

PUBLIC

AI Index: AMR 51/16/00

27 January 2000

Further information on EXTRA 141/99 (AMR 51/163/99, 8 October 1999) and follow-up (AMR 51/174/99, 27 October 1999) - Death penalty

USA (Florida) Terry Melvin SIMS, white, aged 57
Anthony Braden BRYAN, white, aged 40

On 26 January 2000, less than two weeks after the Florida legislature voted to introduce lethal injection as an execution method, Governor Jeb Bush ordered the executions of Terry Sims and Anthony Bryan to go ahead. They are scheduled to be executed at 7am on February 23 and 24 respectively.

Terry Sims was sentenced to death in 1979 for the murder of George Pfeil, an off-duty police officer, during a robbery of a pharmacy in Longwood in December 1977.

Anthony Bryan was convicted of the kidnaping, robbery and murder of George Wilson, a 60-year-old night watchman, in Santa Rosa County in 1983. He was sentenced to death in May 1986.

Both men will be killed by lethal injection unless they choose the electric chair. In preparation for carrying out their first lethal injections, Florida officials are reported to have witnessed the January executions in Virginia of two child offenders, Chris Thomas and Steve Roach. Both executions violated international law.

BACKGROUND INFORMATION

On 24 September 1999, the Florida Supreme Court ruled that the state's use of the electric chair did not violate Florida's constitution, even though the judges urged the legislature to introduce lethal injection as an alternative. The ruling followed the execution, on 8 July, of Allen Lee Davis during which he had cried out and blood had appeared on his shirt and from behind the face mask. His chest was said to have heaved repeatedly after the current was switched off.

Governor Bush and his administration resisted calls to switch to lethal injection until an announcement by the US Supreme Court on 26 October 1999 that it would hear arguments as part of Anthony Bryan's appeal that Florida's use of the electric chair violated the US Constitution. Fearing that if the Court found against the electric chair it could result in the overturning of all death sentences in Florida, Governor Bush hastily ordered a special session of the legislature to legislate to give prisoners a choice between lethal injection and electrocution, as well as to enact measures to speed up appeals (despite being presented with evidence that speeding up appeals increased the risk of executing the innocent). The legislature duly voted the measures through.

Governor Jeb Bush's policy advisor was reported to have said: "What I hope is that we become like Texas. Bring in the witnesses, put [the prisoner] on a gurney (stretcher), and let's rock and roll." Governor Jeb Bush is the brother to Texas governor George W. Bush who has allowed the execution of some 120 prisoners since taking office, many in violation of international standards.

In a statement on 24 January, Governor Bush reiterated his belief that the use of the electric chair in Florida was constitutional but said that by introducing lethal injection and other measures to speed up appeals "we can finally put an end to the unnecessary and endless delays long associated with death penalty cases in Florida. It is time to bring justice to the families of victims who have suffered and died at the hands of the most heinous criminals."

Politicians in the USA frequently cite the "closure" or peace that an execution can bring to a murder victim's family members, despite the absence of evidence that it can guarantee any such outcome. Such support ignores the increasing numbers of murder victims' relatives in the USA who are speaking out against the executions, arguing that they represent an appalling memorial to murdered relatives, create more victims and deepen the culture of violence in society.

On 24 January, the US Supreme Court announced that it would no longer consider the claim brought by Anthony Bryan about the use of the electric chair in Florida.

RECOMMENDED ACTION: Please send faxes/express/airmail letters in your own words, in English or your own language:

- acknowledging the seriousness of the crimes of Terry Sims and Anthony Bryan and the suffering of their victims and the families of the victims;
- noting that an increasing number of relatives argue that executions deepen the culture of violence in society and create more victims;
- expressing concern at the increasing US isolation on the death penalty, in a world in which a majority of countries no longer use this cruel, inhuman and degrading punishment;
- calling for clemency for Terry Sims and Anthony Bryan as a first step towards taking Florida away from the death penalty.

You may also:

- express concern at efforts to speed up the appeals process in Florida, pointing out that at least some of the 85 wrongfully convicted prisoners released from US death rows since 1973 would have been executed under such regimes.

APPEALS TO:

Board of Executive Clemency
 2601 Blairstone Road
 Building C, Room 229
 Tallahassee, FL 32399-2450, USA
Tel:+ 1 850 488 2952
Faxes:+ 1 850 488 0695
Salutation:Dear Board Members

The Honorable Jeb Bush
 Governor of Florida
 The Capitol, Tallahassee
 FL 32399, USA
Tel:+ 1 850 488 4441
Faxes:+ 1 850 487 0801
Salutation:Dear Governor

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

You may also write brief letters (no more than 250 words) to:

Letters to the Editor, *Orlando Sentinel*, 633 North Orange Avenue, Orlando,
FL 32801-1349, USA.

Faxes: + 1 407 420 5286. E-mails: osoinight@aol.com

PLEASE SEND APPEALS IMMEDIATELY.