



# Americans Against the Death Penalty

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24, rue des Carmes, BP 88, F-75005 PARIS



## AADP FEBRUARY 1999 UPDATE

Never doubt that a small group of thoughtful,  
committed people can change the world--  
it's the only thing that ever has.  
Margaret Mead

### US UPDATE

Total US executions since 1976 : 510

US executions in 1999: 10

Recent US executions:

TEXAS John Glenn MOODY 5 Jan 99  
OKLAHOMA John Walter CASTRO 7 Jan 99  
SOUTH CAROLINA Ronnie HOWARD 8 Jan 99  
LOUISIANA Dobie Gillis WILLIAMS 8 Jan 99  
MISSOURI Kelvin MALONE 13 Jan 99  
ARIZONA Jess James GILLIES 13 Jan 99  
TEXAS Troy FARRIS 13 Jan 99  
VIRGINIA Mark Arlo SHEPPARD 20 Jan 99  
SOUTH CAROLINA Joseph Ernest ATKINS 25 Jan 99  
TEXAS Martin VEGA 27 Jan 99

**Keep on sowing your seed, for you never know which will grow.  
Perhaps it all will.**

- Ecclesiastes

### AADP NEWS

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Join us on **Mar.1, 19h30, American Church, 65 quai d'Orsay, metro Invalides**, for our **annual meeting**. We'll be deciding the themes for coming meetings, electing officers and discussing possible special events for the coming year. Please come with all your ideas. If you can't attend please let us know in advance. Call Linda (01.69.28.66.30.) or drop us a note.

### PARIS EVENTS

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The **International Concerned Family and Friends of Mumia Abu-Jamal, France** have reserved a block of tickets for individuals as well as representatives of organizations interested in attending the **Millions for Mumia march in Philadelphia**. The Paris/NY flight will leave Paris on



Friday morning, **Apr. 23**, with return arrival Monday morning, **Apr. 26**. Transportation from the airport to Philadelphia will be provided. Philadelphia supporters will be providing lodging to as many people as possible so it is essential to let them know as soon as possible who will be coming. Tickets are 2310 F + 400 F tax. Please contact NADIA KACHTANOFF, 218, rue des Pyrénées, 75020 PARIS, Domicile : 01 46 36 79 38, C/o atelier "Bis" : 01 48 06 29 73, Fax : 01 48 07 07 17. You must register before Feb. 8 to reserve your place.

## EVENTS

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- **NEW YORK, NY - 5 Feb - "ROME, GENEVA, NEW YORK: TOWARDS A MORATORIUM ON EXECUTIONS"**. Hands off Cain is holding a conference in collaboration with the Italian Institute of Culture and the New York University. The panel of the conference will be as follows:
  - Archibishop Raffaele Martino, Apostolic Nuncio at the United Nations
  - Mr. Dieter Kastrup, German Ambassador at the United Nations and EU President in Office
  - Tony Amsterdam, School of Law, NYU
  - Ms Marjatta Rasi, Finnish Ambassador at the United Nations
  - Mr. Francesco Paolo Fulci, Italian Ambassador at the United Nations
  - Ms Elisabeth Semel, Director of the Death Penalty Representation Project of the American Bar Association
  - Mr. Harry Wu, Director of the Laogai Research FoundationThe aim of the conference is to have a meeting point with the abolitionists organization and the United Nations representatives and delegates in view of a possible resolution asking for a moratorium to be presented at the UN General Assembly in the fall of 1999. For any more information please call 212-813-1334 or e-mail at [handsoffcain@prodigy.net](mailto:handsoffcain@prodigy.net).
- **LOUISVILLE, KY: 6 Feb** The Church of Epiphany begins a year-long focus on the "Consistent Ethic of Life" with a program entitled "All Life is Sacred; All Life is One." featuring Sister Camille D'Arienzo. Sister Camille established the Cherish Life Circle, a group of religious and lay people who oppose capital punishment by preaching and teaching. She also supports and promotes the Declaration of Life, which requests that if a person signing it is murdered, those responsible should not be subjected to the death penalty under any circumstances.. For more information or to register in advance, call Sister Chris Dobrowolski at 502-245-9733.
- **PHILADELPHIA, PA - 15 Feb - A CALL TO CONSCIENCE: Interfaith Service Against the DP** Co-sponsored by PAUADP and the Religious Organizing Against the DP Project. For details please contact 215-727-3542 or 215-387-6555.
- **COLUMBUS, OHIO - OHIOANS TO STOP EXECUTIONS (OTSE) Demonstration** at Governor's Mansion in opposition to the scheduled execution of Wilford Berry **13 Feb**, Tele. 614-224-7147 FAX: 614-224-7150 <[webmaster@otse.org](mailto:webmaster@otse.org)>
- **PHILADELPHIA, PA - 22 Feb - "Abolitionist 7" Demonstration & Trial: Seven DP abolitionists** were arrested on 19 Oct. '98 simply for distributing informational fliers in the vicinity of the Criminal Justice Center. Held for 26 hours and charged with misdemeanors ranging from "obstruction of justice" to "conspiracy," these activists face up to 6 years in prison.
- **MISSOURI - "MARCH IN MARCH" TO ABOLISH THE DEATH PENALTY - Remembering International Abolition Day & calling for the "Show-Me State" to lead the way by becoming the first English Speaking territory to abolish the DP in the 21st century!** State Capitol (Jefferson City) on **March 6** Get involved! To help plan and produce this event and for more information, contact Tom or Jeanette Block: 314-962-4937 or <[tjblock@gateway.net](mailto:tjblock@gateway.net)>



- NEW ENGLAND - Mar 13-21 - NOT IN OUR NAME Speaking Tour** by members of **Murder Victims Families for Reconciliation** - NOT IN OUR NAME will be an opportunity for people in each of the six New England states to hear the message that there are people who have experienced the horror of losing a loved one to murder who oppose the death penalty, and to impress upon policymakers in the region that they cannot advocate for the death penalty in our name as victims. The tour will kick-off in the Great Hall of Faneuil Hall in Boston on March 13. The event in that historic venue, where for two centuries citizens of Boston have assembled to resist colonial domination, slavery, and the subjugation of women and labor, and where people have gathered to celebrate their aspirations for a better world, will signal the establishment of the New England presence of Murder Victims Families for Reconciliation. Bud Welch, whose daughter was killed in the Oklahoma City Bombing, will be one of the speakers. Bud has met with the family of Timothy McVeigh and he is able to answer those who support the death penalty and cite the horror and grief of Oklahoma City as a reason the state should kill killers. Other MVFR members, primarily from New England, will participate in the Faneuil Hall event and other speaking engagements. While the list is still in formation, other speakers include Toni Bosco, Pat Clark, Walt Everett, Tom Lowenstein, Robert Meerpool, Julie Oberweiss, Renee Wormack-Keels and Renny Cushing. Rev. Renee Wormack Keels is serving as the coordinator of the tour and can be reached at 617 661-6130 or at her home at 617 928-1455. We are asking other groups to co-sponsor the "NOT IN OUR NAME" Tour. In addition to the initiating group lead by American Friends Service Committee, to date the program has been endorsed by Amnesty International, New Hampshire Coalition to Abolish the Death Penalty, Rhode Islanders Against the Death Penalty et al. Your tax-deductible donation to MVFR will be appreciated. MVFR is consciously trying to find ways to bring together a community of people, a community defined not by geography but by experience, and common values in the aftermath of experiencing violence. Please help us find each other and shape our community.
- SAN ANTONIO, TX, 9-11 APR, ENVISIONING A WORLD WITHOUT VIOLENCE:** Organizing the Religious Community Against the Death Penalty. Contact Pat Clark at 215-241-7130 or <pat@envisioning.org> or <www.envisioning.org> for details.
- TENNESSEE, 11-25 APR, JOURNEY OF HOPE ...FROM VIOLENCE TO HEALING:** Two weeks of action and education for alternatives to the death penalty led by murder victim's families who are opposed to the death penalty; joined by death row families, death row survivors and activists. Additional information to be posted as available, or contact the Journey at P.O. Box 50293, Tulsa, OK 74150, phone: 918-743-8119, e-mail <foxke@centum.utulsa.edu> or see <www.cuadp.org/journey>
- PHILADELPHIA, PA and SAN FRANCISCO, CA - "MILLIONS FOR MUMIA" -** a mass-action rally, will be held on Mumia Abu Jamal's birthday on **April 24**. It also marks the anniversary of the "Effective Death Penalty Act" that President Clinton signed into law in 1996. The campaign is being launched by groups such as the International Concerned Family & Friends for Mumia Abu-Jamal, Black Radical Congress, Million Woman March, Jericho Movement, New York Free Mumia Coalition and Refuse & Resist. More info is at <www.mumia.org> or 215-476-8812. Those wishing to sign up their endorsement are asked to contact the International Action Center (39 West 14 Street, Room 206, New York, NY 10011, email: acenter@iacenter.org or at <http://www.iacenter.org>) at (212) 633-6646.
- VIRGINIA - VIRGINIANS FOR ALTERNATIVES TO THE DEATH PENALTY** will honor Virginia's long time anti-death penalty activist Marie Deans and lawyer Gerald Zerkin with the Joseph M. Giarratano Award for "Truth in Action." **May 1**. Contact Henry Heller for details at: 804-263-8148 or <henry@vadp.org>.
- HARRISBURG, PA - 1 May - PENNSYLVANIA RALLY FOR A MORATORIUM ON THE DP;** at the State Capitol in Harrisburg sponsored by PA Abolitionists United Against the DP. Busses are being arranged from all corners of the state. After the rally, March to the Governor's Mansion for a **NONVIOLENT CIVIL DISOBEDIENCE ACTION**. Participants must attend nonviolence training and team-building exercises. Contact PAUADP at 215-387-6555 for further details.



- **ORLANDO, FLORIDA - Catholics Against the Death Penalty** - death penalty/human rights education classes, "The Seamless Garment of Life" began on September 10th and continue on dates listed below. Come and learn why it is a moral obligation of all serious Christians to become informed about the Church's position opposing capital punishment and why the death penalty has been raised and integrated as a current issue in the Catholic congregation. If you're not Christian, come and find out why the Catholic Church leads the way in death penalty abolition in the USA and/or what capital punishment really means. CADPF's February meeting will bring Rev Glenn Dickson Pastor of Westminster Presbyterian Church in Gainesville, Florida. Rev Dickson was Pedro Medina's spiritual advisor and confidante and was with Pedro when he was executed (burned alive) by the State of Florida in March, 1997. Possibly other death penalty events outside of the regular monthly meetings which are scheduled as follows: **Feb 4, March 11, April 8 and May 13 (1999)**. Call Mary Ann Gilbert at St Marg Mary Cath Church (407)628-1324 or Karen Koerner Crane <karenkkc@aol.com>, at (407)696-7942.
- **PHILADELPHIA, PA Vigil** outside the office of Prosecutor Lynne Abraham, "America's Deadliest D.A." Every Thursday, Noon to 1pm Sponsored by the Philadelphia chapter of Pennsylvanian Abolitionists United Against the DP (PAUADP) Phone: 215-387-6555

#### **PRESS UPDATE \***

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**AFGHANISTAN**  
16 Jan 99  
AP

In Kabul, a 60-year-old man accused of homosexual advances was buried beneath a 15-foot brick wall as a death sentence but has survived. The Taliban, who have imposed a harsh brand of Islamic law on the 90 % of Afghanistan it rules, say homosexuality is a capital offense and punishable by the wall-toppling method. If the convicted person survives, the death sentence is commuted. A tank toppled a brick wall on Shuma Khan, who was sentenced to death by a Taliban Islamic militia court. Initially it was believed that Khan had died and his body was loaded in a truck and taken to the hospital, where doctors said the man was unconscious and suffering serious head injuries.

**ALABAMA**  
18, 20 Jan 99  
AP, MSNBC NEWS,  
BIRMINGHAM  
NEWS

Judith Ann Neelley's conversion to Christianity was repeatedly cited by supporters who convinced former Gov. Fob James to commute her death sentence. An attorney for Mrs. Neelley made public the clemency request that was sent to James early this month seeking mercy for Mrs. Neelley, convicted of killing a 13-year-old who was injected with liquid drain cleaner and shot. In Mrs. Neelley's case, one person - presiding trial judge Randall Cole - ruled that she should die after the jury had recommended life without parole. (Alabama is one of four states with jury override). The application cites cases where governors of other states have granted clemency, and it recounts Mrs. Neelley's claims of being an abused wife who killed at the bidding of her husband. But mostly the request focused on religion -- an issue dear to James, an evangelical Christian. In one letter, Bishop Henry N. Parsley Jr. of Birmingham, the head of the Episcopal church in Alabama, asked James to spare Mrs. Neelley, herself an Episcopalian since her 1989 confirmation in prison. "This is an opportunity for you to show mercy on one of God's children and still be certain that just punishment is mandated," Parsley wrote James, a member of an Episcopal church in Magnolia Springs. James agreed to the request and commuted Mrs. Neelley's sentence to life. James, who left office three days later, has not publicly explained his actions. In Montgomery, outraged by former Gov. Fob James' decision to commute the death sentence, Sen. Steve French, R-Birmingham, proposed amending Alabama's constitution to prohibit future governors from such acts of mercy. Such a law would make Alabama the only state barring its governor from granting clemency to condemned inmates.

**ARIZONA**  
24 Jan 99  
ARIZONA DAILY

In Phoenix, a man once convicted of murder who came within days of being executed three years ago is now a free man. Paris Hoyt Carriger was released from the Maricopa County Jail in Phoenix and moved to Oklahoma. Carriger



STAR

recently agreed to a plea bargain for second-degree murder and robbery and was sentenced to the 21 years already served, which made him a free man. (In 1978, Carriger was convicted of murdering a Phoenix jewelry store owner, but the jury had depended on the testimony of a man named Robert Dunbar, to whom prosecutors had given full immunity. Carriger was sentenced to die. In 1987, Dunbar confessed to the murder. He died in 1991, having reiterated that he, not Carriger, was the killer.)

CUBA  
8 Jan 99  
BBC NEWS

The Cuban president Fidel Castro has called for the death penalty to be applied to convicted drug traffickers. In a speech to 5000 police officers broadcast on Cuban television, the Cuban leader blamed foreign influences for the increase in drugs trafficking and violence on the island.

ILLINOIS  
12, 15 Jan 99  
CHICAGO  
TRIBUNE

With little national fanfare, a most extraordinary trial was scheduled to open in the DuPage County courthouse but the judge hearing the case of seven men charged with framing onetime murder suspect Rolando Cruz agreed to temporarily delay the trial after defense lawyers asserted that pretrial publicity in the Tribune has tainted potential jurors. Judge William A. Kelly granted a postponement from the scheduled Jan. 20 trial start, but he did not specify a new date. Kelly set a hearing when the defense attorneys will be required to state whether they will seek to move the trial out of DuPage County. "We're all in agreement that a continuance is necessary," Kelly said after nearly all of the seven defense attorneys at the hearing harshly criticized the Tribune for its five-day series, **"Trial & Error: How Prosecutors Sacrifice Justice To Win."** The series examined prosecutorial misconduct. "The Chicago Tribune series was designed to help our readers understand the complicated issue of prosecutorial misconduct," said Jeff Bierig, spokesman for the newspaper. "It will be the responsibility of the court to empanel an impartial jury and ensure a fair trial. Nothing published in the Chicago Tribune has altered this. "As was pointed out in court today, media have devoted literally thousands of articles and programs to the Nicarico case over its 16-year history. The Tribune stands by its stories."

Though it has none of the star appeal of the O.J. Simpson case, the trial of three former prosecutors and four current sheriff's deputies accused of framing Rolando Cruz for the murder of 10-year-old Jeanine Nicarico may ultimately be one of the most significant criminal prosecutions of the century. Both in scope and nature, the case against the prosecutors and detectives is virtually unparalleled in the history of American jurisprudence. While police and prosecutors occasionally have been indicted for misconduct in the past, no other case has alleged a conspiracy to send a man to death row and none has alleged that prosecutors perpetuated their deceit for so long. The charges--conspiring to obstruct justice and perjury--strike at the heart of the American system of justice. If convicted, the three former prosecutors, Patrick King, Robert Kilander and Thomas Knight, would be the first in the nation to be found guilty of a felony for knowingly using false evidence to send an innocent man to death row. That they have even gotten to trial is a legal benchmark. A Tribune examination of homicide cases over the past 36 years shows 381 homicide convictions have been reversed because prosecutors knowingly used false evidence or withheld evidence suggesting the defendant's innocence. Yet not a single prosecutor in those cases was ever brought to trial for the misconduct, the Tribune investigation found. Only two of those cases even resulted in charges being filed and, in both instances, the indictments were dismissed before trial, research shows.

From almost the beginning there were hints that something was terribly wrong in the Cruz case. Two DuPage sheriff's investigators quit their jobs in disgust over their belief that justice was being compromised. Witnesses testified they were intimidated by investigators. Defense attorneys accused prosecutors of concealing evidence. An assistant Illinois attorney general, appalled by the conduct of prosecutors and convinced of Cruz's innocence,



resigned rather than argue to uphold Cruz's conviction and death sentence. Prosecutors King and Kilander are accused of concealing notes that showed there was an admitted killer named Brian Dugan, a man who had already pleaded guilty to 2 other murders, including the killing of a 7-year-old girl. The 4 sheriff's police officers still work for the DuPage County Sheriff's office. Knight is now in private practice; King is a prosecutor for the U.S. attorney's office; and Kilander is a DuPage County Circuit judge. Why would veteran law enforcement officers jeopardize their careers, their reputations and their freedom by lying?

"There is an enormous burden to prove prosecutors did something bad," says Gerald Houlihan, a Miami lawyer who, in 1980, took two prosecutors to trial in Rochester, N.Y. "It's damn hard. There is a tremendous presumption in favor of prosecutors. Jurors tend to disbelieve anybody who says anything bad about a prosecutor." As a federal prosecutor, Houlihan accused the two New York prosecutors of conspiring with sheriff's officials to hide evidence and persuade witnesses to lie against organized crime figures. Even though two detectives admitted fabricating evidence, after 11 weeks of trial, prosecutor Raymond Cornelius, who by then was a judge, was acquitted. Prosecutor Patrick Brophy was convicted of a single misdemeanor count for eliciting perjury and suppressing evidence and was fined \$500. "It is one thing to prosecute bad guys for doing bad things," Houlihan added. "It is totally different to prosecute good guys for doing bad things." A Tribune search found 6 prosecutors this century, including Brophy and Cornelius, who have faced criminal charges alleging the sort of misconduct at the heart of the DuPage 7 indictments--concealing evidence or using false evidence. Of those 6, 2 were convicted of misdemeanors and fined \$500 each, 2 were acquitted and charges against the other 2 were dropped before trial. One of the acquitted was San Diego prosecutor L. Forrest Price, who forged evidence at a 1976 double murder trial, changing the time and place on a taxi trip ticket so that the entries were consistent with a taxi driver's testimony that implicated the defendant, according to court records. Price was charged with a felony, but even though he admitted altering the evidence--saying he buckled under the pressure of a crushing workload--a jury acquitted him in 1978. The California Supreme Court suspended Price's law license for 2 years, with 3 justices dissenting, urging disbarment. As for the defendant prosecuted by Price, his murder convictions were not thrown out, but his sentence of 5 years to life was reduced to 1 year.

## LOUISIANA

8 Jan 99

AP

In New Orleans, Shareef Cousin, who at 17 became the youngest person ever sent to death row in Louisiana, will not be retried on charges he murdered a man in a holdup outside a French Quarter restaurant. The district attorney dropped the case after the Louisiana Supreme Court last year ordered a new trial for Cousin on the grounds that prosecutors improperly used hearsay evidence that he admitted to the crime. That doesn't mean Cousin will get out of prison. He is serving a 20-year sentence for four armed robberies unrelated to the slaying. Cousin was convicted of murdering 25-year-old Alfred Michael Gerardi, who was gunned down in 1995. Cousin was 16 at the time. His conviction and death sentence prompted an outcry from Amnesty International and others. Cousin maintained he was at a city recreation department basketball game at the time, and his coach testified that he dropped him off at home about 20 minutes after the slaying. Gerardi's date told police she was not wearing her glasses or contact lenses and could not identify the three assailants. But three weeks later she picked out Cousin as the gunman from a photographic lineup.

## MISSOURI

29 Jan 99

AP

It remains to be seen whether Gov. Mel Carnahan will suffer politically for commuting Darrell Mease's sentence to life in prison following a face-to-face plea from Pope John Paul II. Carnahan, a Baptist and a Democrat, is running for a U.S. Senate seat next year in a state where it's widely accepted that most voters favor capital punishment. "God help him if there are any grieving



relatives (of Mease's victims), because he will need the pope to come back to campaign for him," said University of Virginia political scientist Larry Sabato. On 26 occasions, Carnahan has allowed the death penalty to proceed. He had commuted a death sentence just once, for a man whose jury wasn't told of his mental retardation. The pope has spoken out frequently against capital punishment and he did so again during his two-day visit to St. Louis this week. The Vatican's secretary of state, Cardinal Angelo Sodano, met with Carnahan and relayed the pope's plea for Mease. Later, the pope, after a prayer service at a St. Louis church, came down off the altar and personally asked the governor to "extend mercy" to Mease, Carnahan said. Mease was convicted of killing a former drug partner, Lloyd Lawrence, 69; his wife, Frankie Lawrence, 56; and their paraplegic grandson, William Lawrence, 19, in May 1988. They were shot to death. His Jan. 27 execution date was set last November by the state Supreme Court. Four days later, the court changed the execution date to Feb. 10. The court didn't give a reason, but many believed it was because the papal visit to St. Louis would coincide with the execution. Carnahan announced his decision in Washington, defending it and insisting that it didn't bind him to any course of action in the future. The plea from the pope, under the ancient mosaics and soaring dome of the St. Louis Cathedral Basilica, created "extraordinary circumstances," he said. "I continue to support capital punishment, but after careful consideration of his direct and personal appeal and because of a deep and abiding respect for the pontiff and all he represents, I decided last night to grant his request," Carnahan said. "It was a very moving time, a very moving moment for me. It was one of those moments that one would never expect to happen in one's life," the governor said. "And I felt that this response from me was appropriate." The commutation was a rare victory for the pope, who has failed in other attempts to block U.S. executions, most recently that of Karla Faye Tucker, who was put to death in Texas last year for two pickax killings. John Paul praised the "generous decision" of the governor when he learned the news, Vatican spokesman Joaquin Navarro-Valls said.

**MONTANA**  
28 Jan 99  
THE BILLINGS  
GAZETTE

In Helena, the death penalty is here to stay, a committee of the Montana legislature decided. By narrow votes, the House Judiciary Committee killed two measures to eliminate and restrict the use of capital punishment in Montana. Sponsored by Rep. Joan Hurdle, D-Billings, House Bill 278 would have abolished executions outright, and HB279 would have repealed a law making second-offense violent rape punishable by death.

**NEBRASKA**  
12,15 Jan 99  
AP, LINCOLN  
JOURNAL STAR,  
OMAHA WORLD-  
HERALD

The Nebraska Supreme Court has stayed the execution of a man who stabbed two women to death in a Quaker meeting house. Quaker leaders nationwide had pleaded for the man's life to be spared. The Quakers are fundamentally opposed to the death penalty, and clergy joined the victims' families to ask the Nebraska Board of Pardons to grant Randy Reeves a last-minute clemency hearing. The state Pardons Board denied the clemency hearing during a dramatic meeting at which Gov. Mike Johanns was barraged with criticism. Johanns, in his fifth day as governor, sided with Attorney General Don Stenberg in voting to refuse Reeves a hearing. That left Secretary of State Scott Moore on the losing end of a 2-1 vote. The Pardons Board then voted 3-0 to deny clemency and proceed with the scheduled execution. When Johanns announced he would join Stenberg in denying a hearing, Audrey Lamm, the 21-year-old daughter of one of Reeves' victims, burst into tears in the front row. She and her father, Gus, came to Nebraska from their home in Oregon to publicly plead for Reeves' life. Shaking her head, Audrey Lamm arose to speak but was ruled out of order by the governor. "Governor, please don't do this to my mother. Please," pleaded Audrey Lamm, the first to speak. "Wash your hands of it," Gus Lamm scolded Johanns. "It's been done before." Frank LaMere of South Sioux City, a Winnebago Indian, spoke of American Indian values and traditions in asking Johanns to spare Reeves, a member of the Omaha tribe. "It was the Omaha people who first consecrated the land on which we live and grow," LaMere said. "Governor,



**PAKISTAN**  
12 Jan 99  
REUTERS

In Karachi, Mohammad Saleem is not sure if he is 13 or 14 years old, is not sure what a military court is or why one sentenced him to hang, and he is even a little confused about how another court threw out his conviction. "I had no idea I was charged with murder until the day before I was taken to the military court," Saleem told Reuters. "I had never heard of a military court." Saleem, who has worked in a factory earning \$1/day for 6 or 7 years, has had no formal schooling and said the only thing he could write was his name. He was arrested last June when police rounded up suspects after 3 policemen were shot dead in the same alley where he lived with his sister. "The first day I thought it was a mistake and that they would let me go, but they beat me and kept asking what party I belonged to. There are so many parties I don't know them," he said. Police blame ethnic parties for some of Karachi's violence. The illiterate carpet-weaver has become a focal point in the dispute over military courts in Karachi, Pakistan's violence-prone financial and business capital. He had been sentenced to death on December 19 only to have a military appellate court order his release, saying there was no evidence against him. The row over military courts has reached the Supreme Court of Pakistan, which ruled that no more executions ordered by military courts could be carried out until it decided their validity. Two men who were on death row with Saleem while he awaited his appeal were hanged before the Supreme Court ruling. Prime Minister Nawaz Sharif's government set up the military courts to dispense speedy justice in Karachi, where 800 people died in ethnic, sectarian and political violence last year. Opposition groups challenged their validity in the Supreme Court, saying decisions were made too quickly and that the courts were outside the normal judiciary because appeals went to another military court and not a civil court.

**PHILIPPINES**  
8,19,20,22 Jan 99  
MANILA SUN STAR  
DAILY, AP,  
AMNESTY  
INTERNATIONAL

On Jan 8, in Manila, about 1,000 people screaming "Hang Leo Echegaray now" and "Hang the priests who are supporting Echegaray" demonstrated outside the Supreme Court to press for the rape convict's early execution. The protest rally came even as Congress had begun moves to impeach the Supreme Court justices who voted to suspend the execution of Echegaray. Security around the Supreme Court was tightened after it received several bomb threats since the tribunal voted 8-5 to postpone Echegaray's execution. Catholic Bishops Conference of the Philippines (CBCP) spokesman Monsignor Pedro Quitorio admitted that the Church was taken aback by the loud public outcry against postponing Echegaray's execution. "We are surprised, but we cannot be swayed by the voice of the majority and we have to follow what is right," Quitorio said. The Supreme Court later withdrew its order for a delay after the House voted against reconsidering the law. The following day, the trial court ordered prison officials to proceed with plans for Echegaray's execution. **A February 5 date has been set for the execution.**

The execution of Leo Echegaray would be the first in the Philippines in 23 years, and the first since the country reintroduced the death penalty in 1994. It would also make the Philippines the first country in the world that has reintroduced the death penalty to resume executions. The Philippines has one of the highest numbers of prisoners on death row in the world, 864. More than half of those have, like Leo Echegaray, been sentenced to death for rape. The death sentence is applicable for 46 offences in the Philippines, and is mandatory for 21.

The volunteer Free Legal Assistance Group (Flag) urged Congress to review the death penalty law, saying it was too easy for innocent people to be convicted given "the imperfections, weaknesses and problems of the Philippine justice system." The group released a study hours before Congress was set to vote on the resolution that upheld the death penalty law. A 5-year review found a 65-fold increase in the number of condemned prisoners to 819 as of end-1998. The list has since swelled to 865. "If this



pattern is sustained, one can expect that by the year 2003, there will be 50,765 persons confined at the country's death row," the group said. The group argued there was no constitutional basis for the law since official figures show that "crime incidence has steadily been declining since 1988."

TEXAS  
8,10 Jan 99  
HOUSTON  
CHRONICLE, AP

The 5th U.S. Circuit Court of Appeals issued a stay of execution for death row inmate Gary Graham, saying it needed more time to "evaluate the issues presented in this complex case." A 3-judge panel entered the order a day before Graham was set to be executed for the May 1981 shooting death of Bobby Lambert during a robbery outside a Houston supermarket. The court did not elaborate on what specific issues it wants to review. Graham, 35, who now prefers to be known as Shaka Sankofa, was scheduled to be executed on Jan 11. Besides the federal appeal, a clemency request to Gov. George W. Bush also was pending. While admitting to a troubled and crime-ridden past, Graham has maintained he did not kill Lambert, 53, of Tucson, Ariz. "I was not involved," he says flatly. Graham's conviction has been the subject of 35 judicial reviews. Documents from the case fill about 10 boxes at the Harris County courthouse. Graham also promised his execution would be unusual, warning that he would "fight like hell" when officers escort him the few feet from a holding cell at the Huntsville Unit of the Texas Department of Criminal Justice to the death chamber gurney where he would be strapped down with leather belts and have a pair of needles inserted into his arms. "I am personally going to fight against any and all attempts by the prison guards to take me out of my prison cell and murder me in the execution chamber," he said. "No doubt about it." That walk has been made by 165 condemned killers since capital punishment resumed in Texas in 1982. None of them has resisted violently, and only one tried to wiggle from the leather restraints before the lethal drugs began taking effect. And Graham, whose case over the years has been a hot button for death-penalty advocates and opponents, added a new element by urging his supporters to show up outside the prison with everything from picket signs to guns to protest what he considers a lynching by a racist justice system. "I don't have any faith in the courts," an angry Graham told reporters. "If you've been victimized 18 years by the courts like I've been, you wouldn't have any faith in the courts either." "This case is symbolic - a symbol of injustice," Graham said. "Texas epitomizes racism in this country."

Several prominent members of Houston's African-American community had called for peaceful demonstrations against the scheduled execution of Gary Graham. Mayor Pro Tem Jew Don Boney, Grace Baptist Church pastor Chris Wright and others urged a nonviolent show of support for Graham's case. Nation of Islam Minister Robert Muhammad called Graham's case an "egregious" example of injustice. Asked about Graham's call for armed support, Muhammad said, "We're forbidden to carry weapons. But I do understand those who feel that weapons are necessary, because whenever there is such injustice, it makes the people have no other redress." Others openly called for nonviolence. "We are down in the struggle against any injustices, but I'm not for advocating violence," Wright said. Boney said he always counsels against violence. "And I continue to do so today," he said. However, black Muslim activist Quanell X urged young blacks to take out their anger over the scheduled execution on whites in wealthy Houston neighborhoods. "For the next three to four days," he said, "we are asking for total peace and calm in the black community. We don't want any brothers doing any drive-bys, anybody mugging anybody, anybody robbing anybody. If you feel that you just got to mug somebody because of your hurt and your pain, go to River Oaks and mug you some good white folks. If you're angry that our brother is put to death, don't burn down your own community, give these white folks hell from the womb to the tomb." Quanell X said he and others would be armed when they went to Huntsville. Prison officials said they will be prepared for trouble. "We have additional law



enforcement officers -- some uniformed, some plainclothed -- who can handle that," said Larry Todd, a spokesman for the Texas Department of Criminal Justice. Extra Texas Rangers, sheriff's deputies, local police and prison officers will be "in and around the prison," Todd said. He said the prison is prepared to deal with Graham if he resists. "We have cell extraction teams that frequently have to remove inmates from their cells," Todd said. "We'll use an extraction team if necessary at the execution. These corrections officers wear protective equipment, which includes face mask, breast plate and leg guards."

**TEXAS/CANADA**  
30 Jan 99  
CANADA PRESS

The state of Texas is moving quickly to schedule the execution of Canadian Stan Faulder. Faulder's lawyer Sandra Babcock said she will try to block the state from setting a date because there is still an unresolved legal issue before the courts. She says no date should be set until the courts hear her appeal of Texas' clemency process. Faulder's lawyers had filed a final request for review with the U.S. Supreme Court last month, buttressed by a legal brief by the government of Canada. But the Court announced this week that it wouldn't review the case and lifted the stay of execution, clearing the way for Texas to proceed. His lawyer, supported by Amnesty International and organizations opposed to the death penalty, argued that Faulder was denied a fair trial because the Phillips family spent an estimated \$200,000 to pay witnesses and hire private prosecutors to try the case. Ottawa supported the call for a review of the case based primarily on a violation of the Vienna Convention, which affords all foreigners the right to contact their national governments for legal help. Faulder wasn't allowed to speak with Canadian consular officials until 1991. Babcock also argues prosecutors failed to disclose that one of their key witnesses was also an accomplice in the robbery and that the Phillips family paid them for their testimony.

**TURKMENISTAN**  
6 Jan 99  
AP

The president of Turkmenistan suspended the death penalty in the Central Asian republic. President Saparmurat Niyazov signed the order during a meeting with members of the Supreme Court. It was not immediately clear how long the moratorium would last. Niyazov said the Turkmen parliament would change the provisions for the death penalty in the constitution at a session next December. An unidentified Supreme Court official said capital punishment might be replaced by life imprisonment. 700 people were sentenced to death in Turkmenistan last year, 90 % of them for drug-trafficking. It is unclear how many were executed.

\*Above press updates are unofficial resumes of full-length articles available on request.

A letter from Sister Helen Prejean...

Dear Friends,

Last night at 6:30pm Dobie's body was strapped to the cruciform guernsey and he was killed. I was with him, standing where he could see me, and he would keep turning his head toward me, and he smiled and moved his lips and I couldn't read what his lips were saying but I knew that they were words of love and thanks. He died bravely and well. He walked to the place of execution on his crippled arthritic legs. He walked and refused to be pushed in a wheelchair. He walked and I read to him from the Gospel of John: "my peace I give to you, not as the world gives..."

The last hours were an indescribable mixture of prayer, reading letters, talking, laughing, remembering, eating chocolate ice cream (30 minutes before he died). Dealing with fear was the big thing for him. He wore his "Fear Not" hat (Isaiah 41:10) for the last three weeks. We talked about the fear, acknowledged it, faced it. I kept saying to him, "Jesus has been through this. He will help you. He will give you everything you need." We took the time in small increments, not dealing with what lay ahead, just the present moment, and the peace was there and the strength, unfolding moment by moment. Two wonderful lawyers and friends, Paula Montoya and Carol Kolinchak, were there. The "Three Muses" were with him, we told him, but he didn't know anything about muses. But he knew people who loved



him were with him. And the other lawyers who had worked so hard these 11 years to save his life were calling on the phone - the Minnesota lawyers and Nick Trenticosta, the point man, in tears there at the end, having to face the ultimate failure that was costing their client, Dobie, his life. Dobie thanked them for all they had done. The Minnesota guys told him it had been an "honor" to work on his behalf. "They said it was an honor," Dobie told us when he got off the phone.

When Dobie stood before the microphone in the execution chamber to say his last words I felt a quick stab of anxiety, realizing I hadn't talked to him about this to help him get his words, something I have always done with the others I have accompanied to execution. I needn't have worried. He hesitated, thought, then said, "I just want to say I don't have hard feelings toward anyone. God bless everyone. God bless," and he was already turning toward the guerny, the last physical act of his life. I had told him to look at my face from the guerny, and he did. He took charge of his own death, and once again I was surprised by God's grace, by God's strength that flooded his heart and mine, and I can't stop the tears as I write this to you, the experience being so fresh, just yesterday, this death - again - of a human being whom I cherished and whose life was taken there in front of my eyes. "They can't take your dignity from you, Dobie," I told him over and over again. "And your freedom. They can't touch you."

It was his third close encounter with death. Twice before, in June and November, he had come within an hour of death only to be spared. But this time he met death itself and he met it with his eyes wide open and, thank God, with his heart open, knowing that he was loved and cherished on this earth, that his life mattered. In his name and at his request I want to thank all of you who showed love and tenderness to him with your prayers, your letters and cards, your phone calls.

For the first time I believe I befriended a truly innocent man on death row. Innocence or guilt does not matter to me in struggling against the death penalty. I do not believe the state should be torturing and killing people, even guilty people. But this man, Dobie Williams, a 38-year-old indigent black man, I believe, was railroaded to death for the death of a white victim in a small, racist Southern town. He fit the death row profile perfectly, especially in the South: a poor black man accused of killing a white woman with an all-white jury as the constitutionally guaranteed "jury of his peers." He had a terrible defense - no defense. The prosecution got everything they asked for - including Dobie's death last night - after 14 years and 12 death dates and stays of execution. But inside the crucible of this terrible ordeal Dobie grew. He grew in faith, in love, in his ability to communicate and feel tenderness, to give of himself to family and friends, to know and love Christ, who became his rock and his protector and friend even as he climbed onto the guerny and was able to forgive those who had wronged him. Before we separated, my last words to him were "Thank you, Dobie, for the great gift of being your friend." I got his shy smile. "Thank you, Sister Helen," words he had said to me so many times. He was always grateful for love when he met it, for visits, for the fidelity shown him, a love he knew wouldn't go away and would stand by him over the years. It was part of my peace as I watched him die that I knew I had loved him well. Later, after his death, as I left the prison and walked into the waiting arms of Sisters and friends, Sister Julie Sheatzley said it best: "What you have done -it's a privilege, isn't it?." Yes, a privilege, always and forever a privilege to be with the Dobie Williamses of the world, the "least of these" and to find such treasure and such grace.

I'm taking it easy today - praying, talking to friends who call to comfort me, writing in my journal to record all the precious details of words and feelings of yesterday's events. Mozart's "Requiem" is now in full volume as I write, a composition full of life and resurrection and hope. We'll bury Dobie in Many, Louisiana, on Thursday, Jan. 14. I know that Sister Margaret's presence and mine will not only honor Dobie but also give dignity to his family. Truly the families of the executed ones are the unseen victims' families. They suffer the shame and humiliation of a loved one condemned to death and killed by the state, with so many treating them with scorn, finding them "guilty by association." They, too, are the "least of these." Love to all of you across these many miles who loved Dobie and who support me in my life and in my work. Special thanks to the members of St Egidio in Italy who kept vigil with us in the last hours even though it was the middle of the night. Jake Heggie, our composer of the opera of Dead Man Walking, told me that he was weaving Dobie's spirit into the music. I told Dobie this about the opera and he just smiled. I'm not sure he ever heard an opera in his life, but he knew it was something very special that this composer was doing for him.

Dobie said, "Tell my family and everybody to remember me happy." See him now with his shy smile, see him with his "Fear Not" cap, see him walking to the guerny and laying down on it, see him now with eyes of faith in the heart of the universe, in the heart of God. And see all of us, not paralyzed and defeated by his death, but empowered and deepened in our quest to abolish the death penalty from the



face of the earth. It is the best way I know to honor Dobie's memory. I invite you to be an active participant in the struggle. Of the 3,500 souls on death row in the U.S., many are utterly alone. To become a pen pal to someone on death row, email the Pen Pal Project at [bgross@igc.org](mailto:bgross@igc.org) I encourage you to join us in the Moratorium Campaign, which will introduce a resolution for a moratorium on the death penalty in the U.N. sometime next year. The purpose of the campaign is to gather as many signatures of citizens as possible. Europeans contact the St. Egidio Community at [m2000@santegidio.org](mailto:m2000@santegidio.org) and U.S. citizens contact [mavila@gte.net](mailto:mavila@gte.net) Signatures in the U.S. will be presented to Congress and state legislatures as well as to the U.N. In the U.S. we badly need to make visible citizen opposition to the death penalty. I especially encourage those who are part of church communities to gather signatures from the congregations to which you belong.

A blessed New Year. With a grateful heart - Helen

(The back page of the Update can be photocopied or sent as is to participate in the Moratorium 2000 campaign)

### WHAT CAN YOU DO?

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- Please act now on the appeals detailed below. There are actions to be done in the first week of February for California (Thai national) as well as bills being voted on in Virginia and Indiana. Call for details.
- Write a letter reacting to any of the latest developments.
- Join your home state's fight to abolish or keep the death penalty abolished by supporting the local groups (Coalition to Abolish the Death Penalty, Amnesty International, many religious groups, et al.)
- Join us at the American Church, 65 quai d'Orsay, Paris, the first Monday of every month (Oct - June) between 7:30 and 9:00 p.m. Call **01.69.28.66.30** or **06.86.70.60.73**. for info., state addresses, etc.

## URGENT ACTION APPEAL

The following information is from Amnesty International's research headquarters in London, England.

**Karl Hinze LaGrand, Walter Burnhary LaGrand  
German nationals**

Karl and Walter LaGrand (brothers) are scheduled to be executed in **ARIZONA** on **24 February** and **3 March** 1999 respectively. They were sentenced to death in 1984 for the murder of Ken Hartsock during a bank robbery in 1982.

Attorneys representing the LaGrands have appealed to the federal courts on the grounds that the defendants were denied their rights under the Vienna Convention by the failure by the state of Arizona to inform them of their right to contact and seek assistance (as German nationals) from the German authorities - Article 36 of the Vienna Convention of Consular Relations, states that any foreign national detained by the authorities must be informed of their right to contact the embassy of their nationality.

Although the Courts have acknowledged that this claim is 'undisputed', they have said that the claim is procedurally defaulted (i.e. had been lost to the defendants) because it was not raised during appeals in Arizona's state courts. The federal courts have, therefore, refused to examine the issue.

Because awareness of the Vienna Convention in the USA is limited (although it has improved recently) it is likely that the LaGrand's original attorneys were unaware of it. It therefore appears that the courts are refusing to look at the denial of the LaGrand's rights because of the ignorance or ineffectiveness of their original attorneys in not raising it in state courts. Amnesty International deplors this refusal to consider correcting the denial of a defendant's rights.

According to attorneys currently representing the LaGrands, officials tried to correct the Vienna Convention violation (over 16 years after their arrest) by recently asking at least one of the brothers to sign a statement informing him of his right to contact the German consulate.



The LaGrands are currently appealing against their execution on the grounds that the method to be used would constitute cruel and unusual punishment, in violation of the US Constitution. Death row inmates in Arizona sentenced before 1992 are given a choice of execution: by lethal gas or by lethal injection. If the inmate does not or refuses to choose lethal injection, as the LaGrands have, the execution must be carried out by lethal gas (as the legally prescribed method at the time of sentencing). In 1994, an US District Court and the 9th US Circuit Court of Appeals ruled that execution by lethal gas constituted 'cruel and unusual punishment'. The District Court judge ruled that prisoners suffered 'excruciating pain for between 15 seconds and several minutes' and that a gas chamber execution violates 'evolving standards of human decency and has no place in a civilised society.' After appeals by 14 states against these rulings the Supreme court ruled that where the inmate is given a choice of execution, lethal gas did not constitute cruel and unusual punishment. The Supreme Court instructed the lower courts, however, to examine the issue further. Amnesty International is unaware of the current state of the law regarding execution by lethal gas but believes that all forms of execution constitute an extreme physical and mental assault on a person already rendered helpless by government authorities. The physical pain caused by the action of killing a human being cannot be quantified. Nor can the psychological suffering caused by the foreknowledge of death at the hands of the state. Therefore, all executions constitute cruel, inhuman and degrading treatment in violation of Article 5 of the Universal Declaration of Human Rights.

#### **BACKGROUND INFORMATION**

Amnesty International is currently aware of 74 foreign nationals, from 26 countries, under sentence of death in the USA. The vast majority were not informed by the arresting authorities of their right to seek assistance under the Vienna Convention. The US courts continually refuse to rectify the possible prejudice caused to the trials of foreigners on death row by the violation of their Vienna Convention rights. In the case of Canadian national Joseph Faulder, however, the State Department wrote to the authorities in Texas requesting his execution be stayed on the grounds that had he been granted his rights under the Vienna Convention he may not have been sentenced to death.

On 1 October 1998, there were 121 prisoners under sentence of death in Arizona. The most recent execution was that of Arthur Martin Ross on 29 April 1998. Eleven prisoners have been executed under the state's current death penalty laws. In Arizona the Governor may only grant clemency or reprieves if a positive recommendation comes from the state Board of Clemency.

#### **RECOMMENDED ACTION:** Please send telegrams/faxes/express/airmail letters:

To the Arizona Board of Pardons and Paroles:

- urging the Board to recommend that Governor Hull grant clemency to Karl and Walter LaGrand;

To Governor Jane Dee Hull:

- requesting that she commute the death sentences of Karl and Walter LaGrand;

To both:

- expressing concern that the LaGrands were denied their rights under the Vienna Convention;

- acknowledging the seriousness of the offence for which the LaGrands were sentenced to death and expressing sympathy for the victims of violent crime and their families.

#### **APPEALS TO:**

Chairperson  
Arizona Board of Executive Clemency  
1645 West Jefferson, Suite 326  
Phoenix, AZ 85007

Dear Chairperson and Board Members:

Telegrams: Arizona Board of Executive Clemency, Phoenix, AZ  
Telephone: 1 602 542 5656  
Faxes: 1 602 542 5680

The Honorable Jane Dee Hull  
Governor of Arizona,  
1700 West Washington,  
Phoenix, AZ 85007  
Telephone: 1 602/ 542-4331  
Faxes: 1 602 542 7601

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Phoenix, AZ 85004  
Faxes: 1 602 8500

**PLEASE SEND APPEALS IMMEDIATELY.**



**Comunità di Sant'Egidio**

**AN APPEAL FOR A MORATORIUM  
OF THE DEATH PENALTY BY THE YEAR 2000**

*We the undersigned, are convinced that the death penalty:*

- ← Is the denial of the right to life, which is universally recognized
- ← Is the final, cruel, inhumane and degrading punishment, no less horrible than torture
- ← Is inadequate to stop violence, it actually legitimizes the most complete violence which cuts off human life by the state and society
- ← Dehumanizes our world by putting vengeance and reprisal first, it eliminates clemency, forgiveness and rehabilitation by the justice system

**we invite all,  
even those who support the use of the death penalty,  
to reflect in a serene way on the need  
for the suspension of executions**

**In fact:**

- ← Today more than half of the countries of the world do not use the death penalty; some have abolished it completely, while others do not apply it
- ← The United Nations recognizes that there is no data that can demonstrate that its use is an effective deterrent against even the most hideous crimes
  - ← In those places where the death penalty has been reintroduced capital crimes have not been reduced
  - ← There are effective alternative methods to protect society from those who commit the most horrible crimes
- ← The logic of "an eye for an eye, a tooth for a tooth and a life for a life" is considered to be archaic and is unacceptable to many on the planet
  - ← Almost everywhere the judiciary system is trying to find ways to do away with this inhumane way of dealing with people who committed crimes, even the most horrible ones
- ← In democratic countries, the cost of the death penalty is higher than life imprisonment

**FOR THESE REASONS WE BESEECH ALL GOVERNMENTS  
OF THE WORLD TO OBSERVE A MORATORIUM  
OF THE DEATH PENALTY BY THE YEAR 2000**

NAME	ADDRESS	HOME STATE for US citizen	SIGNATURE

Please sign and send to: Comunità di Sant'Egidio - Piazza S. Egidio 3/a - 00153 Roma - Italy Tel. (39) 06585661 - Fax. (39) 065800197 - [www.santegidio.org](http://www.santegidio.org) - [m2000@santegidio](mailto:m2000@santegidio)