

17 March 1999

Further information on EXTRA 30/99 (AMR 51/39/99, 1 March 1999) - Death penalty / Legal**USA (Illinois) Andrew KOKORALEIS, aged 35**

Andrew Kokoraleis was executed by lethal injection in the early hours of 17 March 1999. He had been sentenced to death in 1987 for the rape, aggravated kidnapping and murder of Lorraine Borowski in Chicago in 1982.

On 12 March the Illinois Supreme Court rejected an appeal to stay the execution to enable the investigation of evidence that Andrew Kokoraleis might not have committed the Borowski murder (see original EXTRA). According to reports, one of the supreme court justices, Moses Harrison II, while noting the atrocious nature of the crime, dissented from the majority ruling, saying that his fellow judges had appeared to treat the appeal "as nothing more than a bureaucratic nuisance". He wrote: "In summarily dismissing Kokoraleis's appeal, the majority has abandoned any pretense of due process or procedural regularity."

In an unusual move, Justice Harrison issued an emergency stay on 15 March in order to give the US Supreme Court time to consider Andrew Kokoraleis's claim. However, on 16 March the full state Supreme Court voted 4-3 to overrule Justice Harrison's stay, and shortly after that the US Supreme Court denied Andrew Kokoraleis's appeal that the execution be postponed. On the evening of 16 March, Governor George Ryan denied clemency. Four and a half hours later, Andrew Kokoraleis was executed.

On 14 March, a group of various religious leaders led by officials of Andrew Kokoraleis's Greek Orthodox faith had publicly called on the Governor to commute the death sentence and urged all legislators to impose a moratorium on executions. They denounced the imminent execution of Andrew Kokoraleis as "a destructive symmetry of violence mirroring violence" and "a rush towards lethal injection". The governor had earlier reportedly refused to meet the group, which was made up of bishops, ministers, rabbis and priests.

On 13 March, Chicago's new Episcopal Bishop, leader of 36,000 Episcopalians in northern Illinois, had used his introductory press conference to raise the case of Andrew Kokoraleis. The bishop said: "The Episcopal Church is on record opposing the death penalty, and I am very opposed to it personally". He said that he did not believe that the church could remain silent on matters of politics and morality.

Andrew Kokoraleis has been executed amid increasing pressure for a moratorium on executions in Illinois, following the recent release from death row of another two condemned prisoners. They were the 10th and 11th such inmates to be released in Illinois since 1980 after being sentenced to death and later exonerated. On 11 March 1999, one of the two men, Anthony Porter (see EXTRA 66/98 and updates), who had come within two days of execution in September 1998, had his murder conviction finally thrown out by a judge. Several of the 11 men released from death row were convicted in part on the basis of confessions that later proved to be unreliable - precisely the issue on which Andrew Kokoraleis's lawyers were appealing to the courts in recent weeks.

The fact that Andrew Kokoraleis may have been involved in several murders in the early 1980s, and was already serving a life sentence for one of them, undoubtedly meant there was little sympathy for his claim to be innocent of

the Borowski murder, compared with those prisoners considered innocent of any capital crime. The fact remains, however, that Andrew Kokoraleis has been executed despite doubts about his guilt in the crime for which he was sentenced to die.

Amnesty International opposes the death penalty, irrespective of issues of guilt or innocence. The execution of Andrew Kokoraleis, whatever crimes he may have committed, has served only to deepen a culture of violence in US society.

Amnesty International supports a moratorium on executions in Illinois, but only as a temporary step towards permanent abolition of the death penalty.

Andrew Kokoraleis becomes the 26th prisoner executed in the USA this year, and the 526th since the USA resumed executions in 1977. Twelve of those executions have been carried out in Illinois.

Letters expressing regret at the execution can be sent to the Governor, calling for him to support an immediate moratorium on executions in Illinois with a view to abolishing the death penalty in his state.

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Salutation: Dear Governor