



Attorney General Steve Marshall Applauds Federal Court Decision in Capital Murder Case of Cop-Killer Eugene Clemons

(MONTGOMERY) – Attorney General Steve Marshall applauded yesterday’s decision by the U.S. Court of Appeals for the 11th Circuit denying the federal habeas petition brought by Eugene Milton Clemons II, who was convicted of the capital murder of Drug Enforcement Administration Special Agent George Douglas Althouse.

“In 1992, Eugene Clemons shot and killed DEA Special Agent Douglas Althouse during a carjacking after he spotted a Camaro he wanted to steal,” said Attorney General Marshall. “In 1994, a jury of his peers convicted Clemons for capital murder and unanimously recommended that he be sentenced to death.

“For 28 years, Clemons has evaded his just fate. I applaud yesterday’s decision by the 11th Circuit, which moves us a step closer to ensuring that justice will be done for Special Agent Althouse and those he left behind.”

The present case involved a federal habeas petition brought by Clemons based on the U.S. Supreme Court decision in *Atkins v. Virginia*, which held it unconstitutional to execute intellectually disabled people. Alabama courts had concluded that Clemons failed to demonstrate either significant subaverage intellectual functioning or significant deficits in adaptive functioning, and the Court of Appeals ruled that those conclusions were “neither contrary to nor an unreasonable application of clearly established Supreme Court law.”

The full opinion in the case, *Clemons v. Commissioner, Alabama Department of Corrections*, can be found at the following link:

<http://media.ca11.uscourts.gov/opinions/pub/files/201613020.pdf> [<http://perma.cc/5MY8-8H2A>]

--30--

