



NAMI Indiana inseparable



The Honorable Eric Holcomb
Office of the Governor
200 W Washington St. Ste 206,
Indianapolis, IN, 46204

12/11/2024

Re: Request for Clemency for Mr. Joseph Corcoran

Dear Governor Holcomb,

As leading mental health organizations in Indiana and nationally, we are writing today to request that you grant clemency to Mr. Joseph Corcoran, who is scheduled to be executed by the State of Indiana on Wednesday, December 18, 2024. We respectfully urge you to grant Mr. Corcoran clemency and commute his sentence to life in prison without parole.

We, the undersigned representatives, continuously work to promote the rights and human dignity of those living with serious mental illnesses. Within this population is a particularly marginalized group—individuals suffering from severe symptoms of their mental illnesses and who also sit on death row. It is estimated that at least twenty percent of people on death row have a serious mental illness.¹ Individuals with serious mental illness are often more susceptible to coercion and false confessions, may have difficulty understanding their legal rights, and are less likely to appropriately assist legal defense council.

We come together as advocates for those with severe mental illnesses to promote a common goal: to advocate for Mr. Corcoran by imploring you to commute his death sentence to life in prison without parole. As organizations and individuals dedicated to safeguarding the civil rights of people with mental illness, we are disturbed by Mr. Corcoran's upcoming execution given his struggle with severe mental illness throughout adolescence, during trial proceedings, and over the last 27 years while being incarcerated at the Indiana State Prison.

Mr. Corcoran's case presents extenuating circumstances that warrant commuting his sentence. He is seriously mentally ill and suffers from paranoid schizophrenia, evidenced by Mr. Corcoran's multiple clinical diagnoses, including the diagnosis of paranoid schizophrenia from forensic psychiatrist Dr. Phillip Coons during Mr. Corcoran's sentencing trial. This same diagnosis was made by three forensic psychiatrists – Dr. George Parker, Dr. Robert Kaplan, and Dr. Edmund Haskins – at Mr. Corcoran's competency hearing. His severe paranoia, extreme exaggerations, delusions, auditory hallucinations and negative symptoms such as lack

¹ Lain, C. B. (2018). Madison and the Mentally Ill: The Death Penalty for the Weak, Not the Worst *Regent UL Rev.*, 31. 20



NAMI Indiana inseparable



of emotion all add corroboration to Mr. Corcoran's severe mental illness. Mr. Corcoran's irrational and delusional beliefs include believing there is an ultrasonic device at the Department of Correction (DOC). This device is being used by the DOC staff to torture him daily and cause uncontrolled muscle spasms. Mr. Corcoran has also consistently maintained the belief that he has a "sleep disorder" and talks in his sleep saying embarrassing or provocative things. He has suffered from these delusions for over two decades.

The psychotic disturbances that plague Mr. Corcoran impair his ability to reason or think rationally. His mental illness played a direct role in his receiving the death sentence. The State offered Mr. Corcoran life without parole, but Mr. Corcoran refused the plea bargain, saying he would accept only if the State agreed to sever his vocal cords and relieve him of his "sleep disorder." He insisted that instead of avoiding the possibility of a death sentence, he wanted to die and stop the daily torture of the ultrasound device. Mr. Corcoran even complained to the court that his attorneys were ineffective because they did not assist in obtaining treatment for the "sleep disorder." This same court belittled Mr. Corcoran in open court saying he was an "embarrassment" to those who were actually mentally ill.

In addition, despite three examining forensic experts' opinions that Mr. Corcoran's underlying psychosis and irrational thinking rendered him incompetent to waive post-conviction proceedings, the court marginalized these opinions and unilaterally deemed Mr. Corcoran competent, even when the state conceded the serious mental illness. Dr. Robert Kaplan testified that Mr. Corcoran's decision to waive his post-conviction appeals was not rational because it was made on "the basis of a reality that doesn't exist." Mr. Corcoran views his execution not as punishment, but rather an escape from the torture and constant suffering he endures from his mental illness. This is a product of his irrationality, not a sign of his competency – his perception of the world and the consequences of his actions is fundamentally distorted and disconnected from reality. Having a desire to be put to death in order to escape the torture of being constantly inflicted with pain from an ultrasonic device controlled by prison guards is not rational.

Mr. Corcoran's crime is a senseless tragedy. However, at the time, Mr. Corcoran was under the influence of an extreme mental and emotional disturbance. He was experiencing active psychosis that produced extreme paranoia and delusions. After multiple decades in prison, these same delusions have only intensified and continue to influence Mr. Corcoran's everyday life. His delusions persist and have been resistant to the treatment that DOC has offered him.

The qualities inherent in youth and those with intellectual disabilities that render their executions unconstitutional - diminished capacities to understand and process information, control impulses, engage in logical reasoning, and communicate - likewise impair the severely mentally ill. People with severe mental illness that manifest in hallucinations, psychosis, or



NAMI Indiana inseparable



delusions, like Mr. Corcoran, can experience similar or even greater dysfunction than that of many individuals with relatively mild intellectual disabilities or juveniles. We strongly believe the execution of Mr. Corcoran would violate his human rights – everyone has the right to life. In addition, his Eighth Amendment right proscribing cruel and unusual punishment would be in violation due to Mr. Corcoran’s history of three decades of severe mental illness. For this reason, we respectfully urge you to commute Mr. Corcoran’s death sentence to life in prison without parole.

Thank you for your consideration and attention to this case.

Sincerely,

Daniel H. Gillison, Jr., CEO
National Alliance on Mental Illness (NAMI)

Laurie Taylor, Board Chair
National Alliance on Mental Illness Indiana

Lisa Dailey, Executive Director
Treatment Advocacy Center (TAC)

Angela Kimball, Chief Advocacy Officer
Inseparable



NAMI Indiana inseparable



Schroeder Stribling

Schroeder Stribling, President and CEO
Mental Health America (MHA)

Steve McCaffrey, President and CEO
Mental Health America of Indiana