

URGENT ACTION

State set to execute federal transferee

John Hanson is scheduled to be executed in Oklahoma on 12 June 2025 for a murder of a woman during a 1999 crime spree involving him and another man. Evidence that his co-defendant, convicted of a second murder, had confessed to shooting the woman, led a judge to order a new trial for John Hanson but this was overturned. Before the state trials, John Hanson was sentenced to life imprisonment on federal charges and held in federal prison. We urge the governor to stop this execution and work for its commutation.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

Office of Governor J. Kevin Stitt
2300 N. Lincoln Blvd., Suite 212
Oklahoma City, OK 73105
USA

Webform: <https://www.oklahoma.gov/governor/contact/leave-a-comment-or-opinion.html>

Dear Governor

I urge you to do all in your power and influence to prevent the execution of 61-year-old John Hanson, scheduled for 12 June 2025. I am aware that on 7 May the Pardon and Parole Board voted against clemency. However, not only did two of the five Board members vote for life, but at least one of the resentencing jurors has said she no longer supports the death sentence. Moreover, Judge Caroline Wall – who describes her judicial philosophy as one of a “constitutional conservative” – made clear in her post-resentencing report in 2006 that she considered life imprisonment without parole (LWOP), not the death penalty, as the appropriate sentence for John Hanson given various legal problems in the case. She had ordered a full retrial because of new evidence that John Hanson’s co-defendant – who would be sentenced to death in 2008 for both murders and is now serving LWOP for both – had confessed to the murder for which John Hanson is to be executed. Her order was overturned on technical grounds.

Judge Wall considered that race may have played a role in this case, noting that it was a “fact presented to the jury that the Defendant was a Black male with a history of offenses and the victim an elderly white female who was well liked and well known as a community volunteer and churchgoer”. She was effectively pointing to what studies have consistently shown, namely the unacceptable role played by race in capital cases. In a signed declaration, one of the jurors from the 2006 resentencing has asserted that “race played a role in Mr Hanson being sentenced to death” and that he “never had a chance with some of the jurors” given that he was Black and the victim was white.

*In 2016, thus not known by any jury, John Hanson was diagnosed with autism spectrum disorder. This has helped to explain his lifelong struggles, including his susceptibility to manipulation and being led by others. In the structured environment of prison, his disciplinary and work records during his more than two decades in federal custody have been praised by correctional officials. In this regard, I note that when the Oklahoma Attorney General welcomed the parole board’s decision against clemency, in his public statement he accused the previous federal administration of having “protected this monster from justice for too long”. I urge you to reject such dehumanizing tropes and to offer a response befitting a state authority that has the responsibility of protecting the human rights of all. **I urge you to use your power of reprieve to stop this execution and to work for commutation of this death sentence.***

Yours sincerely

ADDITIONAL INFORMATION

John Hanson and another Black man, VM, were convicted of a series of crimes in Oklahoma over a 10-day period in 1999. In June 2000, the two men were jointly tried and convicted in federal court on armed robbery charges and sentenced to life imprisonment. They were also charged under state law with two murders and tried separately in Tulsa County, Oklahoma – John Hanson in 2001 and VM in 2002. Each was convicted of murder and sentenced to death – John Hanson for the murder of a white woman, and VM for the murder of a white man.

The prosecution had forensic and circumstantial evidence against both men, but its theory of the two murders was based on the claim by an informant that John Hanson had said that VM shot the man and Hanson shot the woman. On appeal, John Hanson was granted a resentencing on other grounds. His case was assigned to Tulsa County District Court Judge Caroline Wall. Just before the resentencing was to start in 2005, the prosecution provided John Hanson's lawyers with evidence that VM had confessed in jail in 2001 to having shot the woman and that in 2003 a police officer had obtained a statement to this effect from the person (AH) to whom VM had allegedly confessed. Judge Wall deemed the evidence credible and sufficient to order that John Hanson receive a full new trial, finding it "creates a reasonable probability that, had it been introduced at trial, it would have changed the outcome". However, the Oklahoma Court of Criminal Appeals (OCCA) overturned her order on technical grounds, and the resentencing went ahead in 2006. John Hanson was again sentenced to death for the murder of the woman. VM, in contrast, was granted a full retrial. In 2008, he was convicted of both murders and received two death sentences. On appeal, VM's death sentence for the murder of the woman was modified to life without the possibility of parole (LWOP) on a double jeopardy finding relating to sentencing. The second death sentence was remanded because of legal errors, after which the state agreed to a plea deal and a sentence of LWOP for that murder also.

The OCCA, which noted that the informant's claim about who had shot who was "critical" to the whole case, ruled that the testimony should not have been admitted against VM as it was unreliable hearsay – the reason for VM being granted a retrial. Judge Wall noted that the OCCA detailed "the importance and the defects in [the informant's] statement". She added that, although the statement was "admissible in Hanson's case", as it did not implicate the constitutional restrictions on hearsay testimony as it did in VM's case, "the issues of credibility remain". Moreover, "the first Hanson jury was not instructed on the law" regarding the need for "great caution and requirement of corroboration" in relation to such statements. The informant died before Hanson's resentencing, but his prior trial statement was read into the record for the resentencing jury without the defence being able to subject it to adversarial testing, and despite the directly contradictory new evidence of VM's confession. His lawyers described their position as having been "severely hampered" by the informant's "unavailability", especially given the newly discovered confession evidence. In her report, Judge Wall made clear that she did not think John Hanson's death sentence was appropriate because of the evidence of VM's confession and other issues. Although the resentencing jury heard a brief passing reference to the alleged confession, that jury was required only to decide on sentence. In her report, Judge Wall wrote that to "sentence Hanson to death where there was newly discovered evidence that was not presented to the trier of fact on the guilt and innocence (first stage) was troubling to me".

Judge Wall wrote that "on the factual issue of Defendant Hanson's individual participation in the shooting, it appeared to me that the facts presented in the second trial could support either the State's or the Defense's theory of events". She suggested that the constitutional requirement of individualized consideration of culpability in determining sentence had not been met. John Hanson alone faces execution for these murders. Overall, as in the federal prosecution, multiple state juries ultimately found VM more culpable than John Hanson. VM received death sentences for both murders and in each case the jury found all the aggravating factors asserted by the prosecution. While John Hanson was sentenced to death twice, both juries rejected some of the aggravators. In a signed declaration, VM's wife said that John Hanson "did whatever [VM] told him to do. It was like [VM] had something over him". Knowing VM as she did, she added that she did not believe John Hanson "shot either of those people".

From August 2000 to March 2025, except when he was brought to Oklahoma for trial and resentencing, John Hanson was held in federal custody in Louisiana, serving his life sentence on the armed robbery charges. His execution was set for 15 December 2022, and the state asked the federal government to transfer him to Oklahoma. The Biden administration refused on the grounds that he had not served his federal life prison sentence and "his transfer to state authorities for state execution is not in the public interest". On 20 January 2025, shortly after his inauguration, Donald Trump signed an Executive Order on the death penalty, including promising help to "preserve capital punishment in the States". On 5 February 2025, his new Attorney General made clear that this would include the transfer for execution of individuals with state death sentences who were in federal prison. On 1 March, John Hanson was transferred to Oklahoma State Penitentiary. His lawyers learned of the transfer only after it had been completed. Oklahoma accounts for 128 of the USA's 1,626 executions since 1976. There have been 19 executions in the USA in 2025, one of them in Oklahoma. Amnesty International opposes the death penalty in all cases unconditionally.

PREFERRED LANGUAGE TO ADDRESS TARGET: English. You may also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 12 June 2025.

NAME AND PRONOUNS: John Hanson [He/Him]

LINK TO PREVIOUS UA: n/a