

URGENT ACTION

Man with claims of innocence executed in Missouri

Walter Barton was executed on 19 May 2020. He was on death row in Missouri, USA since 2006 for the 1991 murder of a woman and always maintained his innocence. He faced five trials before being convicted and sentenced to death. Expert opinion and evidence, never heard by a trial jury, counter key elements of the prosecution's theory which led to Barton's conviction. The 19 May execution was the first in the USA since COVID-19 was declared a pandemic. We will continue to urge authorities to end the use of the death penalty and stop any future executions.

NO FURTHER ACTION IS REQUESTED. MANY THANKS TO ALL WHO SENT APPEALS.

Walter Barton was convicted and sentenced to death in 2006 for the murder of an 81-year-old mobile home park operator in Ozark, Missouri on 9 October 1991. This was the fifth trial in this case. Walter Barton maintained his innocence up until his execution on 19 May 2020.

Walter Barton was tried five separate times – the first two trials were declared mistrial – the first before the trial started and the second after a jury could not reach a verdict, the next two trials resulted in convictions and death sentences which were overturned on appeal due to prosecutorial misconduct – the fifth and final trial resulted in a conviction and death sentence in 2006. That last conviction was upheld by a 4-3 decision by the Missouri Supreme Court in 2007.

Expert testimony never heard by a trial jury refutes the state's expert witness' analysis of the blood spatter on Barton's clothes, which largely comprised the evidence presented against him, and confirms Barton's explanation. Three trial jurors recently signed affidavits indicating that the new blood analysis would have been "compelling" to them. Additional impeachment evidence of a jailhouse witnesses at the fifth trial was also never presented to a jury due to the failure of Mr. Barton's trial attorneys. On 27 April 2020, the Missouri Supreme Court denied a stay of execution, finding that the above information presents only "competing expert testimony" and "mere[...] impeachment evidence" that discredited the prosecution's case but did not establish his innocence.

Walter Barton's execution was the first in the USA since the COVID-19 was declared a pandemic. Texas, the only other state with scheduled executions that could legally move forward since a national emergency was declared because of COVID-19, has stayed or delayed all six execution dates. During its denial of his request for a stay of execution on 27 April 2020, the Missouri Supreme Court declined to address Barton's additional request to put off his execution because of public health dangers relating to the coronavirus pandemic. The US Supreme Court denied his last-minute appeal for a stay of execution.

The death penalty is the ultimate denial of human rights and Amnesty International opposes the sentence in all circumstances. Since 1973, 167 people have been exonerated from US death rows on innocence grounds. As of today, 106 countries have abolished the death penalty for all crimes and more than two-thirds are abolitionist in law or practice.

NAME AND PREFERRED PRONOUN: Walter Barton (He/his/him)

THIS IS THE SECOND AND FINAL OUTPUT FOR UA 80/20

LINK TO PREVIOUS UA: <https://www.amnesty.org/en/documents/amr51/2312/2020/en/>