

Missouri executes David Hosier despite his claims of innocence and no physical evidence linking him to the murders

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David Hosier, 69, was put to death Tuesday evening by the state of Missouri. Hosier long maintained his innocence in the 2009 murders of his former romantic partner, Angela Gilpin, and her husband, Rodney Gilpin.

In a final statement issued to the media on Tuesday, Hosier said, “I’m the luckiest man on Earth. ... I’ve been able to speak the truth of my innocence.

“I’ve been able to reminisce with family and friends new and old. I’ve been able to learn to be, the fullest version of me.”

Hosier was strapped to a gurney at 6:00 p.m. local time in the death chamber at the Eastern Reception, Diagnostic and Correctional Center in Bonne Terre. He was administered a five-gram dose of pentobarbital, in accordance with Missouri’s lethal injection protocol, and was pronounced dead at 6:11 p.m.

Witnesses in the execution chamber included Hosier’s attorney, Jeremy Weis, as well as reporters for the Associated Press, MissouriNet and the *Kansas City Star*.

The Missouri State Supreme Court had rejected Hosier’s appeals, and the US Supreme Court declined to hear his case in August 2023.

Missouri Governor Mike Parson, a Republican, rejected Hosier’s last petition for clemency on Monday, saying that Hosier “displays no remorse for his senseless violence.” Hosier had recently told the *Kansas City Star*, “You cannot show remorse for something you did not do.”

In rejecting Hosier’s appeal, Parson said, “For these heinous acts, Hosier earned maximum punishment under the law. I cannot imagine the pain experienced by Angela’s and Rodney’s loved ones but hope that

carrying out Hosier’s sentence according to the court’s order brings closure.”

Between 2008 and 2009, Hosier became involved with Angela Gilpin, who was separated from her husband at the time. Prosecutors say that when Gilpin decided to end the affair and reconcile with her husband, Hosier became angry, and that this anger eventually led him to shoot the Gilpins. Their bodies were found the next day at the threshold of their Jefferson City apartment. They had been shot to death.

Police found an application for a protective order against Hosier in Angela Gilpin’s purse, in which she had written that he “knows everywhere I go, who I go with, who comes to my home,” adding that he was stalking and harassing her every day.

Hosier was arrested in Oklahoma later that day following a pursuit and standoff. He told the police, “Shoot me and get it over with,” according to court documents. When police searched his car, they found 15 firearms, including a STEN submachine gun, ammunition and a handwritten note that read: “If you are going with someone, do not lie to them, do not play games with them, do not [expletive] them over by telling other people things that are not true.”

On appeal, Hosier’s lawyers argued that all the evidence tying their client to the scene of the murder was circumstantial, noting the state’s ballistics expert’s inability to identify that the bullets found at the crime scene came from Hosier’s weapon. Hosier argued as well that the judge who presided over his capital trial and sentencing had a conflict of interest, having been the one to prosecute him in 1998 for failing to pay child support.

Hosier’s attorneys also argued that his trial attorneys

failed to call a medical professional to explain to jurors how a 2007 stroke had affected Hosier's mental state.

The prosecution pointed to the apparent animosity between Hosier and Gilpin—the restraining order application, Gilpin's communication to her landlord that she could no longer live next to Hosier out of fear (“he scares me”), a call by Hosier to a friend saying he was going to “eliminate his problems.”

But these pieces of circumstantial evidence on their own do not prove that Hosier killed Gilpin.

In the clemency petition to the governor, the Federal Public Defender's office produced a video focusing on the trauma he experienced as a 16-year-old, when his father, an Indiana State Police sergeant, was killed in the line of duty.

Multiple family members point to Hosier's father's death as the beginning of a downward spiral. “He's been angry with all the women in his life, including me and my mother and it was not like that for him before my dad died,” Hosier's sister, Kay Schardien, said in the clemency video. “My dad's death was just like a crater and David fell into that crater.”

Hosier joined that US Navy at the age of 19, marrying while he was enlisted but divorcing before he was discharged. He remarried in 1980 and had a son and a daughter, but that marriage ended in divorce in 1987, a year after he was involuntarily committed to a state hospital psychiatric ward, according to the clemency petition. In 1993, he pleaded guilty to battering his then-girlfriend. He was sentenced to eight years in prison and was released on parole in 1997.

Hosier's attorneys also argued that he had ineffective counsel at trial, including that they should have struck two unqualified jurors and their failure to present an expert witness, who could have testified about a stroke Hosier suffered in 2007 that caused brain damage.

Weis, Hosier's current attorney, told *USA Today* that while jurors did see medical records of Hosier's stroke and depressive episodes, a medical professional could have better explained their significance. Weis said, “When we discussed with the jurors that this information existed and would [it] have made a difference,” Weis said, “they almost universally said yes.”

But Hosier disagreed with the petition's emphasis on his personal struggles and felt that it should have stressed the lack of fingerprints, DNA or eyewitnesses

tying him to the murders. “I told them I didn't want the ‘boo-hoo, woe is me,’” AP reported. “All that stuff happened 53 year ago, OK? It has nothing to do with why I'm here right now.”

Hosier's spiritual adviser, the Rev. Jeff Hood, was in the execution chamber during his lethal injection. As his execution day approached, Hood and the condemned man spent time together. “We talk, just trying to get prepared for the state wanting to murder you,” Hosier told the *Star*.

Hosier said that while he may have supported the death penalty following his father's death, he no longer does after having faced the system himself. “I can't see by any justification, the death penalty as being anything but cruel and inhumane,” he said. “The state says it's illegal for us to kill somebody, but they can sanction a murder and it's A-OK, no big deal.”

Hosier's execution was Missouri's second of the year and the United States' seventh.

The Missouri Supreme Court has set a September 24 execution date for a third death row inmate, Marcellus “Khaliifah” Williams, 55, despite a finding by St. Louis County Prosecuting Attorney Wesley Bell's office that he is innocent.

On two separate occasions, Williams' execution was delayed to conduct further investigation and DNA testing. DNA on the murder weapon shows no connection between him and the crime.

Governor Parson has lifted a stay put in place by former Missouri Governor Eric Greitens and dissolved a board of inquiry Greitens convened to look into Williams' case, setting the stage for Williams to be put to death for a crime that prosecutors say he did not commit.

Since the US Supreme Court reinstated the death penalty in 1976, 1,589 men, women and individuals convicted of crimes committed as juveniles have been executed. Ninety-nine of these state killings have been carried out in Missouri, putting the state fifth behind Texas (685), Oklahoma (124), Virginia (113) and Florida (105).



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