

EXTERNAL

AI Index: AMR 51/15/96

EXTRA 18/96

Death Penalty / Legal concern

8 February 1996

USA (Missouri) Jeff Sloan, aged 29

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Jeff Sloan, white, is scheduled to be executed in Missouri on 21 February 1996. He was sentenced to death on 3 April 1987 for the murder of his father, Paul Sloan, his mother, Judith Sloan, his 18-year-old brother, Timothy and his nine-year-old brother, Jason.

The attorney currently representing Sloan has appealed on the grounds that Sloan did not receive adequate representation at his trial. Both of his former lawyers had never handled a death penalty case before and failed to present any meaningful evidence in mitigation of the crime for which he was convicted. One attorney was not in the courtroom for the majority of the trial and did not make any statement on the record during the trial. Both have since been disbarred from practising law.

According to the clemency petition filed by his present attorney, Jeff Sloan was physically and emotionally abused by his father as a child. He suffered brain damage after being struck on the back of his head by his father, when he was 12-years-old. Neighbours reported seeing bruises and signs of beatings in his body. He expressed an intense fear of his father as well as making extreme efforts to please him. According to the clemency petition, "the jury did not hear independent evidence of Jeff's mother's scheme to end the cycle of abuse and her own bout with cancer by urging Jeff to kill all the members of the family, including herself". According to a report prepared by Dr Marilyn Hutchison, Sloan suffers from "significant cognitive deficiencies that were the result of a learning disability and/or profound head trauma". Psychological testing endorses a possible diagnosis of paranoid schizophrenia and clear evidence of thought disordered thinking.

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, the execution of Jeff Sloan may be in contravention of United Nations Economic and Social Council (ECOSOC) resolution 1989/64, adopted in May 1989, which recommends "eliminating the death penalty for persons suffering from mental retardation or extremely limited competence".

#### **BACKGROUND INFORMATION**

As of 31 October 1995 there were 93 prisoners under sentence of death in Missouri. The most recent execution in Missouri was Robert O'Neal, on 6 December 1995. The method of execution is lethal injection.

In Missouri the Governor has final clemency authority; the Board of Probation and Parole submits recommendations to the Governor.

#### **RECOMMENDED ACTION: Please send telegrams/faxes/express and airmail letters in English:**

To Governor Carnahan:

- urging the Governor to grant clemency to Jeff Sloan;

To the board of Pardons and Paroles:

- urging that they recommend that Governor Carnahan grant clemency to Jeff Sloan;

To both:

- expressing concern that evidence relating to Jeff Sloan's history of mental illness was not presented to the jury responsible for sentencing him to death (please cite the ECOSOC resolution);
- expressing concern at reports that Jeff Sloane received inadequate legal representation at his trial;
- acknowledging the seriousness of the crimes for which he was convicted and expressing sympathy for the victims of violent crime and their families, but explaining Amnesty International's opposition to the death penalty in all cases;
- pointing out that the death penalty has never been shown to deter violent crime more effectively than any other punishment, and stating that the death penalty is a violation of the right to life and the right not to be subjected to cruel, inhuman or degrading punishment, as proclaimed in the Universal Declaration of Human Rights.

**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 Probation and Parole  
Department of Corrections  
1511 Christy Drive  
Jefferson City, MO 65109  
USA

**Telegrams: Missouri Pardon Board, Jefferson City, USA**  
**Faxes: +1 314 751 8501**  
**Salutation: Dear Chairman and Board Members**

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and to diplomatic representatives of USA accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.**