried out. When we were notified that Dorsey's execution date had been set, we began to feel a sense of relief.

8. Any further delay would devastate us. Every court proceeding brings the pain of losing our son back. We want this part of our journey to end. It has been a long journey. We want justice to be done in this case.

I declare under penalty of perjury that the forgoing is true and correct.

FURTHER AFFIANTS SAYETH NOT.

Geek

M B

STATE OF MISSOURI

1

COUNTY OF Cole

ss.

Before me, a notary public for the State of Missouri, personally appeared, G [REDACTED] B [REDACTED] and M [REDACTED] B [REDACTED], who did upon their oaths state that each of them executed this Affidavit as their free acts and deeds. Subscribed and sworn to before me this 21st day of February, 2024.

Heather Bertrand

Notary Public, in and for the County of Callaway, State of Missouri.

My commission expires on November 19, 2027.



Affidavit of D[REDACTED] M[REDACTED]

I, D[REDACTED] M[REDACTED], having been duly sworn, do hereby state the following under penalty of perjury:

1. I am executing this affidavit as a joint statement with my daughters, T[REDACTED] E[REDACTED] and K[REDACTED] S[REDACTED].
2. My daughter, S[REDACTED] B[REDACTED], was murdered by Brian Dorsey on December 23, 2006.
3. After Dorsey murdered S[REDACTED] and B[REDACTED], I helped raise their daughter J[REDACTED]. J[REDACTED] suffered tremendously in the aftermath of the murders. S[REDACTED]'s nieces and nephews miss her, and two of them never got to meet her because Dorsey murdered her before they were born.
4. Sarah's father discovered the bodies, and I am convinced that his health declined as a result of the discovery until he passed away in August of 2017.
5. As a result of the murders, my family and I have lived a nightmare every day for 17 years. There is not a day that has gone by that I have not thought about S[REDACTED]. I have had no closure. I feel that the law is not supportive of victims; the law is only concerned about Dorsey. It is not fair.
6. When I learned that the Missouri Supreme Court had set Dorsey's execution, I was hopeful that the process would end soon.
7. Every time I learn that there is a new appeal, there is additional news media coverage, and the news media contacts our family. Each time that happens, it is a fresh wound for us.
8. I hope that after the execution I can forget about Brian Dorsey.
9. My daughters and I tried to talk S[REDACTED] out of helping Brian that night. Now we live with regret for what happened.

10. If the execution is delayed, I will not be able to find justice and will be forced to continue to live this nightmare.

I declare under penalty of perjury that the forgoing is true and correct.

FURTHER AFFIANT SAYETH NOT.

1. *What is the primary purpose of the study?* (10 points)

D M

STATE OF MISSOURI)
COUNTY OF Cole) ss.
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)

Before me, a notary public for the State of Missouri, personally appeared, D [REDACTED] M [REDACTED], who did upon her oath state that she executed this affidavit as her free act and deed. Subscribed and sworn to before me this 21st day of February, 2024.

Heather Bertrand

Notary Public, in and for the County of Callaway State of Missouri.

My commission expires on 11-19-2027



Affidavit of K [REDACTED] S [REDACTED]

I, K [REDACTED] S [REDACTED], having been duly sworn, do hereby state the following under penalty of perjury:

1. I am executing this affidavit as a joint statement with my mother, D [REDACTED] M [REDACTED], and my sister, T [REDACTED] E [REDACTED].
2. My sister, S [REDACTED] B [REDACTED], was murdered by Brian Dorsey on December 23, 2006.
3. After Dorsey murdered S [REDACTED] and B [REDACTED], I helped raise their daughter J [REDACTED]. J [REDACTED] suffered tremendously in the aftermath of the murders. S [REDACTED]'s nieces and nephews miss her, and two of them never got to meet her because Dorsey murdered her before they were born.
4. S [REDACTED]'s father discovered the bodies, and I am convinced that his health declined as a result of the discovery until he passed away in August of 2017.
5. As a result of the murders, my family and I have lived a nightmare every day for 17 years. There is not a day that has gone by that I have not thought about S [REDACTED]. I have had no closure. I feel that the law is not supportive of victims; the law is only concerned about Dorsey. It is not fair.
6. When I learned that the Missouri Supreme Court had set Dorsey's execution, I was hopeful that the process would end soon.
7. Every time I learn that there is a new appeal, there is additional news media coverage, and the news media contacts our family. Each time that happens, it is a fresh wound for us.
8. I hope that after the execution I can forget about Brian Dorsey.
9. My sister, my mother, and I tried to talk S [REDACTED] out of helping Brian that night. Now we live with regret for what happened.

10. If the execution is delayed, I will not be able to find justice and will be forced to continue to live this nightmare.

I declare under penalty of perjury that the forgoing is true and correct.

FURTHER AFFIANT SAYETH NOT.

1. **What is the primary purpose of the study?**

K S

STATE OF MISSOURI)
COUNTY OF Cole) ss.
)

Before me, a notary public for the State of Missouri, personally appeared, K [REDACTED] S [REDACTED], who did upon her oath state that she executed this affidavit as her free act and deed. Subscribed and sworn to before me this 21st day of February, 2024.

Heather Butrand

Notary Public, in and for the County of Alma, State of Missouri.

My commission expires on 11-19-2027.



Affidavit of T [REDACTED] E [REDACTED]

I, T [REDACTED] E [REDACTED], having been duly sworn, do hereby state the following under penalty of perjury:

1. I am executing this affidavit as a joint statement with my mother, D [REDACTED] M [REDACTED], and my sister, K [REDACTED] S [REDACTED].
2. My sister, S [REDACTED] B [REDACTED], was murdered by Brian Dorsey on December 23, 2006.
3. After Dorsey murdered S [REDACTED] and B [REDACTED], I helped raise their daughter J [REDACTED]. J [REDACTED] suffered tremendously in the aftermath of the murders. S [REDACTED]'s nieces and nephews miss her, and two of them never got to meet her because Dorsey murdered her before they were born.
4. S [REDACTED]'s father discovered the bodies, and I am convinced that his health declined as a result of the discovery until he passed away in August of 2017.
5. As a result of the murders, my family and I have lived a nightmare every day for 17 years. There is not a day that has gone by that I have not thought about S [REDACTED]. I have had no closure. I feel that the law is not supportive of victims; the law is only concerned about Dorsey. It is not fair.
6. When I learned that the Missouri Supreme Court had set Dorsey's execution, I was hopeful that the process would end soon.
7. Every time I learn that there is a new appeal, there is additional news media coverage, and the news media contacts our family. Each time that happens, it is a fresh wound for us.
8. I hope that after the execution I can forget about Brian Dorsey.
9. My sister, my mother, and I tried to talk S [REDACTED] out of helping Brian that night. Now we live with regret for what happened.

10. If the execution is delayed, I will not be able to find justice and will be forced to continue to live this nightmare.

I declare under penalty of perjury that the forgoing is true and correct.

FURTHER AFFIANT SAYETH NOT.

1. *What is the primary purpose of the study?*

THE

STATE OF MISSOURI)
COUNTY OF Cole) ss.
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Before me, a notary public for the State of Missouri, personally appeared, **T[] E[]**, who did upon her oath state that she executed this affidavit as her free act and deed. Subscribed and sworn to before me this 21st day of February, 2024.

Heather Bertrand

Notary Public, in and for the County of Callaway State of Missouri.

My commission expires on 11-19-2027



Affidavit of J [REDACTED] B [REDACTED]

I, J [REDACTED] B [REDACTED], having been duly sworn, do hereby state the following under penalty of perjury:

1. My mother, S [REDACTED] B [REDACTED], and my father, B [REDACTED] B [REDACTED], were murdered by Brian Dorsey on December 23, 2006.
2. It has been hard to grow up without my mom and dad. As a child, I never understood when my friends would complain about their parents because I always wished my parents were still around. I always wanted brothers and sisters, but when my parents were murdered, that chance was taken away from me.
3. As I think about my future, it hurts that my dad will not be there to walk me down the aisle, and that my parents will not be there with me if I have my own children.
4. I would give anything to have more time with my parents.
5. I am so grateful to have such a strong family support system; but I still miss my mom and dad.
6. I was not part of the court process because I was only 4 years old when Dorsey murdered my parents. I am 21 years old now.
7. As a consequence of the murders, I am a very light sleeper, it is hard for me to be in the dark, and I am very concerned about the location of my remaining family members. If a member of my family is missing, or not where I expect them to be, I get very anxious. I have suffered, and continued to suffer trauma from the murders and the aftermath.
8. As I grew up, I learned more and more about the case and what happened. The hardest thing was hearing how much I loved Dorsey before he murdered my parents.

9. I believe that I will have a chance for peace if Dorsey's sentence is carried out.
10. If the sentence is delayed, I believe that I will suffer stress, I will be asked a million questions, and I won't be left alone. My chance for justice will be delayed if the execution is delayed.
11. Because I was too young before, this is my first chance to participate in court proceedings. I wish to tell all courts: Please do not delay the execution.

I declare under penalty of perjury that the forgoing is true and correct.

FURTHER AFFIANT SAYETH NOT.

STATE OF MISSOURI

COUNTY OF Cole

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)
)

ss.

J [REDACTED] B [REDACTED]

Before me, a notary public for the State of Missouri, personally appeared, J [REDACTED] B [REDACTED], who did upon her oath state that she executed this affidavit as her free act and deed. Subscribed and sworn to before me this 21st day of February, 2024.

Heather Bertrand

Notary Public, in and for the County of Callaway State of Missouri.

My commission expires on 11-19-2027.

