

EXTRA 16/01

Death pen**USA (Georgia) Ronald Keith Spivey, aged 61, white**

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Ronald Spivey is scheduled to be executed in Georgia's electric chair on, or within seven days of, 6 March 2001. Sentenced to death in 1977 for the murder of Billy Watson, he has been on death row for over 23 years.

Billy Watson, an off-duty police officer, was shot during a robbery at a bar in Columbus, Muscogee County, in 1976. Ronald Spivey was also convicted in separate proceedings of killing another man in a bar in Macon, Bibb County, a few hours earlier. The Bibb County conviction was later overturned by a federal court because it relied on evidence acquired in violation of Ronald Spivey's constitutional rights.

In 1982, a federal court granted Spivey a retrial for the Watson murder, at which he was again sentenced to death. At the 1983 retrial, the Muscogee County prosecutor urged the jury to vote for a death sentence. Referring to the Bibb County conviction, the prosecutor argued that a "verdict of life imprisonment will not add one day of punishment to this man. Bear that in mind. Bear that in mind. And if that is not a slap on the wrist... then what is it? What is it? It is literally two lives, two human lives for the price of one because a person only has one life. If he is sentenced to life imprisonment on the first murder and you give him life on the second, is that appropriate punishment?... Why do we even go through the effort of trying this case...?"

When the federal US Court of Appeals for the 11<sup>th</sup> Circuit upheld Ronald Spivey's death sentence in 2000, one of the three judges dissented, saying that he should receive a new sentencing: "Spivey was prejudiced here because the prosecutor presented the jury with a false choice between imposing death and imposing no punishment. Not only did the jury consider a conviction that has since been vacated, but the prosecutor presented the vacated life sentence not simply as a factor to consider, but as *the* decisive factor in urging the jury to recommend a death sentence."

Ronald Spivey suffered a childhood of emotional and physical abuse and has a history of psychiatric problems. As a child, he was allegedly abused by his father, who would beat him, lock him in cupboards, and threaten to kill him. The boy fled home on numerous occasions, only to be returned by the authorities. At school, it was recognized that he had severe emotional problems, and he began receiving mental health treatment at the age of 12. However, his father frequently prevented him from receiving the psychiatric care he needed, apparently believing that beating was a more appropriate course of action.

Ronald Spivey has written: "America is killing the economically deprived, those of the lower socioeconomic strata, killing the insane, killing the retarded, killing illiterates, killing the emotionally crippled, killing the socially disenfranchised and the politically powerless of our society, killing those so criminally abused as children that they never had a chance to develop normally to a well-balanced human being".

**BACKGROUND INFORMATION**

The USA has executed 697 men and women since resuming judicial killing in 1977, frequently violating international standards of justice and decency in its pursuit of death sentences (see Amnesty International News Release, USA:

*Flouting world trends, violating international standards - 700<sup>th</sup> execution imminent*, AMR 51/031/2001, 1 March 2001).

Georgia accounts for 22 of these executions, the most recent being in June 1998. The method of execution is electrocution for those sentenced to death for murders committed before 1 May 2000, and lethal injection for those convicted of murders committed after that date. The constitutionality of execution in Georgia's electric chair continues to be challenged in appeal cases, on the grounds that it violates the constitutional prohibition on cruel or unusual punishments. In Georgia, the power to grant clemency to inmates facing execution rests solely with the state Board of Pardons and Paroles. It has five members, appointed for renewable seven-year terms by the Governor.

Amnesty International opposes the death penalty in all cases. It is a symptom of a culture of violence, not a solution to it. There is unprecedented national concern about the reliability and fairness of the capital justice system in the USA, particularly since the Governor of Illinois suspended executions in his state last year because of its record of wrongful convictions in capital cases.

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

- expressing sympathy for the relatives and friends of Billy Watson, explaining that you are not seeking to condone the manner of his death;
- opposing the execution of Ronald Spivey, who has been on death row for over two decades;
- noting that he suffered a childhood of physical and emotional abuse, and that he has a history of psychiatric problems;
- expressing concern at the prosecutor's arguments at the retrial;
- calling for the Board of Pardons and Paroles to take a stand for justice and decency by commuting Ronald Spivey's death sentence.

**APPEALS TO:**

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**  
**E-mail: via the Board's website: [www.pap.state.ga.us](http://www.pap.state.ga.us)**  
**Salutation: Dear Board Members**

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

If possible, also send a copy of your appeal to:  
 Georgia Resource Center, 303 Elizabeth Street, Atlanta, Georgia 30307, USA.  
**Fax: + 1 404 222 9202**

You may also send brief letters of concern [not more than 250 words] to:  
 Letters to the Editor, *The Atlanta Journal-Constitution*, PO Box 4689, Atlanta, GA 30302, USA.

**Fax: + 1 404 526 5611**  
**E-mail: via website: [www.accessatlanta.com/partners/ajc/letters/](http://www.accessatlanta.com/partners/ajc/letters/)**

**PLEASE SEND APPEALS IMMEDIATELY.**