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USA: THE DEATH PENALTY IN THE OLYMPIC STATE: RACIST, ARBITRARY AND UNFAIR

ATLANTA -- More than 100 men are languishing on death row in a Georgia prison a mere 40 miles from the Olympic stadium, Amnesty International said today as it launched a scathing report on the blatantly racist use of the death penalty in the state.

“It takes a breathtaking degree of hypocrisy for the state authorities to proclaim in their Olympic bid that for many Atlanta is the modern capital of human rights, while at the same time they continue to send people to the electric chair,” said Pierre Sané, Secretary General of Amnesty International at a press conference today in Atlanta.

“The Georgia authorities continually cite the will of the people to justify the death penalty. The same justification was used when arguing to continue slavery and lynching in the state. Georgia’s long history of racial violence towards its ethnic minorities is still here today in the guise of the modern death penalty.”

The human rights organization delivered to Georgia Governor Zell Miller a petition signed by nearly 500,000 people from 15 countries calling on the state government, which has carried out the fifth highest number of executions in the USA, to stop sentencing prisoners to death and commute all current death sentences.

Black defendants are far more likely to receive a death sentence than white defendants who have committed a similar crime, and those receiving it often do so after trials at which they had an inadequate legal defence, according to a new report by the organization.

In the report, “*The Death Penalty in Georgia: Racist, Arbitrary and Unfair*”, the organization argues that the death penalty is more often used for political considerations than against those accused of the worst crimes. Prosecutors attempt to enhance their chances of being elected or reelected as district attorneys and judges by appearing to be ‘hard’ on crime and seeking or imposing the death penalty in a publicised manner.

“The legal authorities in Georgia are clearly putting a higher value on the lives of whites over blacks,” Amnesty International said. “Of the 20 prisoners executed in the state since 1983, 19 were convicted of the murder of a white. No white person has ever been put to death for the murder of a black in Georgia.”

Defendants facing capital punishment frequently receive poor legal representation, often by lawyers with overtly racist views. Eddie Lee Ross, an African American, was sentenced to

death after being defended in court by a lawyer who had been an Imperial Wizard in the Ku Klux Klan for 50 years. The lawyer had previously made speeches claiming that “blacks were responsible for most of the rapes and murders of whites and were getting away with it in the courts.”

In another case, Wilburn Dobbs, who was sentenced to death in 1973, was represented by an attorney who opposed integration, implied that blacks had inferior morals and referred to them as “niggers”.

Amnesty International is calling on the Governor of Georgia to implement a full and impartial commission of inquiry into the use of the death penalty in the state. The commission should make thorough and effective recommendations to ensure that it is not used arbitrarily or for racial motives, and it should ensure that the appeal process for death row inmates is free from political interference.

Amnesty International also condemned the US Federal authorities for continually refusing to intervene against the racist use of the death penalty. They have gone on record as being “unalterably” opposed to the racial use of the death penalty, yet they ignore the situation when confronted with the evidence that the death penalty is used in this manner, the organization said.

A 1990 report by the Federal authorities concluded that racial elements entered the application of the death penalty in numerous states, yet no action has been taken. Instead the Federal government has instituted the “Anti-terrorism and Effective Death Penalty Act” which limits the very federal appeals that have corrected the above situation on so many occasions. The limiting of these appeals can only lead to the execution of more prisoners who were originally sentenced to death because of the racial composition of their crime or because of the poor legal representation made available to them.

In the same week that the US Supreme Court found the Effective Death Penalty Bill to be constitutional, two condemned inmates were released from Illinois’ death row on 2 July 1996, after being proved innocent of the crime for which they were sentenced. The two had spent 11 and 18 years waiting for their executions. This contrasts with the stand taken by Georgia Attorney General Mike Bowers, who last month said that “there aren’t any innocent people sitting on death row.”

“In the 1960s, the Federal government intervened to ensure that black men and women were not denied the right to vote or attend state universities,” Mr Sané said. “But they are not prepared to intervene now to ensure that African Americans stand equal before the law when threatened with death.”

“Seeking electoral popularity by cutting back on the rights of those facing death is totally unacceptable and a clear abdication of the government’s duty to uphold the United States constitution.”

Amnesty International opposes the use of the death penalty as the ultimate cruel and inhuman punishment. One illustration of the cruelty of executions is that of Alpha Otis Stephens, who was executed in an electric chair in Georgia on 12 December 1984. After receiving the first two-minute charge, his head rolled and fingers moved, but doctors were unable to examine him because his body was too hot to touch. One journalist reported that “It was almost like he was

trying to wake himself up - like you do when you're groggy". Six minutes later, doctors were able to examine him and pronounced him still alive. After another electric charge, Alpha Otis Stephens was finally pronounced dead, almost 20 minutes after the first charge was sent through his body.

#### DEATH PENALTY STATISTICS

- More than 3,000 men and women are on death row in 34 states in the USA.
- Since 1977, 331 people have been executed in the USA (as of 11 July 1996).
- 1995 saw 56 executions in the USA, the highest number since the resumption of executions in 1977.
- 38 states in the USA retain the death penalty.
- Worldwide, 41 countries carried out executions in 1995.

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