

USA (Georgia) Alexander Edmund Williams (m), black, aged 33

In violation of international law, Alexander Williams is due to be executed in Georgia on the evening of 20 February for the 1986 murder of 16-year-old Aleta Carol Bunch, white, committed when Williams himself was only 17.

Alex Williams's lawyer failed to investigate his client's background. As a result, the jury - which had to consider any possible mitigating factors in deciding whether the teenager should live or die - was left unaware of the severe physical and mental abuse that Williams had been subjected to as a child at the hands of various adults, and the signs of mental illness he had displayed before the crime. The lawyer did not interview any of the teenager's family members (who in 1990 gave appeal lawyers detailed affidavits testifying to the childhood abuse). Likewise he did not seek a psychiatric evaluation or present expert testimony on youth as a mitigating element, a factor which the US Supreme Court stated in 1982 should carry "great weight" in the sentencing of young defendants.

In a rambling argument for a life sentence, in which he admitted to being a death penalty supporter, Williams's lawyer merely told the jurors that they did not have to pass a death sentence if they did not want to. However he gave them no concrete reason not to. After returning from their deliberations, the jury was asked if they had found any mitigating factors. They responded: "As religious consideration was indicated in the defendant's background (the jury had been told that Williams attended church), we pray God's justice prevails". They then sentenced him to death. In 2000, five of the surviving eight jurors from the original trial signed affidavits saying that if they had been presented with evidence of Alex Williams's mental condition and history of abuse they would not have voted for death.

Alex Williams's mental illness has worsened during his 15 years on death row. He has been diagnosed as suffering from paranoid schizophrenia and schizoaffective disorder with bipolar features. His symptoms include delusions and auditory and visual hallucinations. The prison authorities have forcibly medicated him with anti-psychotic drugs, using teams in full riot gear to enter his cell, hold him down and shackle him, while others inject him. A forcible medication order against him remains in effect. His lawyers consider it possible that without such medication, Williams could meet the threshold for legal insanity, rendering his execution unconstitutional.

Alex Williams was previously scheduled for execution on 24 August 2000 (see EXTRA 69/00, AMR 51/129/00, 15 August). The European Union, the Council of Europe, and two United Nations Special Rapporteurs were among those who called for clemency. The Inter-American Commission on Human Rights has issued "precautionary measures" calling for the execution of Alex Williams not to go ahead until the Commission has examined the case. Those appealing from within the USA included former first lady Rosalynn Carter (wife of former President Jimmy Carter), Atlanta Archbishop John Donahue, the Children's Defense Fund, the American Bar Association, the Georgia Mental Health Association and the National Alliance for the Mentally Ill, which takes the position that "the death penalty is never appropriate for a defendant suffering from schizophrenia or other serious brain disorders".

On 22 August 2000, the execution was stayed by the Georgia Supreme Court pending its decision on the constitutionality of the state's use of the electric chair. In October 2001, the Court outlawed that method of execution, opening the way for the state to resume executions using lethal injection. Five prisoners have been executed in Georgia since then.

For more information on this case, see *USA: Crying out for clemency: The case of Alexander Williams, mentally ill child offender facing execution* (AMR 51/139/00, September 2000, available on www.amnesty.org).

BACKGROUND INFORMATION

The execution of people for crimes committed when they were under 18 violates the International Covenant on Civil and Political Rights and the Convention on the Rights of the Child. Since January 1993, there have been 21 such executions documented worldwide, 13 of them in the USA. The others were in Democratic Republic of Congo (1), Iran (3), Nigeria (1), Pakistan (2) and Yemen (1). Yemen has since abolished such use of the death penalty. In December 2001, the President of Pakistan announced that he would commute the death sentences of all young offenders on death row in his country.

The UN Safeguards Guaranteeing Protection of the Rights of Those Facing the Death Penalty require adequate legal representation for capital defendants at all stages of proceedings. The execution of the legally insane, those who cannot understand the reason for or reality of their punishment, violates the UN Safeguards as well as the US Constitution. In recent years, the UN Commission on Human Rights has repeatedly adopted resolutions calling on retentionist countries not to use the death penalty against anyone suffering from "any form of mental disorder".

RECOMMENDED ACTION: Please send faxes/express/airmail letters in English or your own language, IN YOUR OWN WORDS, using the following guide:

- expressing sympathy for the family and friends of Aleta Carol Bunch;
- expressing concern that Alexander Williams is facing execution in violation of international law banning the use of the death penalty against those convicted of crimes committed when they were under 18 years old;
- expressing concern at the forcible medication of Alexander Williams, which raises serious questions of medical ethics and whether the prisoner would be competent for execution without such medication;
- expressing concern that the jury was left unaware of his appalling childhood abuse or indications of his mental illness, because of his lawyer's failure to investigate or present any such evidence;
- noting that five of the original jurors oppose the execution, pointing out that if any one of them had voted for life at the 1986 trial, Alexander Williams would not have been sentenced to death;
- calling for commutation in the name of justice and decency.

APPEALS TO:

Walter S. Ray, Chair, The State Board of Pardons and Paroles
Floyd Veterans Memorial Building, Balcony Level, East Tower
2 Martin Luther King Jr Drive, S.E., Atlanta, Georgia 30334, USA

Fax: + 1 404 651 8502

Salutation: Dear Mr Ray

COPIES TO:

If possible, please fax a copy of all appeals to Brian Mendelsohn (lawyer) for use in clemency efforts: **Fax: + 1 404 222 9231**

The Honourable Roy E. Barnes, Governor of Georgia, 203 State Capitol, Atlanta, GA 30334, USA. **Fax: + 1 404 657 7332**

and to diplomatic representatives of the USA accredited to your country.

You may also write brief letters (not more than 250 words) to:

Letters to the Editor, *The Atlanta Journal-Constitution*

P.O. Box 4689, Atlanta, GA 30302, USA. **Fax: + 1 404 526 5611**

E-mail: via website: www.accessatlanta.com/partners/ajc/letters/

PLEASE SEND APPEALS IMMEDIATELY.