

EXTERNAL (for general distribution)

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Death Penalty

20 June 1995

USA (Georgia)

Larry LONCHAR

Larry Lonchar is scheduled to be executed in Georgia on 23 June 1995. He was sentenced to death in June 1987 for the murders of Charles Smith, his son, Steven Smith, and Margaret Sweat, in October 1986. An accomplice in the crime was convicted in a separate trial and received a life sentence.

BACKGROUND INFORMATION

According to reports, Larry Lonchar is severely mentally disturbed. In March 1990 he was examined by a psychiatrist for the defence. The psychiatrist found that Lonchar had suffered severe brain damage at some point in his life, which had left him "neurologically impaired", and he concluded that Lonchar is a manic-depressive with paranoid tendencies. Lonchar has had his execution scheduled several times before, the last time being February 1993, when he came within 30 minutes of execution. He had decided to give up his appeals, but changed his mind at the last minute. Previous appeals on the grounds that Larry Lonchar is mentally ill and may be seeking 'state-assisted suicide' have been overruled, and Lonchar has been found competent to be executed.

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 and degrading punishment as proclaimed in Article 5 of the Universal Declaration of Human Rights. In the case of Larry Lonchar, Amnesty International is additionally concerned that his execution may contravene United Nations Economic and Social Council (ECOSOC) resolution 1989/64, adopted in May 1989, which recommends "*eliminating the death penalty for persons suffering from mental retardation or extremely limited mental competence*".

As of 30 April 1995, there were 104 prisoners under sentence of death in Georgia. The most recent execution in Georgia was Darrell Devier, on 17 May 1995. The method of execution is electrocution.

In Georgia, the State Board of Pardons and Paroles (BPP) has sole power to grant clemency or issue stays, and reviews cases at its discretion. Amnesty International understands that Lonchar's attorneys are currently filing a petition asking the BPP to grant a hearing on the case.

RECOMMENDED ACTION: Please send telegrams/faxes in English:

- expressing concern that Larry Lonchar is scheduled to be executed in Georgia on 23 June 1995; urging the BPP to give the case of Larry Lonchar a thorough review in the light of reports that he is severely mentally disturbed;
- referring to ECOSOC Resolution 1989/64;
- urging the Georgia Board of Pardons and Paroles to grant clemency to Larry Lonchar and commute his sentence of death.

APPEALS TO:

Georgia Board of Pardons and Paroles
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2 Martin Luther King Jr Drive
5th Floor, East Tower

2

Atlanta, GA 30334

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Faxes: +1 404 651 8502

Telegrams: Board of Pardons and Paroles, Atlanta, Georgia

Salutation: Dear Board Members

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and to diplomatic representatives of USA accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY.