

PUBLIC

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Further information on UA 06/08 (AMR 51/003/2008, 7 January 2008) – Death penalty / Legal concern

USA (Ohio) John George Spirko (m), white, aged 61

On 9 January, Ohio's Governor, Ted Strickland, commuted the death sentence of John Spirko to life imprisonment without the possibility of parole. John Spirko, who was scheduled for execution on 24 January, was sentenced to death in 1984 for the abduction and murder of Betty Jane Mottinger in 1982. He has consistently maintained his innocence of this crime and was seeking a conditional or unconditional pardon from Governor Strickland or commutation of his death sentence to time served.

In his statement, Governor Strickland said: "I have concluded that the lack of physical evidence linking him to the murder, as well as the slim residual doubt about his responsibility for the murder that arises from careful scrutiny of the case record and revelations about the case over the past 20 years, makes the imposition of the death penalty inappropriate in this case... Based on this review, I have decided to commute Mr. Spirko's sentence to life imprisonment without the possibility of parole."

John Spirko's lawyers issued a statement saying: "John Spirko is an innocent man who has spent 25 very long and hard years in prison – 23 on death row – for a crime he did not commit. There can be no joy in the commutation of an innocent man's sentence to life without parole. The positive thing about Governor Strickland's commutation is that the State will now not execute an innocent man and that we can, and will, continue to fight for Mr. Spirko's complete exoneration and release... We will continue to urge Governor Strickland and Attorney General Dann to review Mr. Spirko's claims of actual innocence so that justice will be served by Mr. Spirko's release from prison and by finally prosecuting those actually responsible for Mrs Mottinger's murder."

No further appeals from the UA network are requested. Many thanks to all who sent appeals.