

URGENT ACTION

EXECUTION SET AFTER 34 YEARS ON DEATH ROW

John Conner, a 60-year-old man who has been on death row in Georgia for 34 years, is scheduled to be executed on 14 July. Represented at trial by an inexperienced attorney, his jury heard nothing about his abusive childhood, or his possible intellectual disability.

The body of J.T. White was found on 10 January 1982 in Telfair County, Georgia. His friend **John Wayne Conner**, then 25, told police he had got into a drunken fight with J.T. White when he had made lewd comments about Conner's fiancé. John Conner attempted suicide while in pre-trial custody and was hospitalized for several weeks.

John Conner was represented by a 26-year-old lawyer with no previous death penalty experience. He presented no evidence at either phase of the trial which, including jury selection, took just three days. After the jury voted to convict, the lawyer informed the judge that his client had told him not to present any mitigating evidence, minutes before the sentencing phase was due to begin. Neither his attorney nor the judge fully explained to John Conner the implications of his decision. Despite the fact that his client had possible intellectual disability, a history of depression, and had tried to kill himself not long before, the lawyer did not seek a delay in proceedings which then began a few minutes later. No mitigation was presented. The jury voted for death that same day, 14 July 1982.

The jury did not learn about John Conner's childhood of poverty and abuse at the hands of an alcoholic father. One of his sisters has said "it was hell growing up a Conner", and his lawyers have described an upbringing of "extraordinary familial violence that frequently involved knives and guns; regular drug and alcohol abuse; and brutal physical, sexual, and emotional abuse." As a boy, "John witnessed and suffered various forms of abuse including routine beatings with cords, watering hoses, sticks, roots"; "verbal abuse mocking his limited intellectual functioning, and knife slashings and gun shots by his father". John Conner turned to alcohol and drugs to alleviate anxiety and depression, only accentuating his problems. He made several suicide attempts. On appeal, three experts for the defence concluded that John Conner has an intellectual disability. For the state, three experts concluded that he does not. A federal judge ruled that intellectual disability had not been proven and the US Court of Appeals found that this ruling was "not clearly erroneous".

John Conner has had no disciplinary action against him for 17 years, and only three in 34 years. He has ended his substance addictions, taken to painting as art therapy, and become a positive role model to others. One of the former death row officers supporting clemency says inmates like John Conner make prison "safer for everyone".

Please write immediately in English or your own language:

- Calling for John Conner's execution to be halted and his death sentence commuted;
- Expressing concern that the jury never heard about his abusive childhood or possible intellectual disability, and noting that the parole board now has the chance to consider the mitigating effect of this information;
- Noting the evidence of personal growth that John Conner has achieved on death row after his chaotic and violent upbringing and the positive role he is said to play in prison;
- Explaining that you are not seeking to excuse violent crime or downplay the suffering caused.

PLEASE SEND APPEALS BEFORE 14 JULY 2016 TO:

State Board of Pardons and Paroles

2 Martin Luther King, Jr. Drive SE, Suite 458, Balcony Level,
East Tower, Atlanta, Georgia 30334-4909, USA

Fax: +1 404-651-6670

Email: laqsmith@pap.state.ga.us; Clemency_Info@pap.state.ga.us

Salutation: **Dear Board Members**

And copies to:

Governor Nathan Deal

Office of the Governor, 206 Washington Street,
111 State Capitol, Atlanta, Georgia 30334, USA (If possible, urge
the Governor to work in support of a moratorium on executions with
a view to abolition of the death penalty in Georgia)

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date.

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ADDITIONAL INFORMATION

John Conner's current lawyers state that "despite being on death row for the last 34 years without hope of release, Mr Conner has transformed himself from a violent young man with severe substance abuse problems into a peaceful and productive member of the prison community". A retired prison officer who oversaw John Conner for six years on death row, has written: "I wish more inmates were like Mr Conner. It certainly would make the prisons safer. I think Mr Conner has been a great asset to officers and other inmates. He has proven himself to be a very good inmate and a good example to others".

The death penalty denies the possibility of rehabilitation. It is the ultimate cruel, inhuman and degrading punishment and is incompatible with human dignity. Forty years ago this month the US Supreme Court, in *Gregg v. Georgia*, approved new capital statutes, allowing executions to resume in the USA after nearly a decade without them (see Amnesty International's report *Still lethal after all these years: Gregg v. Georgia at 40*, <https://www.amnesty.org/en/documents/amr51/4375/2016/en/>). A dissenting Justice wrote that "[T]he State, even as it punishes, must treat its citizens in a manner consistent with their intrinsic worth as human beings... The fatal constitutional infirmity in the punishment of death is that it treats members of the human race as nonhumans, as objects to be toyed with and discarded". A second dissenter wrote, "[T]he taking of life 'because the wrongdoer deserves it' surely must fall, for such a punishment has as its very basis the total denial of the wrongdoer's dignity and worth. The death penalty, unnecessary to promote the goal of deterrence or to further any legitimate notion of retribution, is an excessive penalty".

International standards require that capital defendants receive adequate legal representation at all stages of proceedings, and also prohibit the use of the death penalty against defendants with mental disabilities. There have been 1,436 executions in the USA since 1976, 65 of them in Georgia (all of them carried out since John Conner has been on death row). There have been 14 executions this year, five of them in Georgia.

Amnesty International unconditionally opposes the death penalty in all circumstances and all cases. Today, 140 countries are abolitionist in law or practice.

Name: John Wayne Conner
Gender m/f: m

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