

PUBLIC

AI Index: AMR 51/148/2005

16 September 2005

UA 242/05

Death Penalty

USA (Alabama)

John W. Peoples Jr, white (m)

John W. Peoples Jr. is scheduled to be executed by lethal injection in the State of Alabama on 22 September. He was sentenced to death in January 1984 for the murder of Paul and Judy Franklin and their son, Paul Jr, in Talladega County. There are doubts about the competency of the lawyer who represented him at the trial at which he was convicted. His alleged accomplice was convicted of the same murders but sentenced to life imprisonment.

The Franklin family were murdered on 6 July 1983. According to evidence presented at the trial Paul Franklin was murdered in his house after refusing to sell a car to John Peoples Jr. and his cousin, Timothy Gooden. His body was dumped in nearby woods, where his wife and son were also taken and murdered. John W. Peoples Jr. was arrested five days later, and confessed to the murders without a lawyer being present. Timothy Gooden also pleaded guilty to capital murder and was sentenced to life without the possibility of parole.

John Peoples Jr's current legal team argue that, despite his full cooperation with the law enforcement agencies, at the sentencing phase of the trial his then lawyer did not offer any mitigating evidence and explicitly told the jury that no alternatives to execution existed in the punishment phase. Timothy Gooden was also brought as a defense witness and testified in favour of execution.

BACKGROUND INFORMATION

Amnesty International opposes the death penalty in all cases, regardless of questions of guilt or innocence. The death penalty is a symptom of a culture of violence, not a solution to it. It has not been shown to have a unique deterrent effect, denies the possibility of rehabilitation, carries the risk of irreversible error as well as inconsistent and discriminatory application, and consumes resources that could be used to fight violent crime and assist those affected by it.

Today, 120 countries are abolitionist in law or practice. In the USA the capital justice system is marked by arbitrariness, discrimination and error. Since the USA resumed executions in 1977, it has carried out 982 executions, 33 of which were carried out in Alabama. There are 191 people on death row in Alabama.

In Alabama the Governor has sole authority to grant clemency in death penalty cases.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language:

- expressing sympathy for the relatives and friends of the Franklin family, and explaining that you are not seeking to excuse the manner of their deaths or to minimize the suffering caused;
- stating that the death penalty has not been shown to have a unique deterrent effect, denies the possibility of rehabilitation, and consumes resources that could be used to fight violent crime and assist those affected by it;
- opposing the execution of John W. Peoples Jr;
- urging the Governor to grant clemency to him.

APPEALS TO:

The Governor of Alabama
Governor Bob Riley
State Capitol N 104
11 S. Union St #600
Montgomery, AL 36130-2751
USA

Fax: +1 334 242 0937

Email: <http://www.governor.state.al.us/contact.htm>

Salutation: Dear Governor

and to diplomatic representatives of the USA accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 22 September 2005.