

EXTERNAL (for general distribution)

**AI Index: AMR 51/29/92
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5 March 1992

Further information on UA 389/91 (AMR 51/56/91, 12 November 1991) and follow-up AMR 51/67/91 of 6 December 1991 - Death Penalty

USA (Oklahoma)

Robyn Leroy PARKS

Amnesty International has learned that Robyn Parks is scheduled to be executed by the state of Oklahoma on 10 March 1992. This follows the denial of his petition for a hearing on his case. On 2 December 1991 the Board of Pardons and Paroles denied clemency by four votes to one.

Parks was denied a hearing in federal court in January 1992. He had sought to introduce new evidence which, his attorneys contended, could prove he did not commit the murder for which he was sentenced to death. Please refer to UA 389/91 (AMR 51/56/92, 12 November 1991) for further background on this case.

BACKGROUND INFORMATION

Oklahoma has carried out one execution under its current death penalty statute, which was enacted in 1976. Charles Coleman was executed on 10 September 1990.

As of December 1991, there were 125 prisoners under sentence of death in the state. Execution is carried out by lethal injection.

In Oklahoma the Governor is empowered to grant a 60-day reprieve, but is not empowered to commute a death sentence unless the Board of Pardons and Paroles has made a favourable clemency recommendation.

RECOMMENDED ACTION: Please send telegrams/faxes/telephone calls:

To Governor Walters:

- urging him to stay Robyn Parks' execution;
- urging him to review the case in light of all available evidence;
- expressing concern that the jury at Robyn Parks' trial may have interpreted the judge's anti-sympathy instruction as an instruction to disregard mitigating evidence presented by Parks;
- expressing concern at the narrowly divided US Supreme Court ruling (*Saffle v Parks*, 1990) which reinstated Parks' death sentence on procedural (ie technical) grounds, while the four dissenting judges strongly argued that Parks' petition should be granted on its merits.

To the Board of Pardons and Paroles:

- urging that they meet to reconsider this case.

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To both:

- urging that they consider factors in the case which provide good grounds for granting clemency (for example, the jury's refusal to find that the crime was "heinous, atrocious or cruel." or that Robyn Parks posed a continuing threat to society; and Parks' reportedly exemplary behaviour in prison).

APPEALS TO

The Honourable David Walters
Governor of Oklahoma
State Capitol
Oklahoma City, OK 73105
USA

Telegrams: Governor Walters, Oklahoma City, OK 73105,
USA

Telephone: + 1 405 521 2342

Faxes: + 1 405 521 3089 or 3353

Salutation: Dear Governor

Oklahoma Board of Pardons and Paroles
4040 N Lincoln, Suite 219
Oklahoma City, OK 73105
USA

Telegrams: Oklahoma Pardons Board,
Oklahoma City, OK 73105, USA

Telephone: + 1 405 427 8601

Faxes: + 1 405 427 6648

Salutation: Dear Board Members

COPIES OF YOUR APPEALS TO: diplomatic representatives of the USA in your country.

PLEASE SEND APPEALS IMMEDIATELY. Please check with the International Secretariat, or your section office, if sending appeals after 10 March 1992.