

THE STATE OF



TENNESSEE

EXECUTIVE CHAMBER

COMMUTATION

TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

WHEREAS, on December 2, 1983, in the Criminal Court for our County of Hamilton, Edward Jerome Harbison, #108926, was convicted of Murder in the First Degree (Case # 154361). The court imposed a sentence of death for this conviction; and

WHEREAS, Tennessee's Constitution and law gives the governor broad power to grant executive clemency, including the power to commute sentences; and

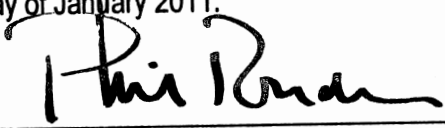
WHEREAS, this appears to me an extraordinary death penalty case where grossly inadequate legal representation received by the defendant at the direct appeal phase, combined with procedural limitations, have prevented the judicial system from ever comprehensively reviewing his legitimate claims of having received ineffective assistance of counsel at the sentencing phase of his trial; and

WHEREAS, this combination of inadequate representation and procedural limitations within the judicial system raises in my mind a substantial and unresolved doubt that the trial jury would have imposed the death penalty had the defendant received competent legal representation; and

WHEREAS, this case therefore appears to be an appropriate one for the exercise of executive clemency.

NOW, THEREFORE, I, Phil Bredesen, Governor of the State of Tennessee, by virtue of the power and authority vested in me by Article III, Section 6 of the Tennessee Constitution and by the laws of the State of Tennessee, do hereby commute the sentence imposed upon Edward Jerome Harbison for his December 2, 1983, conviction for Murder in the First Degree (Case #154361), from death to life in prison without the possibility of parole.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State to be affixed at Nashville, Tennessee on the 11th day of January 2011.


GOVERNOR


SECRETARY OF STATE