

USA (Mississippi) Tracy Alan Hansen, white, aged 39

Tracy Hansen is scheduled to be executed in Mississippi on 17 July 2002. He was sentenced to death in 1987 for the murder of a police officer earlier that year. If carried out, this would be the first execution in Mississippi for 13 years.

On 10 April 1987, David Bruce Ladner, an officer of the Mississippi Highway Safety Patrol, was shot after he stopped the car in which Tracy Hansen and Anita Louise Krecic were travelling. Officer Ladner died in hospital on the morning of 12 April. Hansen and Krecic were both charged with capital murder. Anita Krecic received a life sentence.

At a capital trial in the USA, after the defendant has been convicted, the proceedings move into a separate sentencing phase. At this phase, the prosecution argues for execution, while the defence presents evidence for leniency. International safeguards require that capital defendants be provided with adequate legal representation at all stages of proceedings, above and beyond that in non-capital cases. In 1996, the United Nations Special Rapporteur on extrajudicial, summary or arbitrary executions emphasized that in capital cases all mitigating factors must be taken into account.

Tracy Hansen was represented at trial by a lawyer who had been practising law for less than five years when he was appointed to the case. He had never handled a death penalty case before. The lawyer later admitted that he had not begun to prepare for the sentencing stage of Hansen's trial until after the guilt phase had ended. He failed to present substantial mitigating evidence of the physical, sexual and psychological abuse Tracy Hansen suffered as a child at the hands of family members, or of his subsequent resort to solvent abuse and eventual addiction to cocaine. Hansen was diagnosed with organic brain damage, an issue about which the jury was also left unaware.

Three jurors from the trial have signed affidavits indicating that they might not or would not have voted for a death sentence if they had heard the evidence of abuse and mental impairment. A Mississippi jury has to be unanimous in handing down a death sentence, so if any juror had not voted for death, a life sentence would have been the outcome.

One of the jurors states in her affidavit that a very little evidence was presented on Tracy Hansen's behalf... If I am to be responsible for so serious a penalty as the death penalty, I deserve to hear all of the evidence, both for and against the defendant, before making my decision. Another of the jurors recalls: The attorney who was representing Tracy Hansen didn't seem to put any evidence for him at sentencing. It didn't seem like anyone was standing up for him. This juror said that it would have made a difference to her vote if she had known of the childhood abuse, or if I'd heard some evidence that he was dominated by [Anita Krecic].

The third juror's affidavit also expressed concern after hearing evidence that Hansen's co-defendant played a dominant role over Hansen at the shooting. He also recalls: Most jurors were not eager to give Tracy Hansen the death penalty, but there really wasn't much evidence to outweigh the evidence which the prosecution presented. The juror gave the example, also cited in the other two affidavits, of how the jury had not known that Hansen's mother tried to abort him by using

alcohol and pills before he was even born, and that after he was born, she continued to abuse him so severely. That kind of evidence would have changed my decision to vote for the death penalty, because it shows that he just never had a chance to begin with@.

Tracy Hansen, who has been on death row for 15 years, is said to be extremely remorseful about the shooting of Bruce Ladner, and to have written several letters to the victim=s daughter expressing his sorrow and remorse about the death of her father.

BACKGROUND INFORMATION

Amnesty International opposes the death penalty in all cases. The organization believes that every death sentence is an affront to human dignity, and every execution a symptom of a culture of violence rather than a solution to it. The victims of violent crime and their families are deserving of respect, compassion and justice; retributive killing is surely not the way to achieve these goals.

A clear majority of countries B currently 111 B have abolished the death penalty in law or practice. Since Mississippi last carried out an execution -- that of Leo Edwards on 21 June 1989 -- over 40 countries have legislated against the death penalty. Furthermore, the international community has ruled out the death penalty as a sentencing option in international courts for even the worst crimes B genocide, war crimes, and crimes against humanity. Since executions resumed in the USA in 1977, 784 men and women have been put to death, more than 500 of them since 1995.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language, in your own words:

- expressing sympathy for the family and friends of Officer Bruce Ladner, and explaining that you are not seeking to excuse the manner of his death or to minimize the suffering it will have caused;
- expressing concern that the jury which sentenced Tracy Hansen to death was left unaware of substantial mitigating evidence about his background of abuse and his mental impairment;
- noting that three of the trial jurors have indicated that they would not have voted for death if they had been presented with this evidence;
- noting that Tracy Hansen=s co-defendant received a life sentence;
- noting Tracy Hansen=s remorse for the crime;
- urging the Governor to grant clemency to Tracy Hansen.

APPEALS TO:

Governor Ronnie Musgrove
Office of the Governor
PO Box 139, Jackson, MS 39205, USA

Fax: +1 601 359 3741

Email: via website: www.governor.state.ms.us/aboutthegov/writetoindex.htm

Salutation: Dear Governor

COPIES TO: diplomatic representatives of USA accredited to your country.

You may also copy your appeals to the following newspaper, or alternatively send brief letters (not more than 250 words) to its editor at:

Letters to the Editor, c/o *The Clarion-Ledger*, PO Box 40, Jackson, MS 39205-0400,

USA

Fax: +1 601 961-7211

Email, via website: www.clarionledger.com/news/about/letters.html#form

PLEASE SEND APPEALS IMMEDIATELY.