

PUBLIC

AI Index: AMR 51/188/2005

21 November 2005

UA 294/05

Death Penalty

USA (California)

Stanley Tookie Williams (black), aged 51

Former gang leader Stanley Williams is scheduled to be executed on 13 December. He was sentenced to death in 1981 for a total of four murders carried out during two robberies in 1979. Convenience store clerk Albert Owens was killed in the first, and in the second, motel owner Yen-Yi Yang, his wife, Tsai-Shen Yang and their daughter, Ye-Chen Lin. While on death row Stanley Williams has completely transformed himself, repudiating his past acts and violent lifestyle and dedicating himself to educating young people about the dangers of gang life.

Stanley Williams was one of the founders of the notorious "Crips" street gang in Los Angeles, California, in the early 1970s. By his own admission, he was still involved in violent behaviour during his first seven years on death row. Then, during six years in solitary confinement, from 1988 to 1994, he underwent what he describes as a "redemptive transition", renouncing gang life and working to educate youth about its dangers. He has since become a symbol of hope and purpose to disadvantaged youth, especially by writing a series of children's books about the dangers of gang life. Since coming out of solitary confinement, his behaviour record has been exemplary. He has been nominated for a Nobel Peace Prize for his work every year since 2001, and in 2005 received a US presidential service award from the President's Council on Service and Civic Participation.

Stanley Williams has always maintained his innocence of the crimes for which he has been condemned to die. According to his clemency petition, the case against him rested on testimony from accomplices in the crime and informants who were facing imprisonment or the death penalty for various offenses, but who all received reduced sentences or freedom in exchange for their testimony. This was noted by the Ninth Circuit Court of appeals in 1994, which rejected Williams's appeal, but described his conviction as based upon "circumstantial evidence and the testimony of witnesses with less-than-clean backgrounds and incentives to lie in order to obtain leniency from the state in either charging or sentencing." Williams was tried in an area where 1 per cent of the jury pool was black; the prosecutor at trial removed all blacks from the jury and on one occasion compared Williams, who sometimes appeared in court in shackles - to a Bengal tiger, equating a black man from South Central Los Angeles to an animal found in the jungle.

Stanley Williams's clemency petition included email messages he has received from students, gang members, teachers, law enforcement and military personnel and parents, of which these are excerpts:

"Mr. Williams i just wanna thank you. Because I read your book when i was in Detention Home and it really made me think about the choices i was making you help me understand that gangbanging and violence period isn't the way to go. . . .So i just wanna thank you. You are an inspiration to me."

"In my work at the school in Central Juvenile Hall in San Bernardino, CA, I have the opportunity to work daily with gang children who are inspired and educated by your work and your example. Each day I read your Letter to Incarcerated Youth and your Letter of Apology. Life in Prison is the top book in our school library and your healing work continues daily to bring the dream of an end to gang warfare into reality."

"mr. williams i just wanted to let u kno u changed my life and my view on gangs. When i thought joining the crips was cool because they got to use guns but after listening to u i realized that gangs were just people dying for no reason other than the fact that they think they are the tuffest guys in the world. So once again sir thank u very much."

"I am a 16 year old kid living in San Francisco, Ca. I wanted to personally thank you for saving my life . . . After reading about your life I have quit a drinking problem I have had for awhile. . . . Also, you have taught me how to live peacefully and that life is too short to be angry all of the time."

"As a probation officer, I recommend to the juveniles that I deal with, that they read your books. . . . The youth of today's society need people like you in their lives. I've always looked at my job as "If I can change the life of one child, then I have done my job."

In January 2005, California Governor Arnold Schwarzenegger announced plans to remodel the focus of the prison system away punishment towards rehabilitation. In its 2004 ruling, the Ninth Circuit Court of Appeal said that Stanley Williams's "good works and accomplishments since incarceration may make him a worthy candidate" for an act of executive clemency.

BACKGROUND INFORMATION

Amnesty Internatioanl does not seek to excuse the perpetrators of violent crime. However, it believes the death penalty is wrong in all cases, This is a punishment that is an affront to human dignity and a part of a culture of violence rather than a solution to it. It has not been shown to deter crime more effectively than other punishments; it denies the possibility of rehabilitation and reconciliation, carries the risk of irreversible error as well as inconsistent and discriminatory application, and consumes resources that could be used to fight violent crime and assist those affected by it. In addition, the USA capital justice system is marked by arbitrariness, discrimination and error.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language:

- expressing concern that Stanley Williams is scheduled to be executed on 13 December;
- expressing sympathy for the family and friends of Albert Owens, Yen-Yi Yang, Tsai-Shen Yang and Ye-Chen Lin, and explaining that you are not seeking to condone the manner of their deaths or to minimize the suffering caused;
- urging Governor Schwarzenegger to recognize the extraordinary facts in this case: Stanley Williams's absolute repudiation of his past acts; that he has, since his incarceration, made successful efforts to change the violent conduct of others; and that he has become an important figure and symbol of hope to many disadvantaged youth;
- pointing out that the US Circuit Court of Appeals for the Ninth Circuit noted that Stanley Williams's "good works and accomplishments may make him a worthy candidate" for an act of executive clemency;
- urging him to grant clemency to Stanley Williams and commute his death sentence.

APPEALS TO:

Governor Arnold Schwarzenegger, State Capitol Building, Sacramento, CA 95814, USA

Fax: +1 916 445 4633

Salutation: Dear Governor Schwarzenegger

COPIES TO: diplomatic representatives of the USA accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY.