

# Countdown

## Joubert's chances for life dwindling

By Matthew Waite  
Editor

John Joubert's life now rests in the courts. The convicted child-killer's spiritual adviser went before the Nebraska Pardons Board to plea for a clemency hearing Wednesday and was denied. The board then unanimously denied clemency.



Joubert

Joubert was convicted in 1984 of killing Danny Jo Eberle, 13, and Christopher Walden, 12, in Bellevue. After the pardons board removed the stay of execution put in place until the board could meet, Joubert was again set to die in the electric chair after 12:01 a.m. Friday morning.

Any hope for Joubert now lies in a group of appeals in courts across the country.

However, the appeals have not fared well so far. The 8th U.S. Circuit Court of Appeals in St. Louis denied Tuesday Joubert's appeal for a stay of execution. Attorneys have said they will appeal.

Wednesday, Joubert lost court challenges in Sarpy County District Court, the Nebraska Supreme Court and U.S. District Court in Omaha. An appeal to the U.S. Supreme Court is still pending.

Legal observers — and those in Joubert's own camp — say his chances of a stay at this point are slim.

### Sunday

The build-up to the clemency hearing started Sunday with a prayer service at the Capitol, where they prayed silently and other people spoke.

With TV cameras lining the area, Larry Ball and more than 10 of his Plainsmen arrived carrying a large sign that said "molesters."

Taunting the crowd and calling them molesters, Ball's Plainsmen marched.

Surrounded by media, Jessie Myles, an anti-death penalty protester, and Ball, the president of the Plainsmen, exchanged shoutings and Bible passages.

It was the only conflict that day.

The group then went to the Unitarian Church, 6300 A St.

Two former governors — Frank Morrison and Robert Crosby — and former Nebraska Heisman Trophy winner Johnny Rogers spoke out against the death penalty.

Richard Pitre also spoke.

Pitre, Joubert's spiritual adviser and high school music teacher, told the more than 50 people there that he and a handful of volunteers were going to fight to save Joubert from the electric chair.

In his first public appearance, Pitre laid out much of what he was going to do all week.

Fight uphill.

### Monday

Monday morning saw Pitre make his first move for Joubert. Looking nervous and tired, Pitre called the media into the Cornerstone Church at 16th and U streets.

It was in the glare of the television lights where he announced that he would submit Joubert's plea for clemency and testify on his behalf to get a hearing.

Observers raised a collective eyebrow. Conventional wisdom was that Joubert would wait to

*"It's not something that I look forward to, seeing someone that I care about very much reduced to jelly by enough electricity to light a small town."*

**Rich Pitre**

Joubert's spiritual adviser



Moments after the Pardons Board denied a clemency hearing for John Joubert, Theresa O'Brien, left, is comforted by a friend. On right is Rich Pitre, Joubert's spiritual adviser.

Tanna Kinnaman/DN

the last minute to make a clemency plea, delaying the execution to after the pardons board meeting scheduled for 9 a.m. Friday morning.

Pitre later insisted there never was a plan to delay the execution through legal maneuverings.

Pitre and volunteers from the Nebraskans Against the Death Penalty handed out a packet of information to the media. In it was a press release rehashing much of what Pitre said, a letter to the three judge panel that sentenced Joubert expressing his sorrow and remorse that was never sent because Joubert's lawyers objected and an edited version of Joubert's plea for clemency.

After some questions from the media, Pitre drove to Secretary of State Scott Moore's office in the Nebraska Capitol building. He handed him the request for a clemency hearing and it was entered in at 11:10 a.m.

A stay of execution was immediately put in place.

It was not the last time Pitre and Moore would meet.

### Friend to the end

In the middle of a media frenzy sits a high school teacher.

A music and humanities teacher, Pitre taught a high school senior named John Joubert at Bishop Chaeverus High School in Portland,

Maine.

It was there that the two would become friends.

Joubert came back to Portland after his first year away from high school. The two kept in contact until 1983, when Joubert kidnapped and murdered two young boys in Bellevue, where he was stationed at Offutt Air Force Base.

Pitre was in Omaha in 1984 during Joubert's sentencing for his confessed murders. The two kept in close contact for the next 12 years.

Standing in the hallway near Moore's office, Pitre, explained why he was in Lincoln.

"John is my student. I care about him," he said. "Even though he did something monstrous, he is not a monster."

Five days before Joubert's execution, three days before his chance at getting a clemency hearing, Pitre knew the odds were stacked against him.

"I don't have much of a chance," he said. "I hope this will do something for those who come after this."

And, he said, he will be a witness to his friend's death, if the courts don't save him.

"It's not something that I look forward to, seeing someone that I care about very much reduced to jelly by enough electricity to light a small town," Pitre said.

With that, he walked outside and on to a

prayer vigil outside of the governor's mansion.

### Tuesday

Pitre was visibly nervous Tuesday morning. Another press conference, this one at 9:30 a.m., had brought fewer members of the media. Many of the television crews were out covering a press conference at the Nebraska State Patrol.

But more media came into the conference. Pitre's hands were shaking as he made idle conversation with two radio news reporters. His face looked more tired than the day before — the result of another late night of preparation for another day of fighting.

In a sixth-floor conference room in Gold's Galleria, Pitre, for the first time, asserted that there was no attempt to delay Joubert's execution with the clemency hearing.

But in the same breath he said he tried to get the plea for a hearing right away, he questioned why there was a rush.

"If we have a rush to justice, we have a rush to judgment," he told the handful of the media there for the conference.

The purpose of the conference was to hand out letters. One from the clergy. One from a woman who lived in Bellevue and was afraid of

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