

PUBLIC

AI Index: AMR 51/009/2006

10 January 2006

Further Information on UA 01/06 (AMR 51/005/2006, 03 January 2005) - Death Penalty

USA (California) Clarence Ray Allen (m), aged 75, Choctow Indian

Clarence Ray Allen's attorneys petitioned the California Supreme Court on 6 January for a stay of execution, to allow time for Allen to receive testing to investigate the possibility that he has organic brain damage.

Later that day, Governor Schwarzenegger denied a request for a clemency hearing with Allen's attorneys, but undertook to review documents submitted in support of clemency.

Clarence Allen was sentenced to death in 1982 for commissioning the murders of Bryon Schletewitz, Josephine Rocha and Douglas White, while serving a life sentence for arranging the 1974 murder of Mary Sue Kitts, a potential witness against him in a burglary case. Bryon Schletewitz was one of eight witnesses who had testified against Allen in the Kitts case. Contrary to the information in the original UA, Josephine Rocha and Douglas White had not been among the eight witnesses.

Allen was also convicted of conspiracy to murder the seven other witnesses. Billy Hamilton, the man who actually carried out the three murders, was also sentenced to death.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language:

- expressing deep concern at the imminent execution of Clarence Ray Allen;
- expressing sympathy for the family and friends of Bryon Schletewitz, Josephine Rocha and Douglas White, and explaining that you are in no way seeking to excuse the manner of their deaths;
- noting that Clarence Ray Allen is an infirm and elderly man, and that his attorneys have requested that he receive testing to determine whether he has organic brain damage;
- urging Governor Schwarzenegger to grant clemency to Clarence Allen, or at the very least to grant a stay of execution to allow testing to be carried out.

APPEALS TO:

Governor Arnold Schwarzenegger, State Capitol Building, Sacramento, CA 95814, USA

Fax: +1 916 445 4633

Salutation: Dear Governor Schwarzenegger

COPIES TO: diplomatic representatives of the USA accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY.