

URGENT ACTION

INDEFINITE EXECUTION STAYS IN OKLAHOMA CASES

On 30 September the Governor of Oklahoma issued a 37-day stay of execution for Richard Glossip minutes before he was due to be killed, after the prison department revealed it did not have one of the drugs required for the lethal injection. The state Attorney General has now obtained indefinite stays of execution in this and two other cases.

Richard Glossip was sentenced to death for the murder of Barry Van Treese in January 1997. Justin Sneed confessed to killing the victim but said that Richard Glossip had offered him money to do it. He testified against Richard Glossip in order to avoid the death penalty. Richard Glossip has consistently maintained his innocence.

On 15 September 2015 Governor Mary Fallin refused to issue a stay of execution for Richard Glossip, who was due to be put to death on 16 September. Hours before the execution, the Oklahoma Court of Criminal Appeals (OCCA) issued an emergency stay so that it could consider the case, but also reset the execution for 30 September. On 28 September it ruled against Richard Glossip, saying the “law favours the legal principle of finality of judgment”, and that the evidence calling into question Justin Sneed’s lack of credibility was not “new”, but “merely builds upon evidence previously presented to this Court”. The Presiding Judge, joined by another of the judges, dissented: “While finality of judgment is important, the state has no interest in executing an actually innocent man.” The dissent argued that there should be an evidentiary hearing to “give Glossip the chance to prove his allegations that Sneed has recanted, or demonstrate to the Court that he cannot provide evidence that would exonerate him”.

On 30 September, as Richard Glossip’s execution approached, it came to light that the Oklahoma Department of Corrections (ODOC) had acquired potassium acetate rather than potassium chloride, the third drug used in its three-drug execution protocol. Minutes before the scheduled execution, and about an hour after the US Supreme Court had denied the final appeal, Governor Fallin issued a 37-day stay, resetting Richard Glossip’s execution for 6 November. She said that the stay would have “given the Department of Corrections and its attorneys the opportunity to determine whether potassium acetate is compliant with the execution protocol and/or to obtain potassium chloride”.

On 1 October state Attorney General Scott Pruitt filed a request in the OCCA for an indefinite stay of execution for Richard Glossip and two other Oklahoma inmates facing imminent execution dates, Benjamin Cole (7 October) and John Grant (28 October). He explained that his office needed time “to evaluate the events that transpired on September 30, 2015”, “ODOC’s acquisition of a drug contrary to protocol”, and “ODOCs internal procedures relative to the protocol”. An accompanying press release stated that the Attorney General’s office had already begun an inquiry into the events surrounding the scheduled Glossip execution, but that there was “no certain timetable as to when the inquiry will conclude”. On 2 October the OCCA granted the Attorney General’s request.

There have been 23 executions in the USA this year – and 1,417 since the US Supreme Court upheld revised capital statutes in 1976. Oklahoma accounts for 112 of these executions.

No further action by the UA Network is requested at present. Many thanks to all who sent appeals.

This is the second update of UA: 192/15. Further information: www.amnesty.org/en/documents/amr51/2466/2015/en/

Name: Richard Glossip

Gender m/f: m

Further information on UA: 192/15 Index: AMR 51/2616/2015 Issue Date: 7 October 2015

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