

EXTRA 30/99

Death pen**USA (Illinois) Andrew KOKORALEIS, aged 35**

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Andrew Kokoraleis is scheduled to be executed at Tamms maximum security prison in southern Illinois on 17 March 1999. He was sentenced to death in 1987 for the rape, aggravated kidnapping and murder of Lorraine Borowski in Chicago in 1982 when he was 19.

His lawyers have appealed against the death sentence on the basis of evidence which they say shows that he was wrongly convicted of this murder and that another man, Robin Gecht, killed Lorraine Borowski.

The principle evidence against Andrew Kokoraleis in this case was his own confession and statements given to police by his brother, Tommy, and another man, Edward Spreitzer. According to reports, the Kokoraleis brothers and Spreitzer have between them been found guilty of six killings - of five women and one man - carried out in 1981 and 1982. Edward Spreitzer is on death row, Tommy Kokoraleis is serving life imprisonment, and Andrew Kokoraleis is also serving life imprisonment for another of the murders. Robin Gecht, the alleged ringleader of the group, was reportedly sentenced to 120 years in prison for rape.

Andrew Kokoraleis has maintained for many years that he only confessed to the Borowski murder because he was beaten by police. On the same day as he confessed to that murder, he reportedly confessed to another killing, but detectives realised this was false because of the incorrect details he gave about the crime. A lie detector test Kokoraleis took in 1991 was considered by the examiner to confirm that he was telling the truth when he said that police had beaten him before he confessed to the Borowski murder.

The initial confessions of Edward Spreitzer and Tommy Kokoraleis indicated that it was Robin Gecht, not Andrew Kokoraleis, who killed Lorraine Borowski. Andrew Kokoraleis's current lawyers claim that the two men changed their statements because they were afraid of Robin Gecht. This version of events appears to be supported in a book, *Deadly Thrills*, written by a Chicago police officer and published in 1995.

**BACKGROUND INFORMATION**

The recent history of the death penalty in Illinois has shown that wrongful convictions are an ever-present danger in capital justice. On 5 February 1999 Anthony Porter was released from death row after evidence of his innocence was uncovered. On 19 February Steven Smith was released from death row after the state Supreme Court ruled that the only witness against him was unreliable.

Nine other men have been found to have been wrongfully convicted in Illinois since 1987. Several, like Anthony Porter, had come close to execution (see update to EXTRA 66/98, AMR 51/26/99, 10 February).

Amnesty International opposes the death penalty in all cases, irrespective of issues of guilt or innocence. Every death sentence is an affront to human dignity; every execution, with its message that killing is an appropriate response to killing, compounds the violence in society. For many people, the ever-present risk of wrongful conviction is reason enough to abandon the death penalty. Since 1973 in the USA, 77 people have been exonerated after being sent to death row. Many had come close to execution before being released.

Concern over the high rate of wrongful conviction in Illinois has fuelled demands for a moratorium on executions in Illinois. On 25 February 1999 House Speaker Michael Madigan called on Governor Ryan to convene a summit on this "very serious problem that ought to be reviewed."

In February 1999, a coalition of lawyers and activists called for an independent investigation into the cases of 10 death row inmates, who allegedly confessed after police torture and ill-treatment in the 1980s. In its November 1998 report *Fatal Flaws: Innocence and the Death Penalty in the USA* (AMR 51/69/98), Amnesty International featured the case of one of these men, Aaron Patterson, currently on death row in Pontiac Prison, Illinois. There are serious doubts about his guilt.

**RECOMMENDED ACTION: Please send telegrams/faxes/express/airmail letters in English or your own language:**

- acknowledging the heinous nature of the crime for which Andrew Kokoraleis was convicted and sentenced to death, noting that he is also serving a life sentence for another murder;
- noting, however, the existence of evidence not raised at his trial that he may not have committed the murder for which he was sentenced to die;
- calling for his death sentence to be commuted, or at the very least for a stay of execution so that a hearing into this evidence can be held;
- urging that steps be taken to abolish the death penalty in Illinois - the only way of ensuring that wrongfully convicted people are not executed;
- urging that, at the very least, a moratorium be imposed so that the state's death penalty procedures can be investigated and a review of all death sentences in Illinois can be conducted to establish if there are other wrongfully convicted people on death row (you can mention the case of Aaron Patterson as a possible example of wrongful conviction).

**APPEALS TO:**

**Governor**

The Honorable George Ryan  
 Capitol Building  
 Springfield, IL 62706, USA

**Fax: +1 217 782 3560**

**Telegrams: Governor Ryan, Springfield, Illinois, USA**

**Salutation: Dear Governor**

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and to diplomatic representatives of the USA accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.**