

# URGENT ACTION

## OHIO GOVERNOR COMMUTES DEATH SENTENCE

**The Governor of Ohio has commuted the death sentence of 63-year-old John Eley, who was due to be executed on 26 July for a murder committed in 1986.**

Ihsan Aydah was shot on 26 August 1986 during a robbery of his store in Youngstown, Ohio, and died the following day. **John Eley** was sentenced to death for the murder in 1987. Among those appealing for clemency was one of the judges who had sentenced John Eley to death and the prosecutor who had obtained the death sentence. An expert on intellectual disability concluded that John Eley met the criteria for “mental retardation”, which if accepted by the courts would have rendered his execution unconstitutional.

On 20 June 2012, the Ohio parole board announced that it had voted 5-3 against recommending the governor to commute John Eley’s death sentence. This decision was not binding on the governor. On 10 July, Governor John Kasich announced that he was commuting John Eley’s death sentence to life imprisonment without the possibility of parole. In his statement the governor said: “The murder of Ihsan Aydah was a heinous act that warrants severe punishment. In participating in the murder, John Jeffrey Eley, who has limited mental capacity, acted under the direction of another man who was later acquitted. Without those factors it is doubtful that Eley would have committed this crime. Additionally, the former Mahoning County prosecutor who tried Eley’s case now regrets the way the case was handled and its outcome, and has called for clemency. The combined weight of these facts leads me to commute Eley’s sentence to life in prison without parole.”

This is the third time Governor Kasich has granted clemency, having done so twice in 2011, in each case commuting the death sentence to life imprisonment without the possibility of parole. On the other two occasions, unlike in John Eley’s case, the parole board had voted unanimously to recommend clemency.

Amnesty International opposes the death penalty in all cases, unconditionally. There have been 1300 executions in the USA since judicial killing resumed there in 1977, including 45 in Ohio. There have been 23 executions so far in 2012, one of them in Ohio.

**No further action is requested from the UA Network. Many thanks to all who sent appeals.**

This is the first update of UA 186/12. Further information: <http://amnesty.org/en/library/info/AMR51/053/2012/en>

**AMNESTY  
INTERNATIONAL**

