

PUBLIC

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Further Information on EXTRA 88/02 (AMR 51/179/2002, 5 December 2002) Death penalty

USA (Illinois)

Clemency for 171 death row inmates

On 10 January 2003, Governor George Ryan of Illinois pardoned four condemned inmates, and the following day he commuted the death sentences of the other 167 prisoners on death row in the state. It was one of Governor Ryan's last acts in office before the inauguration of Governor-elect Blagodevich on 13 January.

Governor Ryan's decision came three years after he imposed a moratorium on executions in Illinois because of its "shameful" record of wrongful convictions in capital cases. At that stage, Illinois had executed 12 prisoners and released 13 others on grounds of innocence.

On 10 January, the Governor pardoned Madison Hoble, Stanley Howard, Leroy Orange and Aaron Patterson, who claim that they were tortured by police into making confessions to murders they did not commit. All four men had spent at least 12 years on death row. In his commutation speech the following day, Governor Ryan said that "there is not a doubt in my mind that the number of innocent men freed from our death row stands at 17, with the pardons of Aaron Patterson, Madison Hoble, Stanley Howard and Leroy Orange. That is an absolute embarrassment: 17 exonerated death row inmates is nothing short of a catastrophic failure".

In his speech, delivered at Northwestern University College of Law in Chicago, Governor Ryan said: "If the system was making so many errors in determining whether someone was guilty in the first place, how fairly and accurately was it determining which guilty defendants deserved to live and which deserved to die? What effect was race having? What effect was poverty having? Our capital system is haunted by the demon of error, error in determining guilt, and error in determining who among the guilty deserves to die. Because of all these reasons, today I am commuting the death sentences of all death row inmates."

Governor Ryan commuted the death sentences of 164 prisoners to life imprisonment without parole. Three men, Mario Flores, Montel Johnson and William Franklin, had their sentences commuted to 40 years in prison "to bring their sentences into line with their co-defendants and to reflect the other extraordinary circumstances of these cases."

Governor Ryan continued: "As I said when I declared a moratorium, it is time for a rational discussion of the death penalty. While our experience in Illinois has indeed sparked a debate, we have fallen short of that a rational discussion. Yet if I did not take this action, I feared that there would be no comprehensive and thorough inquiry into the guilt of the individuals on death row or of the fairness of the sentences applied. To say it plainly one more time – the Illinois capital punishment system is broken. It has taken innocent men to a hair's breadth escape from their unjust execution. Legislatures past have refused to fix it. Our new legislature and our new Governor must act to rid our state of the shame of threatening the innocent with execution and the guilty with unfairness. In the days ahead, I will pray that we can open our hearts and provide something for victims' families other than the hope of revenge".

Among those who had appealed to the Governor for a blanket commutation had been former South African President Nelson Mandela, Archbishop Desmond Tutu, and the Vatican. The Governor's decision has come under sharp criticism from some Illinois prosecutors and some relatives of murder victims, who had opposed clemency.

The Director of Murder Victims' Families for Reconciliation expressed the organization's support for the governor's decision, saying: "Capital punishment does not heal the wounds of murder".

No further action by the UA Network is requested. Many thanks to all who sent appeals, and thereby participated in this historic decision.