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Further information on EXTRA 96/99 (AMR 51/119/99, 29 July 1999) - Death penalty / Legal concern

USA (North Carolina) Joseph Timothy Keel, white, aged 35

On 3 August 1999, the Supreme Court of North Carolina stayed the execution of Joseph Timothy (Timmy) Keel, who was scheduled for lethal injection on 6 August. He was sentenced to death at a retrial in 1993 for the murder of his father-in-law, John Simmons, who was shot on his hog farm in 1990.

The prosecution, and relatives of John Simmons, had reportedly already met with Governor Hunt to urge that the execution should go ahead. The defence lawyers also met separately with the Governor to urge clemency.

Before the stay was granted, the defence had obtained an affidavit from the psychologist who testified at the sentencing phase of Timmy Keel's original trial. In his affidavit, the psychologist stated that the defence had never asked him to testify at the guilt/innocence phase of the trial (see original EXTRA). He stated that if they had asked him to, he could and would have testified that at the time of the crime Keel's "thought processes were hampered by his cognitive dysfunction and he could not fully understand the consequences of his actions". He further stated that technology that has since become available could help to determine the extent of Keel's brain dysfunction.

On 3 August, Amnesty International received the following message from one of Timmy Keel's lawyers: "I am pleased to inform you that the North Carolina Supreme Court temporarily stayed Mr. Keel's execution set for Friday. Hopefully we will obtain adequate time and funds to examine the issues that are presented in this case. I sincerely thank you for all of your efforts on behalf of Mr. Keel. I will keep you informed in the event that a new execution date is set."

No further action by the UA Network is requested at present. Many thanks to all who sent appeals.