

PUBLIC

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Further information on EXTRA 95/98 (AMR 51/103/98, 4 December 1998) and update (AMR 51/08/99, 14 January 1999) - Death Penalty

USA (NEBRASKA) Randolph REEVES (m), Native American, aged 45

On 18 September 2001, a three-judge panel in Nebraska resentenced Randolph Reeves to life imprisonment for the murder of Janet Mesner and Victoria Lamm in 1980.

Randolph Reeves had been sentenced to death in 1981, and was due to be executed on 14 January 1999 when the Nebraska Supreme Court granted a stay less than two days before the execution was due to be carried out. The Court subsequently ordered a new sentencing.

The 1980 murders took place in a Quaker meeting house in Lincoln where Janet Mesner was a caretaker. Quakers oppose the death penalty unconditionally, and several of Janet Mesner's relatives campaigned tirelessly in their opposition to Reeves's execution. In testimony to the Nebraska Legislature's Judiciary Committee in 1985, for example, Janet Mesner's father said: "I was born and raised in the belief that violence is not an acceptable method of solving the problems that arise in our daily lives...The fact that my daughter, Janet, was a victim of a murder has not changed that belief...The use of the death penalty only lowers the standards of government to the mentality of the murderer himself" Victoria Lamm's husband and daughter (the daughter, then two years old, was in the meeting house on the night of the murder) both spoke out publicly against the execution.

A nine-day re-sentencing hearing was scheduled to begin on 17 September.

On 7 September, Lancaster County prosecutor Gary Lacey announced that he would not seek the death penalty at the re-sentencing: "I was first assigned to this case on the morning of April 1, 1980... 21 years later its back in my lap. I had the power to put an end to all the suffering in this case.. I have the power to do that, and over the weekend I decided that's what I'm going to do." Until this point, prosecutor Lacey had intended to seek the death penalty again. He said that his change of mind was based upon consideration of the emotional toll on all involved, and the prospect of further long appeals if another death sentence was imposed.

In a subsequent motion filed jointly by Randolph Reeves' lawyers and the prosecutor, Lancaster County District Court was requested to cancel the sentencing hearing and to sentence Reeves to life imprisonment on two counts of first-degree murder.

On 18 September, after a 15-minute hearing, the court sentenced Randolph Reeves to life imprisonment.

No further action is requested. Many thanks to all who sent appeals in this case.