

PUBLIC

AI Index: AMR 51/015/2006

17 January 2006

Further Information on UA 01/06 (AMR 51/005/2006, 3 January 2006) and follow-up (AMR 51/009/2006, 10 January 2006) - Death Penalty

USA (California)

Clarence Ray Allen (m), Choctow Indian, aged 76

Clarence Ray Allen was executed as scheduled in the first few minutes of 17 January, in San Quentin prison, California.

Clarence Allen was confined to a wheelchair and nearly blind; he had advanced heart disease and diabetes and had suffered a major heart attack in September 2005. He was put to death the day after his 76th birthday: he was the second oldest person to be executed since the death penalty was reinstated in the USA in 1976, and the oldest person to be executed in California.

The US Supreme Court and Governor Schwarzenegger rejected appeals to spare his life. According to press reports Supreme Court Justice Stephen Breyer would have granted a stay, writing in a dissenting opinion to the majority opinion that rejected the appeal: "Petitioner is 76 years old, blind, suffers from diabetes and is confined to a wheelchair, and has been on death row for 23 years. I believe that in the circumstances he raises a significant question as to whether his execution would constitute cruel and unusual punishment. I would grant the application for stay."

Thank you to everyone who sent appeals on behalf of Clarence Ray Allen. No further action is requested from the UA network.