

PUBLIC

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Further information on EXTRA 146/99 (AMR 51/170/99, 20 October 1999) - Death penalty / Legal concern

USA (Missouri) James W. Chambers, white, aged 47

James Chambers, who was scheduled for execution on 10 November 1999, has received an indefinite stay of execution.

On 5 November, the federal 8th Circuit Court of Appeals granted a stay after James Chambers' lawyer argued that the Court had wrongly limited Chambers' appeals under the Anti-Terrorism and Effective Death Penalty Act (AEDPA), signed into law by President Clinton in April 1996. The AEDPA, an attempt to speed up executions, seeks to restrict federal appeals and to force federal courts to give greater weight to state court decisions in capital cases. Although the AEDPA came into law a year after Chambers filed his appeals in the federal courts, the 8th Circuit applied the law retroactively in his case when it examined it in 1998.

The US Supreme Court has agreed to hear a similar case from Nevada in which the 9th Circuit Court of Appeals' retroactive application of the AEDPA is being questioned. The 8th Circuit Court's 5 November ruling stated that until that case is decided (probably in the first or second quarter of 2000), Missouri should not be allowed to execute James Chambers.

The State of Missouri appealed to the US Supreme Court to lift the 8th Circuit stay of execution. On the afternoon of 9 November, this was refused by the US Supreme Court.

James Chambers, who had been moved to the holding cell next to the execution chamber in preparation for him to be killed, reportedly said "You can't imagine how happy I am. I knew it was a matter of hours before I was to die." He is now back on death row.

No further action by the UA Network is requested at present. Many thanks to all who sent appeals on behalf of James Chambers.

There have been 84 executions in the USA so far in 1999, the most in any year since 1951. The most recent execution was that of Thomas Lee Royal Jr. in Virginia on 9 November.