

PUBLIC

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Further information on EXTRA 04/01 (AMR 51/009/2001, 16 January 2001) -Death penalty / Legal concern

USA (Tennessee) Philip Ray WORKMAN, white, aged 45

Philip Workman, who had been scheduled to be put to death on 31 January despite serious doubts about his guilt, has received a stay of execution.

On 26 January, the federal US Court of Appeals for the Sixth Circuit granted Philip Workman a stay of execution to allow the US Supreme Court more time to consider whether to take the case. The state of Tennessee appealed against the decision, but the US Supreme Court refused to lift the stay only a few hours before the execution was due to take place. The Supreme Court will consider the case on 16 February, and is likely to announce on 19 or 20 February whether it will hear oral arguments. If the Court decides in favor of Philip Workman, oral arguments will be scheduled later in the year. If the Court decides not to take the case, Tennessee will move to obtain a new execution date.

The day before the Sixth Circuit announced the stay, the Tennessee Board of Probation and Parole voted 6-0 to reject clemency for Philip Workman. The Governor has absolute power of clemency and does not have to follow the board's recommendation. However, Governor Sundquist had not announced his decision on the case when the Sixth Circuit issued its stay.

In the two days leading up to the scheduled execution alone, the governor's office said that it had received more than 5,000 appeals for clemency, most of them from outside Tennessee.

A leading proponent of the death penalty in the Tennessee legislature has written to Governor Sundquist to urge clemency for Philip Workman. Representative Frank Buck, who is Chairperson of the House Judiciary Committee, wrote: "Governor, this case just does not sit right on my conscience. There is enough doubt here that if I were on the jury, I could never vote for the death penalty in this particular case." He urged the governor to commute Philip Workman's sentence to "something less than the death penalty".

No further action by the UA Network is requested at present. Philip Workman's lawyers have asked for their thanks to be passed on to all who sent appeals.