

# Prosecutor asks Inslee to allow child-killer's execution

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By [The Associated Press](#)

Clark Richard Elmore has an execution date in less than a month.

But the odds of Washington state going through with it are slim. Gov. Jay Inslee [pledged nearly three years ago to halt executions](#) while he's in office, and he was [just re-elected](#).

Despite that, Whatcom County prosecutor Dave McEachran went to Olympia last week to try to persuade Inslee to make an exception for Elmore, a Bellingham man who raped and murdered a child in 1995.

He acknowledged to The Bellingham Herald that his effort is a longshot. But he said he brought the case file and crime-scene photos to show the governor the horror the jurors saw before condemning Elmore to die.

Inslee has yet to take any action in the case. He can grant a reprieve, commute the sentence to life without parole or allow the Jan. 19 execution.

Since Inslee's pledge, Elmore is the first of Walla Walla's nine death-row inmates to exhaust every appeal in the higher courts.

Though Inslee vowed to halt executions, the death penalty remains on the books. Once Inslee leaves office, another governor can choose to restart executions at the maximum-security prison in Walla Walla, where Elmore has been housed for two decades.

On tape, Elmore told police he attacked his girlfriend's daughter, 14-year-old Kristy Lynn Ohnstad, when she threatened to report him for molesting her when she was younger.

After raping and killing her and dumping her body near Lake Samish, Elmore criticized law enforcement for doing too little to find the girl — and even organized a search party to look for her.

He then fled to Eugene, Ore., intending to steal his twin brother's identity, before deciding to return to Bellingham and surrender.

As with many death-penalty cases, the courts have heard numerous appeals. The [U.S. Supreme Court in October declined to hear the appeal](#), a decision that drew a dissent from Justices Sonia Sotomayor and Ruth Bader Ginsburg.

They argued that Elmore's trial lawyer had failed to investigate evidence that the defendant had brain damage.

Elmore grew up next to an airstrip in Springfield, Ore., where soil samples showed toxins at 4,500 times the maximum allowed by state law. He watched planes crop-dusting, or refilling with pesticides, from his backyard.

He later worked on cars and oil pipelines, and regularly melted lead batteries. At 17, he left home to serve in Vietnam, where he repaired Agent Orange pumps without protective gear.

Last year McEachran wrote to Inslee saying state law requires a case-by-case review of capital cases, not a blanket reprieve for everyone on death row. He asked to meet if Elmore's appeals ran out. Inslee granted a meeting this week. For about a half-hour, McEachran said, he implored the governor to focus on how the girl suffered.

"This is not some philosophical issue; it's reality," McEachran told a reporter. "He's had his due process. We've due-processed him to death."