

EXTERNAL

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EXTRA 187/96

Death Penalty

6 December 1996

USA (Arkansas)

**Paul RUIZ
Earl DENTON
Kirt WAINWRIGHT**

The above three men are scheduled to be executed in Arkansas on 8 January 1997.

Paul Ruiz and Earl Denton were originally sentenced to death in 1977 for the murder of Marvin Richie, a police officer, and Opal James, a federal park ranger. At the time of the murders, Ruiz and Denton were escapees from an Oklahoma prison where they were both serving life sentences. Their convictions and death sentences were overturned on appeal and in 1979 they were retried and again sentenced to death. The appeal courts overturned their death sentences but both men were sentenced to death a third time after new sentencing hearings in 1987.

Kirt Wainwright was sentenced to death in 1989 for the murder of Barbara Smith during a robbery.

BACKGROUND INFORMATION

As of 31 July 1996 there were 42 prisoners under sentence of death in Arkansas.

The method of execution is lethal injection; prisoners sentenced to death before 4 March 1983 may choose between lethal injection or electrocution. The Governor of Arkansas has full clemency authority. However, all clemency applications are referred to the Parole Board for investigation and recommendation.

William Parker was the last prisoner to be executed in Arkansas on 8 August 1996. Twelve prisoners have been put to death since the state resumed executions in 1990.

This is the second occasion on which Arkansas has scheduled three executions on the same day. On 3 August 1994 Hoyt Clines, James Holmes and Darryl Richley were executed; the three men were co-defendants. This was the first triple execution in the US since California executed three prisoners on the same day in 1962 (multiple executions were common in the US before the mid-1960s). In 1994, state authorities in Arkansas cited the reduction of stress on employees involved in executions and the reduction of overtime payments as reasons for carrying out the executions on the same day. A prison department spokesperson was quoted as stating: "Nobody wants to get up in the morning and go kill somebody."

However, a spokesperson from the governor's office explained that the reason Ruiz, Denton and Wainwright were all scheduled for execution on 8 January was because "All three inmates came back from the Supreme Court with their appeals denied at the same time, and that's the reason their executions were scheduled together."

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 or degrading treatment as proclaimed in the Universal Declaration of Human Rights.

RECOMMENDED ACTION: Please make urgent appeals by telephone / fax / telegram / express or airmail letter in English or in your own language:

- expressing concern that Paul Ruiz, Earl Denton and Kirt Wainwright are scheduled to be executed on 8 January 1996;
- urging Governor Mike Huckabee to grant clemency to all three by commuting their death sentences;
acknowledging the seriousness of the crimes for which the three were convicted and expressing sympathy for the victims of violent crime;
- stating, however, that the death penalty is a violation of the right to life and the right not to be subjected to cruel, inhuman or degrading punishment, as proclaimed in the Universal Declaration of Human Rights.

APPEALS TO:

State Governor

Jim Mike Huckabee

Governor of Arkansas

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Salutation: Dear Governor Huckabee

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and to diplomatic representatives of the USA in your country.

PLEASE SEND APPEALS IMMEDIATELY.