

PUBLIC

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Death penalty

22 February 2005

USA (Indiana) Donald Ray Wallace (m), aged 47, white

Donald Wallace is scheduled to be executed in Indiana on 10 March 2005. He was sentenced to death in 1982 after being convicted of killing four members of the same family in 1980. He has been on death row for more than two decades.

Theresa Gilligan, her husband George Gilligan, and their children Lisa and Gregory, were shot dead during a robbery of their home in Evansville, Indiana.

In recent letters sent to the *Evansville Courier and Press*, Donald Wallace writes that he is not the same man who was sentenced to die, having changed from the "deranged dope fiend" who was arrested for the crime to a "sane and civilized" man now.

In one of the letters reprinted by the newspaper, Donald Wallace writes of his stunted development before he educated himself on death row: "How did I not see all this? A world full of miracles in every direction, a treasure-house for anyone who stops and looks. Somehow I got caught up into an ever-escalating cycle of emotional reaction that blinded me to everything not part of my own projections. And I try to remember who that angry and confused kid was, try to recall what he was thinking...but he is alien to me now – almost incomprehensible. So I wrote all of that to preface an answer to your question about death row culture. It's difficult to answer because it isn't static at all, but is constantly evolving. When I first came to death row, there were only 12 of us there. The death penalty had only recently been restored, so no one was close to death unless they volunteered like Steven Judy (executed in 1981) had, and like a few others would later... Most of us, certainly I, were in a state of arrested development. I mean by this that we'd had lives of trouble and reaction that stopped us from integrating either within ourselves or within society as a whole."

During his time on death row Donald Wallace has studied Greek, Latin and Arabic, as well as religion and philosophy. He is reported to have read the Bible and the Koran from cover to cover numerous times, and says that he has read more than 4,000 other books.

Donald Wallace is not currently seeking clemency from Governor Mitch Daniels, the new governor of Indiana, who was inaugurated on 10 January 2005.

BACKGROUND INFORMATION

Amnesty International opposes the death penalty in all cases, regardless of question of guilt or innocence, the seriousness of the crime, or the method the state chooses to kill the condemned prisoner. This is a punishment that is an affront to human dignity and a part of a culture of violence rather than a solution to it. It has not been shown to have a unique deterrent effect, denies the possibility of rehabilitation and reconciliation, carries the risk of irreversible error as well as inconsistent and discriminatory application, and consumes resources that could be used to fight violent crime and assist those affected by it. Lethal injection is promoted in the USA as a humane method of execution. There can be no such thing – forcing someone to live for years under a death sentence is cruel both to the condemned person and to their family. In any event, there is evidence that the drugs used in lethal injections may serve to mask the pain and suffering of the condemned prisoner.

Today, 118 countries are abolitionist in law or practice. In this context, the USA's claims to be a progressive force for human rights ring hollow. It has carried out 949 executions since 1977. Indiana accounts for 11 of these executions, the most recent being that of Joseph Trueblood in June 2003.

On 7 January 2005, as one of his last acts in office, outgoing Indiana Governor Joe Kernan commuted the death sentence of Michael Daniels, citing the prisoner's mental illness and doubts whether he was the gunman in the killing of a minister, Allan Streett, in 1978. Allan Streett's son, who witnessed the killing of his father when he was 15 years old, supported the commutation. He reportedly said that he did not believe that the death penalty serves as a deterrent, and he described the 25 years that Michael Daniels had spent on death row as "cruel and inhumane".

Governor-elect Mitch Daniels made no comment at the time of the commutation of Michael Daniels's death sentence. However, in statements earlier this month, Governor Daniels acknowledged that he has "moral" reservations about the death penalty. He said that there are "honest moral questions" about whether the death penalty is an appropriate punishment. However, he added that the "people of Indiana very clearly believe that at least in the worst of cases the option of this penalty is appropriate, and I agree". On 4 February, in a meeting with journalists, he said that there were two issues involved: "First of all, there's the need to make sure in any case that there's not one particle of doubt about guilt... And then secondly, very honestly, to weigh the questions of to whom justice and vengeance ultimately belongs." Governor Daniels has spoken openly of his religious faith (he is an elder at Tabernacle Presbyterian Church in Indianapolis).

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language, in your own words:

- explaining that you are not seeking to excuse the crime for which Donald Wallace was sentenced to death or to minimize the suffering caused;
- explaining your opposition to the death penalty, and noting the Governor's statements that he has "moral" reservations about this punishment;
- calling on the governor to stop the execution of Donald Wallace and to lead his state away from this outdated and brutalizing penalty.

If possible, please organize appeals from religious leaders.

APPEALS TO:

Governor Mitch Daniels
Office of the Governor
Indianapolis, Indiana 46204-2797
USA

Fax: +1 317 232 3443
Email, via website: <http://www.in.gov/gov/contact.html>
Salutation: Dear Governor

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

Letters to the Editor
The Indianapolis Star
PO Box 145

Indianapolis, IN 46206-0145, USA

Fax: +1 317 444 6800
Email: <http://www2.indystar.com/help/contact/letters.html>

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

PLEASE SEND APPEALS IMMEDIATELY.