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USA: Amnesty International's Secretary General visits Pennsylvania's death row inmates Mumia Abu-Jamal and Scott Blystone

Amidst grave concerns over the racist and unfair use of the death penalty in Pennsylvania, Pierre Sané, Amnesty International's Secretary General, announced that he will lead a delegation today to visit the state's death row, where he will meet with condemned prisoners Mumia Abu-Jamal and Scott Blystone.

"We speak from Pennsylvania today to draw the world's attention to the racist and unjust use of the death penalty in this state, particularly in the city of Philadelphia," said Pierre Sané. "Amnesty International has serious doubts about the fairness of the trial procedures of the condemned prisoners that we are about to meet."

"We do not excuse the deeds of those men and women who are guilty of murder, and we acknowledge the great suffering of their victims and victims' families," Mr. Sané added. "But Amnesty International cannot remain silent on the most fundamental human rights violation taking place in Pennsylvania, the violation of the right to life."

Mr. Sané pointed out that Mumia Abu-Jamal -- an African American journalist and former member of the Black Panther Party, convicted of the murder of a white Philadelphia police officer -- "was tried in an atmosphere of such animosity towards him that at his first hearing the judge admitted that the case had 'explosive tendencies in the community'. Despite this, the courts did not consider moving the proceedings to a different location to ensure an impartial trial."

Scott Blystone, who is mentally ill, was represented by an inexperienced attorney with scant knowledge of death penalty law, who failed to present mitigating evidence that could have spared him a death sentence. "This case shows how the rights of the poor are trampled on by the system," said Mr. Sané. "While the district attorney assigns his brightest, most experienced staff to criminal cases, the indigent often end up with under-experienced, under-paid counsel."

Amnesty International expressed particular alarm at the racist use of the death penalty in the city of Philadelphia, which accounts for over half of the state's death row population. Ethnic minorities make up 90 percent of the prisoners that have been sentenced to death in Philadelphia - or 103 out of a total of 115.

"Many people believe that the death penalty is only used in a racist manner in the Southern states of the U.S.A.," said Mr. Sané. "But Philadelphia demonstrates that this is not the case at all. The city has proportionally sentenced more black people to death than any other jurisdiction in the country. We have to ask ourselves: would the death penalty be used to such an extent if the majority of its victims were white?"

Amnesty International also denounced the systematic exclusion of African Americans from juries in death penalty cases, a practice ruled unconstitutional by the U.S.A. Supreme Court. The organization points out that in recent times prosecutors in Philadelphia were more than twice as likely to remove a prospective black juror than a white one, and that Assistant District

Attorneys were encouraged to engage in this practice during training sessions. In the case of Mumia Abu-Jamal, two-thirds of all jurors removed by the prosecution were African American.

"Philadelphia's death penalty is largely implemented by white people against black people," said Mr. Sané. "It cannot be fair that minorities are both subjected to the death penalty in such high numbers and systematically removed from participating in the judicial process."

Amnesty International also has a long-term concern that prosecutors inappropriately used Mumia Abu-Jamal's political affiliations to elicit a death sentence from the jury. During the penalty phase of the trial, the prosecution made references to the defendant's party membership, and inferred that his political views predisposed him to the use of violence, despite his lack of prior criminal convictions. This violated Mr. Abu-Jamal's constitutional right to free speech and was irrelevant to the sentencing process.

According to Mr. Sané, the atmosphere of hatred towards Mumia Abu-Jamal persists today. Even as the courts examine his appeals, the President of the Philadelphia Fraternal Order of Police Officers has been quoted as stating: "We want him burned and we want it done soon."

"We are concerned that the antagonism expressed by the law enforcement community towards Mumia Abu-Jamal, as well as the lack of independent and impartial arbiters in Pennsylvania's appeal court system, may prevent him from receiving a fair and impartial hearing for the legal claims he has made concerning his original trial," Mr Sané said.

Amnesty International also expressed grave concerns about the fairness of Scott Blystone's trial given that his court-appointed attorney had been practising for only three months, had never been involved in a murder trial and had no training or experience in death penalty law. The attorney's failure to present any mitigating evidence gave jury members no other choice but the death sentence. The jury did not hear evidence that Mr. Blystone suffers from brain damage and a personality disorder, and was severely beaten as a child -- facts that could have spared him the death penalty.

"There can be no more serious act of government than the taking of a human life," Mr. Sané said. "Yet the state of Pennsylvania intends to kill Scott Blystone despite the fact that he was represented by an attorney scandalously ill-equipped to defend a man's life."

Amnesty International is not the only organization to have expressed alarm over the administration of the death penalty in Pennsylvania. The state Bar Association recently voted in favour of a moratorium on executions, citing serious concerns about the disproportionate number of blacks and mentally impaired men sentenced to death. In response, the Attorney General's office accused the Bar Association of being "out of touch with the people of Pennsylvania."

"What does the Attorney General mean by this?" asked Mr. Sané. "Is he saying that the people of Pennsylvania want the death penalty even if it is used in a racist and unfair manner? I doubt that this is the case. There was a time in the USA when lynching and segregation were popular, but that did not make these practices morally correct."
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