

EXTERNAL (for general distribution)

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Death Penalty

20 April 1995

USA (Alabama)

Willie CLISBY

Willie Clisby, black, is scheduled to be executed in Alabama on 28 April 1995. He was sentenced to death in 1983 for the murder of Fletcher Handley, a 58-year-old black man.

Willie Clisby has been diagnosed as being mentally ill, is borderline mentally retarded and has a long history of drug and alcohol abuse. Attorneys representing Clisby have appealed against his death sentence, stating that, since the mitigating factor of his mental health was not addressed by the original trial-court, the sentence should be overturned. A federal judge had declared that Clisby's death sentence was unconstitutional and unfair because Clisby was denied the resources to prove his mental illness. However, the state appealed against the decision and the ruling was reversed by a higher federal court.

BACKGROUND INFORMATION

As of 31 January 1995, 134 prisoners were under sentence of death in Alabama. The last prisoner to be executed was Cornelius Singleton, black, on 20 November 1992. The method of execution is electrocution. The Governor of Alabama has full clemency authority.

An opinion poll conducted by the University of Alabama in November 1989 concluded that a majority of Alabamians opposed the death penalty for persons suffering from mental retardation.

Amnesty International opposes the death penalty in all cases as a violation of the right to life and the right not to be subjected to cruel, inhuman and degrading punishment, as proclaimed in the Universal Declaration of Human Rights.

RECOMMENDED ACTION: Please make telephone calls/send faxes/express and airmail letters either in English or in your own language:

- urging Governor James to grant clemency to Willie Clisby and commute his sentence of death;
- expressing sympathy for the victims of violent crime and their families;
- expressing concern that Willie Clisby may have been sentenced to death by a court that was unaware of his mental illness;
- referring to the opinion poll conducted by the University of Alabama which suggests that the majority of people from Alabama do not believe that a mentally retarded person should be executed;
- expressing your opposition to the death penalty in all cases.

APPEALS TO:

State Governor
The Honorable Fob James
Governor of Alabama
State Capitol
600 Dexter Avenue
Montgomery, AL 36130

Telephone: +1 205 242 7100

Faxes: +1 205 242 4541

Salutation: Dear Governor

COPIES OF YOUR APPEALS TO:

The Letters Editor

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

PLEASE SEND APPEALS IMMEDIATELY.