

EXTERNAL (for general distribution)

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Death Penalty

23 May 1995

USA (Missouri)

Larry GRIFFIN

Larry Griffin, black, is scheduled to be executed in Missouri on 21 June 1995.

He was sentenced to death in 1980 for the murder of Quinton Moss during a drive-by shooting.

Further investigation by Larry Griffin's current attorneys has produced new evidence that may cast doubts upon his guilt. According to reports, no physical evidence linked Griffin to the crime. Fingerprints found on the car and weapons used during the crime did not match Griffin's fingerprints. Griffin appears to have been convicted on the basis of identification evidence by a eyewitness who has since retracted his testimony.

In addition, two new eyewitnesses to the murder of Quinton Moss have come forward and stated under oath that Griffin was not in the car when the shooting took place. One of the witnesses was acting as a lookout man during the crime and has named the three other individuals involved in the shooting.

The new evidence has been rejected by the federal courts as not being sufficiently credible to justify granting Griffin a new trial.

Amnesty International opposes the death penalty in all cases as a violation of the right to life and the right not to be subjected to cruel and degrading punishment as proclaimed in Article 5 of the Universal Declaration of Human Rights. In addition, Amnesty International is concerned that the execution of Larry Griffin, if carried out, may violate United Nations safeguards. The UN Economic and Social Council (ECOSOC) Resolution 1984/50, safeguard 4, states: "*Capital punishment may be imposed only when the guilt of the person charged is based upon clear and convincing evidence leaving no doubt for an alternative explanation of the facts.*"

BACKGROUND INFORMATION

As of 31 January 1995, there were 94 prisoners under sentence of death in Missouri. The most recent prisoner to be executed was Emmitt Foster on 3 May 1995. The method of execution is lethal injection. In Missouri the Governor has final clemency authority; the Board of Pardons and Parole submits recommendations to the Governor.

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

To Governor Carnahan:

- urging Governor Carnahan to grant clemency to Larry Griffin by commuting his sentence of death;

To the Board of Pardons and Parole:

- urging that they recommend that Governor Carnahan grant clemency to Larry Griffin;

To both:

- expressing deep concern that the state of Missouri is actively seeking to execute Larry Griffin on 21 June 1995 in the face of doubts concerning his guilt;
- expressing concern that Larry Griffin may have been convicted primarily on the strength of the evidence of an eyewitness who has since recanted his testimony in a sworn statement;
- expressing Amnesty International's belief that this execution may violate United Nations ECOSOC safeguards (detailed above);
- expressing sympathy for the victims of violent crime and their families, but explaining Amnesty International's opposition to the death penalty in all cases.

APPEALS TO:

The Honourable Mel Carnahan
Governor of Missouri
PO Box 720
Jefferson City, MO 65102, USA
Telegrams: Governor Carnahan, Jefferson City, MO 65102, USA
Faxes: + 1 314 751 1495
Telephone: + 1 314 751 3222
Salutation: Dear Governor

Missouri Board of Pardons and Parole
Department of Corrections
117 Commerce Drive
Jefferson City, MO 65109, USA
Telegrams: Missouri Pardon Board, Jefferson City, USA
Faxes: + 1 314 751 4099
Salutation: Dear Chairman and Board Members

COPIES OF YOUR APPEALS TO:

The Letters Editor
Kansas City Star
1729 Grand Avenue
Kansas City, MO 64108, USA
Faxes: + 1 816 234 4926

and to diplomatic representatives of the USA accredited to your country

PLEASE SEND APPEALS IMMEDIATELY.