

To: Sections

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EXTERNAL (for general distribution)

AI Index: AMR 51/28/91
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EXTRA 52/91 Death Penalty

16 August 1991

USA (Louisiana): Robert Sawyer

Robert Sawyer is scheduled to be executed in Louisiana on 22 August 1991. Mr Sawyer, white, now aged 40, was sentenced to death on 16 October 1980 for the murder, committed in September 1979, of a white female. (Please see TLX 37/90, 1 October 1990 and follow-ups, 12 October 1990, 5 December 1990 and 19 December 1990)

According to hospital records, at the age of 16, Mr Sawyer was diagnosed as being "moderately retarded" and suffering from chronic brain disorder. Mr Sawyer's present I.Q. is 68; a person of average intelligence has an I.Q. of 100. Mr Sawyer's mental retardation was discovered only recently after his case was taken up by a new attorney.

This information was not made available to the jury at the sentencing phase of Mr Sawyer's trial because his trial lawyer allegedly made no investigation of his background. Consequently, this evidence was not considered by the jury as a mitigating circumstance in their determination of whether to impose a sentence of death or life imprisonment.

According to reports, Mr Sawyer grew up in a disturbed family environment. His mother tried several times to kill him and his twin sister while they were infants. She suffered from post-partum depression and was physically abused by Mr Sawyer's father. She took her own life while the twins were infants. Mr Sawyer's father apparently blamed the children for their mother's death.

BACKGROUND INFORMATION

As of April 1991 there were 34 prisoners under sentence of death in Louisiana. The most recent person to be executed in the state was Andrew Lee Jones on 22 July 1991. The method of execution in Louisiana was changed on 1 January 1991 from electrocution to lethal injection. After 15 September 1991, prisoners will be executed by lethal injection. Thus, Robert Sawyer may become the last prisoner executed in Louisiana's electric chair.

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, inhuman and degrading treatment or punishment, as proclaimed in the Universal Declaration of Human Rights.

RECOMMENDED ACTION: Telegrams/telexes/faxes/telephone calls/express and airmail letters:

Appeals to Governor Roemer:

- urging Governor Roemer to grant clemency to Robert Sawyer by commuting his death sentence;

Appeals to the Board of Pardons and Paroles:

- urging the Board of Pardons and Paroles to recommend that the Governor grant clemency to Robert Sawyer;

Appeals to both:

- expressing concern that Mr Sawyer's history of mental illness/mental retardation was not heard by the sentencing jury as mitigating factors in their determination of whether to seek a sentence of death or life imprisonment.

APPEALS TO:

The Honourable Charles Roemer
Governor of Louisiana
State Capitol
Baton Rouge, LA 70804
USA

**Telegrams: Governor Roemer, Baton Rouge
Louisiana 70804, USA**
Telexes: 5109933256
Faxes: +(504) 342 0909
Telephone: +(504) 342 7015

Louisiana Board of Pardons and Paroles
504 Mayflower Street
Baton Rouge, LA 70802
USA

**Telegrams: Louisiana Pardons Board, Baton Rouge
Louisiana 70802, USA**
Faxes: +(504) 342 6593
Telephone: +(504) 342 5421

COPIES TO: Diplomatic representatives of the USA in your country.

PLEASE SEND APPEALS IMMEDIATELY, TO ARRIVE BY 21 AUGUST 1991.