

URGENT ACTION

OHIO GOVERNOR COMMUTES DEATH SENTENCE

Kevin Keith's death sentence was commuted on 2 September by the Governor of Ohio to life imprisonment without the possibility of parole. He had been scheduled to be executed on 15 September.

Kevin Keith was sentenced to death in May 1994 for the murders three months earlier of Marichell Chatman, her seven-year-old daughter Marchae Chatman and her aunt Linda Chatman, who were fatally shot in Marichell's flat in Bucyrus in mid-Ohio. Her two young cousins and her boyfriend, Richard Warren, were also shot, but survived. Kevin Keith has consistently maintained his innocence.

On 2 September, Governor Ted Strickland rejected the unanimous recommendation of the Ohio Board Parole Board, issued on 19 August, that he not grant clemency to Kevin Keith. In a statement, Governor Strickland said that despite circumstantial evidence linking Kevin Keith to the crime, "many legitimate questions have been raised regarding the evidence in support of the conviction and the investigation which led to it. In particular, Mr Keith's conviction relied upon the linking of certain eyewitness testimony with certain forensic evidence about which important questions have been raised. I also find the absence of a full investigation of other credible suspects troubling."

Governor Strickland continued: "Mr Keith still has appellate legal proceedings pending which, in theory, could ultimately result in his conviction being overturned altogether. But the pending legal proceedings may never result in a full re-examination of his case, including an investigation of alternate suspects, by law enforcement authorities and/or the courts. That would be unfortunate – this case is clearly one in which a full, fair analysis of all of the unanswered questions should be considered by a court. Under these circumstances, I cannot allow Mr Keith to be executed. I have decided, at this time, to commute Mr Keith's sentence to life in prison without the possibility of parole."

Kevin Keith's lawyers, who had been seeking a pardon for their client, welcomed the governor's decision. In a statement they added that their work was unfinished: "Mr Keith remains incarcerated for a crime he did not commit, and that crime remains unsolved. The same compelling reasons that support Governor Strickland's actions today warrant a new, fair trial for Mr Keith, including the existence of newly discovered evidence, the revelation of evidence withheld by the State, and the development of new science behind eyewitness identification, all of which point to Mr Keith's innocence...The commutation to a life sentence does not lessen the need for justice to prevail."

The lawyers have expressed their thanks to the thousands of people who appealed for clemency. They said that over 25,000 people had signed online petitions, and that, "in the last two weeks alone, over 7,000 people sent letters to Governor Strickland urging him to grant clemency."

NO FURTHER ACTION IS REQUESTED FROM THE UA NETWORK. Many thanks to all who sent appeals.

This is the second update of UA 151/10 (AMR 51/056/2010). Further information:

<http://www.amnesty.org/en/library/info/AMR51/056/2010/en> and <http://www.amnesty.org/en/library/info/AMR51/075/2010/en>

Further information on UA: 151/10 Index: AMR 51/079/2010 Issue Date: 03 September 2010

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