Further information on EXTRA 139/99 (AMR 51/149/99, 6 October 1999) and follow-ups (AMR 51/165/99, 13 October 1999, AMR 51/41/00, 9 March 2000, AMR 51/49/00, 23 March 2000 and AMR 51/50/00, 31 March 2000) - <u>Death penalty / Legal concern</u>

USA (Tennessee) Robert Glen Coe, aged 43, white

On 4 April 2000 a three-judge panel of the Sixth Circuit Court of Appeals stopped Robert Coe's execution 15 hours before it was due at 1am local time. The court said that it wanted to review Tennessee's procedures for determining mental competency for execution.

It is not clear how quickly the court will conduct its review and issue a ruling though it has ordered the lawyers to file their legal papers by 6 April and promised an "expedited review". There is therefore the possibility that if their decision goes against him, Robert Coe could be rescheduled early next week to become the first prisoner to executed in Tennessee since 1960.

Robert Coe was sentenced to death for the abduction, rape and murder of eight-year-old Cary Ann Medlin in 1979. This crime fueled support for the death penalty in Tennessee and galvanized the "victims' rights" movement. Robert Coe has a history of mental illness.

Philip Ray Workman, who was scheduled for execution 24 hours after Robert Coe, was also granted a stay on 4 April by the three-judge panel of the Sixth Circuit Court. He has been granted the unusual measure of a hearing before the full court (14 members). The state has until 1 May to file its legal papers on the case (the defence has until 17 April). There are very serious doubts about whether Workman is guilty of shooting a police officer, for which he was sentenced to die in 1982 (see UA 12/00, AMR 51/09/00, 19 January, and updates 24 February and 5 April).

Tennessee's Attorney General said: "My heart goes out to the families and friends of the victims . . . and to the citizens of Tennessee, who want and expect justice and finality to resolve these long-standing matters. We are disappointed for those people, who expect their justice system to work efficiently and in a timely manner."

It is considered unlikely that Governor Sundquist's decision on the Workman case will now be issued until the case has exhausted court appeals. The Governor had already denied clemency to Robert Coe.

Thirty states have executed prisoners since the USA resumed judicial killing in 1977. In an open letter to Governor Sundquist on 21 March, Amnesty International appealed to him not to allow Tennessee to become the 31st state (see *Open letter to Governor Don Sundquist, concerning the imminent resumption of executions in Tennessee after 40 years* - AMR 51/48/00).

Given that Robert Coe could still face execution within a few days, if possible, please continue to send urgent appeals to Tennessee. You do not need to be specific to his case, but simply appeal in your own words for Governor Sundquist not to allow executions to resume in Tennessee. Many thanks to all who are taking part in this action.

APPEALS TO:

The Honourable Don Sundquist
Office of the Governor
State Capitol
Nashville, TN 37243-0001, USA
Telephone:+ 1 615 741 2001
Telegrams: Governor Sundquist, Nashville, TN, USA
Faxes: + 1 615 532 9711
E-mails: dsundquist@mail.state.tn.us
Salutation:Dear Governor

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

You may also write brief letters (not more than 200 words) to:

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PLEASE SEND APPEALS IMMEDIATELY.