



Diocese of Knoxville | Diocese of Nashville | Diocese of Memphis

October 27, 2020

Dear Governor Lee:

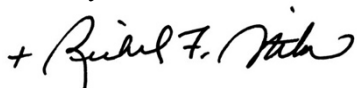
As the bishops of the three dioceses in Tennessee, in conjunction with the Catholic Public Policy Commission, we again approach you with the request that you invoke the powers vested in you as governor to stop another needless execution. We clearly state our strong opposition to the state carrying out the death penalty in the case of Pervis Payne scheduled for December 3, 2020. Carrying out this execution does not serve the cause of justice and bucks the national trend of moving away from capital punishment.

Nationally, we have seen more than 165 people released from death row after they have been found to have been innocent of the crime for which they were convicted. Based on a human system as it is, there is always the chance that the state executes an innocent person. But even when guilt is certain, execution is not necessary to protect society.

Pope Francis as well as St. John Paul II have ***called for the end to the death penalty as both cruel and unnecessary***. It is simply not necessary as the only means to protect society while still providing a just punishment for those who break civil laws. ***Rather than serving as a path to justice, the death penalty contributes to the growing disrespect for human life and continues a cycle of violence in society.***

We pray for the victims of crime and their families and friends that they might find peace and healing in God's boundless love. We pray particularly for Charisse Christopher, a vibrant 28-year-old, and her 2-year-old daughter, Lacie Jo, whose lives were tragically cut short in 1987. It is for their deaths that Mr. Payne faces execution. We also pray for Christopher's then 3-year-old son, Nicholas, who was seriously injured in the same attack but survived. We pray also for Mr. Payne that he, like all sinners, might find mercy in God's eternal judgment. And, we pray for the people of Tennessee, that through our elected government, we might turn to the path that respects and defends human life from its beginning at conception to its end at a natural death.

Sincerely in Christ

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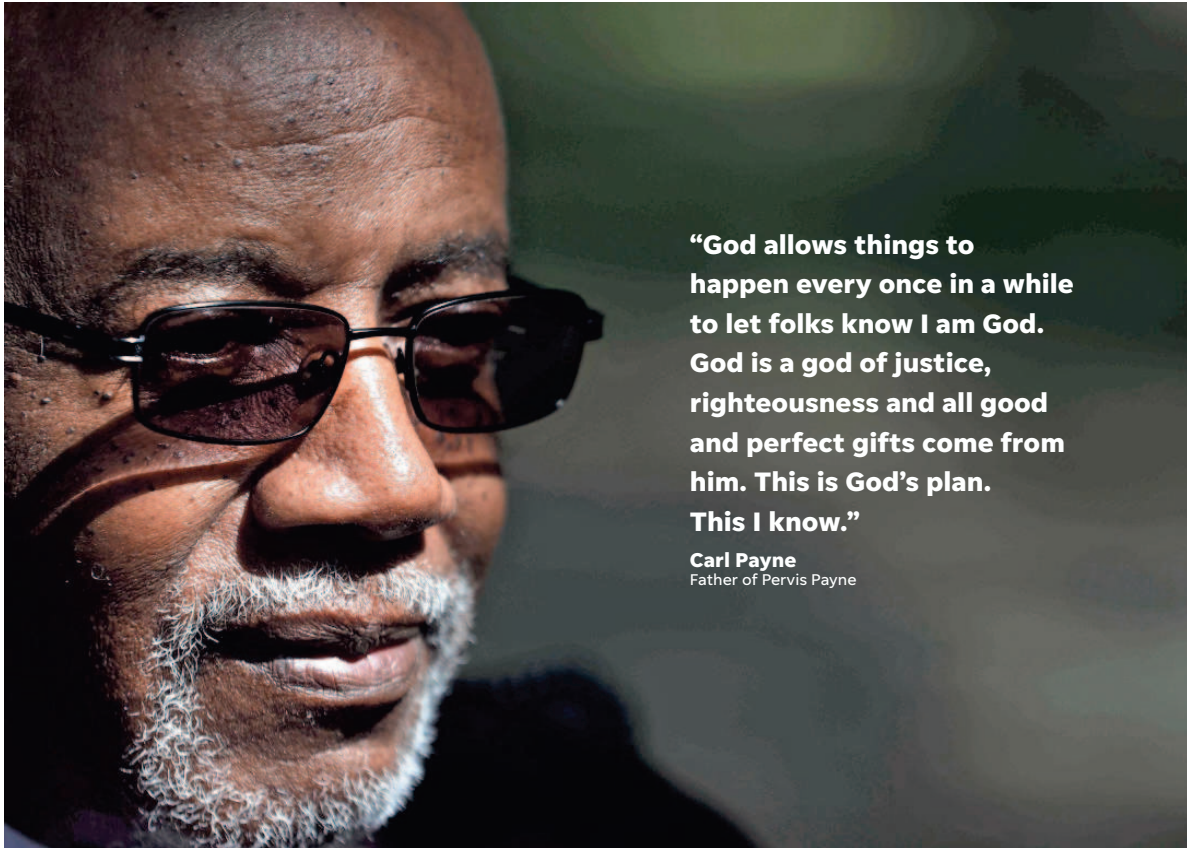
Most Reverend Richard F. Stika
Bishop of Knoxville

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Most Reverend J. Mark Spalding
Bishop of Nashville

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Most Reverend David P. Talley
Bishop of Memphis



"God allows things to happen every once in a while to let folks know I am God. God is a god of justice, righteousness and all good and perfect gifts come from him. This is God's plan. This I know."

Carl Payne
Father of Pervis Payne

Carl Payne, 78, father of Pervis Payne, who was convicted of a capital crime in 1988 and is on death row awaiting a December execution date. Recently, Shelby County courts granted Payne's motion requesting DNA analysis, giving the family renewed hope for a reversal of his 32-year-old guilty verdict. JOE RONDONE/THE COMMERCIAL APPEAL

11th-hour DNA test: Death row inmate's family awaits 'miracle'

Katherine Burgess Memphis Commercial Appeal | USA TODAY NETWORK – TENNESSEE

Carl Payne believes his son is innocent of murder.

He believes that for 33 years, his son has been wrongfully imprisoned, facing the death penalty.

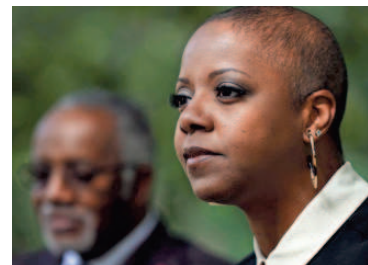
And he believes that God has allowed it, choosing this family like the biblical Queen Esther for God's glory to be manifested.

"God allows things to happen every once in a while to let folks know I am God," said Carl Payne, 78.

"God is a god of justice, righteousness and all good and perfect gifts come from him. This is God's plan. This I know."

Carl Payne is the father of Pervis Payne, the Tennessee man scheduled for execution Dec. 3 for the 1987 stabbing deaths of Millington woman Charisse Christopher, 28, and her 2-year-old daughter, Lacie. Christopher's 3-year-old son, Nicholas, survived multiple stab wounds in the brutal attack that took place in their apartment building.

Pervis Payne has also maintained his innocence, but multiple appeals have been rejected over his years on death row.



Rolanda Holman, 46, sister of Pervis Payne, who was convicted of a capital crime in 1988. JOE RONDONE/THE COMMERCIAL APPEAL



Carl Payne poses for a photo with his son Pervis Payne in this photo from the 1980s. COURTESY PHOTO

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Pervis Payne is innocent and should be freed



Your Turn

Rudy Kalis
Guest columnist

When I retired at the end of 2017 after 43 years as local TV sportscaster, I never dreamed that I would wind up going to prison four days a week as a volunteer for a faith-based prison ministry called Men of Valor. But God works in mysterious ways and the first day I walked in, I knew this was the work that I wanted to spend the rest of my life doing.

And that's how I met Pervis Payne, an easygoing, soft-spoken, spiritual man who had spent over 30 years of his life on death row. He was part of our regular Sunday night Bible study, and the depth of his spiritual life was evident. He intrigued me, so our personal meetings expanded to two and three times a week, to the point that he asked me to be his designated spiritual adviser.

In time, I found out that Pervis was convicted of the 1987 murder of Charisse Christopher and her young daughter in Millington, Tennessee, when he was 20 years old. As our mutual respect and honest conversation deepened, I asked him directly about that day, interested to see how he would respond.

He never flinched, telling me that he was going to his girlfriend's apartment when across the hall he heard moans for help and found Charisse stabbed and bleeding. Though in a panic, he tried to help until the reality of the situation hit him. As a young man, he had grown up hearing stories of innocent African Americans unfairly caught up in the criminal justice system, so he ran.

Documented intellectual disability

Pervis had never been in trouble before, been arrested or used drugs. He'd grown up in a close-knit, loving family and was raised in the church where his father was the pastor. Pervis also has a documented intellectual disability, an extremely low IQ that prevented him from achieving in school and challenged him greatly in making everyday life decisions.

Incredibly, if his execution on Dec. 3 is carried out, it would be unconstitutional under the Eighth Amendment, which prohibits the execution of a person with an intellectual disability.

But he was and is a giant in his faith. It angered me to read how the prosecuting district attorney at his trial played on racial stereotypes and fears about Black men attacking white women. His own attorneys

failed him. He was lost in confusion.

I've asked him how he survived in a tiny cell, destined to die, without getting angry with God.

He admitted that at first he was angry at God and the injustice of the system as well, but he said that eventually he fell to his knees in tears and asked God to see him through this nightmare by sustaining his hope and the faith to believe that one day he will be freed.

I don't know why God put me in Pervis' life, but I do know why he is in mine, because he has taught me more about hope and faith than I could ever have imagined. He has become a brother in Christ and now a man whose faith and prayers are being answered.

The Innocence Project

The nationally acclaimed Innocence Project has joined his quest for justice and freedom. The court has now ordered DNA testing of crime scene evidence that has never been tested. That evidence could contain the DNA of the true perpetrator and exonerate Pervis. Unfortunately, the most relevant evidence for DNA purposes has vanished. The state has maintained that it doesn't know where some of this important evidence is or why it wasn't carefully preserved.

My heart bleeds for the Christopher family, which has suffered the worst loss imaginable. I have children and grandchildren, and it would tear my heart out to lose any of them in such a violent way. They deserve justice, but that justice should be aimed at finding the person who actually committed the crime. There is no justice in executing an innocent man.

Unfortunately, the COVID-19 pandemic has shut down visitations at the prison, so now my only way of talking to Pervis is by phone twice a week. Recently, he reminded me that he feels God has allowed him to spend all this time in prison to develop a deep, genuine walk with him for a greater purpose that he has planned for him in the future. That is interesting to me because one of my favorite passages in the Bible is Proverbs 16:9, "In his heart a man plans his way in life, but it's the Lord who directs his steps."

Even though Pervis contends with an intellectual disability, he still talks about his faith and hope with a conviction that touches your very soul. He wants to tell the world how, in his deepest despair, he never lost his faith in a loving God.

I pray that God's spirit touches our governor as well and he finds it in his heart to grant clemency to Pervis Payne, allowing him to complete the mission that God has planned for him.

Rudy Kalis is Pervis Payne's spiritual adviser and a volunteer with Men of Valor prison ministry.