

PUBLIC

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Further information on UA 349/00 (AMR 51/173/00, 13 November 2000) - Death penalty / Legal concern

USA (Oklahoma) Dion Athanasius Smallwood, Native American/Hispanic, 31

Dion Smallwood was executed as scheduled in Oklahoma shortly after 9pm local time on 18 January 2001. He had been sentenced to death for the 1992 murder of Lois Frederick.

In his final statement he said: "To the victims of this case, if you didn't hear me before, hear me now. I'm sorry. This [execution] doesn't change anything. It just creates more victims. I am truly sorry."

The state Pardon and Parole Board had denied clemency at a hearing on 4 December. The US Supreme Court refused to hear a final appeal, which was based on the fact that the jury who sentenced Dion Smallwood to death never heard any mitigating evidence about Smallwood's mental illness (see original UA).

Among those appealing for the execution not to go ahead was the Secretary General of the Council of Europe. In a fax to the Oklahoma governor on 17 January, Secretary General Walter Schwimmer wrote: "I write to you to express my deepest concern and abhorrence about the imminent execution of Mr Dion Athansius Smallwood... I appeal to you, in the name of human decency, to do all that is in your power to stop this execution".

Dion Smallwood becomes the fourth prisoner to be executed in Oklahoma this month, and the 34th since executions resumed in the state in 1990. His was the seventh execution in the USA this year, and the 690th since executions resumed in 1977.

No further action is requested. Many thanks to all who sent appeals. Dion Smallwood's lawyer wishes to send her particular thanks to all those who copied appeals to her for the clemency hearing.