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EXTRA 69/00 Death penalty / Legal concern 15 August 2000

USA (Georgia) Alexander Edmund Williams, black, aged 32

Alexander Williams is scheduled to be put to death in Georgia's electric chair on 24 August 2000 for a murder committed when he was 17 years old. International law forbids the use of the death penalty for crimes committed by those under 18. If executed, Alex Williams would become the fifth child offender put to death in the USA this year, more than the total combined number of such executions in the rest of the world since August 1993.

Alex Williams, black, was convicted of the March 1986 abduction, rape and murder of 16-year-old Aleta Carol Bunch, white.

Williams's lawyer failed to investigate his client's background. As a result, the jury - which had to consider any possible mitigating factors in deciding whether the teenager should live or die - was left unaware of the severe physical and mental abuse that Williams had been subjected to as a child at the hands of various adults, and the signs of mental illness he had displayed before the crime. Despite the fact that Williams was living at home at the time of the murder, the lawyer did not interview any of the teenager's family members [who in 1990 gave appeal lawyers detailed affidavits testifying to the abuse]. He did not seek a psychiatric evaluation or present expert testimony on youth as a mitigating element, a factor which the US Supreme Court stated in 1982 (*Eddings v Oklahoma*) should carry "great weight" in the sentencing of young defendants.

In a rambling argument for a life sentence, in which he admitted to being a death penalty supporter, the lawyer merely told the jurors that they did not have to pass a death sentence if they did not want to. He gave them no concrete reason not to, however. After returning from their deliberations, the jury was asked if they had found any mitigating factors. They responded: "As religious consideration was indicated in the defendant's background [the jury had been told that Williams attended church], we pray God's justice prevails". They then sentenced him to death.

While he has been on death row, Alex Williams's mental illness has worsened, and at times the prison authorities have forcibly medicated him to control his symptoms. He has been variously diagnosed as suffering from paranoid schizophrenia and schizoaffective disorder with bipolar features. His symptoms include delusions and auditory and visual hallucinations.

For more information, see *USA: Abandoning justice: The imminent execution of Alexander Williams, mentally ill child offender* (AMR 51/121/00, August 2000) to be released this week (it will be available on the AI website).

BACKGROUND INFORMATION

Since 1990 there have been 25 executions of child offenders documented worldwide. The USA accounts for 14 of them. The ban on such executions is so widely agreed and adhered to, that it has become a principle of customary international law, binding on all countries no matter which international instruments they have or have not ratified.

International standards require adequate legal representation for capital defendants, and the execution of the mentally ill contravenes basic notions of human decency. The US organization, the National Alliance for the Mentally Ill, believes that “the death penalty is never appropriate for a defendant suffering from schizophrenia or other serious brain disorders”.

In Georgia, the power to grant clemency rests solely with the state Board of Pardons and Paroles, whose five members are appointed by the Governor. The method of execution is electrocution for defendants convicted of capital crimes committed before 1 May 2000, and lethal injection for later cases. If the electric chair is ever ruled unconstitutional, the method of execution will be lethal injection in all instances.

RECOMMENDED ACTION: Please send faxes/express/airmail letters in English or your own language, IN YOUR OWN WORDS, using the following guide:

- expressing sympathy for the family and friends of Aleta Carol Bunch and explaining that you are not seeking to excuse her murder;
- expressing concern that Alexander Williams is facing execution in violation of international law banning the execution of those convicted of crimes committed when they were under 18 years old;
- expressing concern that the USA leads a tiny group of countries who use the death penalty in this way: since September 1997 there have been 10 such executions documented worldwide: eight in the USA, one in Iran and one in the Democratic Republic of Congo;
- noting that prison records confirm that Alexander Williams suffers from mental illness, including paranoid schizophrenia, pointing out that the execution of the mentally ill contravenes basic notions of human decency, and noting the position of the National Alliance for the Mentally Ill;
- expressing concern that the jury which sentenced Alexander Williams to death were left unaware of his appalling childhood abuse or indications of his mental illness, because of his lawyer’s failure to investigate or present any such evidence through family members or experts;
- calling on the Board to grant clemency to Alexander Williams.

If possible, please organize appeals from health professionals, lawyers and people or groups involved in working with children.

APPEALS TO:

Walter S. Ray, Chair
The State Board of Pardons and Paroles
Floyd Veterans Memorial Building
Balcony Level, East Tower
2 Martin Luther King Jr Drive, S.E.
Atlanta, Georgia 30334, USA
Fax: + 1 404 651 8502
Tel: + 1 404 657 9451
E-mail: can be sent via Board’s website: www.pap.state.ga.us
Salutation: Dear Mr Ray

If participants have time they may also send individualized appeals to the other four Board

members (all male except Dr Cook), at the same address:

Bobby Whitworth; Dr. Eugene Walker; Garfield Hammonds; Dr. Betty Ann Cook.

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

You may also write brief letters (not more than 250 words) to:

Letters to the Editor

The Atlanta Journal-Constitution

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PLEASE SEND APPEALS IMMEDIATELY.