

PUBLIC

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14 July 1998

Further information on UA 188/97 (AMR 51/35/97, 25 June 1997) and follow-ups (AMR 51/48/97, 5 August 1997; AMR 51/38/98, 19 June 1998 and correction) - Death Penalty

USA (CALIFORNIA) Thomas Thompson

Thomas Thompson was executed as scheduled on 14 July 1998, becoming the fifth person to be put to death in California since executions resumed in the USA in 1977.

On 11 July 1998, the 9th US Circuit Court of Appeals rejected Thompson's appeal based on eyewitness testimony that Thompson had what appeared to have been consensual sex with Ginger Fleischli on the night of her death in 1981. It was Thompson's rape conviction which made him eligible for the death penalty.

After the 9th Circuit Court's ruling, Thompson's lawyers appealed to the US Supreme Court on 13 July, but were turned down.

Thompson came within six hours of execution in 1997. On that occasion he had ordered his last meal when the 9th Circuit stayed the execution after deciding to reopen his case. The Court overturned the death sentence on the grounds that Thompson's inadequate legal representation at trial had rendered the rape conviction unsafe. However, the US Supreme Court, severely critical of the 9th Circuit Court's decision, reinstated the death sentence (see previous follow-up).

Thompson's execution follows repeated public criticism by the Governor and Attorney General of California about the time taken for the condemned man to be killed. California has the highest death row population of any of the US states, with some 500 people awaiting their deaths at the hands of the state authorities.

Thompson is the 38th person to be executed in the USA in 1998 and the 470th overall since executions resumed.

Letters expressing deep regret at the execution of Thomas Thompson may be sent to the authorities listed in the previous follow-up.