

PUBLIC

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Death penalty / Legal concern

16 February 2004

USA (North Carolina) George Franklin Page (m), white, aged 63

George Page is scheduled to be executed in North Carolina at 2am local time on 27 February 2004. He was sentenced to death for the murder of Police Officer Stephen Amos in 1995.

On the morning of 27 February 1995, police officers were called to the scene of a shooting in Winston-Salem. When they arrived, they found that George Page had fired several shots from the window of his apartment using a high-powered rifle. He fired more shots, one of which ricocheted through two car windows before striking Officer Amos in the chest, fatally wounding him. An officer who was a crisis negotiator spoke by telephone with George Page who said he wanted to speak with his psychologist and his psychiatrist, under whose treatment he had been for various mental disorders for some time. Following further negotiations, George Page agreed to leave his weapon and go with his psychiatrist and the officer to the psychologist's office. He was taken into custody shortly thereafter.

George Page served 16 years in the military, including in the Vietnam War. He has a history of mental problems and alcoholism. He reportedly said at the time of the shooting that he was surrounded by soldiers who were shooting at him, a possible sign of a Post Traumatic Stress Disorder (PTSD) flashback. The trial jury was told by the state psychiatrist that Page did not have combat-related PTSD because he served as a mechanic in Vietnam and had not been in combat. Nevertheless, his military records reportedly show that he was stationed in an area of active conflict. Research suggests that soldiers in various occupations can suffer PTSD.

George Page's former wife has stated in an affidavit that "when George returned from Vietnam, he had completely changed...When he got back, he was really standoffish and he just didn't get close to people again. After he returned from Vietnam, there were many times when I would wake up in the middle of the night and George wouldn't be in the bedroom. I would get up and would find him in the kitchen. He would usually be drinking. He would be sitting on the floor and crying...The next morning, he would never remember what had happened...Something traumatic must have happened to George while he was in Vietnam. He very rarely talked about his time in Vietnam but he seemed to be tortured by those experiences". She did not testify at the trial because she was not contacted by his lawyers. In her affidavit she states: "I wish I had been able to talk to George's trial attorneys and to the jury that decided George's fate. George had become a completely different man after he went to Vietnam".

In another affidavit, George Page's daughter has recalled that there were times "when he seemed to have lost his mind and not know what was happening...I clearly remember this one time when my father started hollering, 'I got him Charlie. I got him, Charlie.'...After he calmed down, he didn't remember what had happened". She was not contacted by the trial lawyers either. George Page's son-in-law, who did testify at the trial, has stated in an affidavit that he "didn't get a chance to tell the jury about...episodes that made it clear to me that George had serious mental health problems". In another affidavit, George Page's brother-in-law has recalled an incident when Page suddenly "jumped up from his chair and ran out of the house. He was yelling, 'They're going to kill me'".

A mental health expert who recently evaluated George Page concluded that he suffers from PTSD and bipolar disorder (manic depressive illness). George Page's mental health records indicate suicide attempts and treatment for major depression. He has been prescribed medication, including drugs used to treat bipolar disorder, throughout his time on death row. He has had an unblemished disciplinary record on death row.

BACKGROUND INFORMATION

Amnesty International opposes the death penalty in all cases. Every death sentence is an affront to human dignity; every execution is a symptom of a culture of violence, rather than a solution to it. Today, 112 countries are abolitionist in law or practice. The United Nations Commission on Human Rights has repeatedly called on all retentionist countries to impose a moratorium on executions with a view to abolition, and has urged that the death penalty not be carried out on anyone suffering from a mental disorder. The UN Safeguards Guaranteeing Protection of the Rights of Those Facing the Death Penalty require that capital defendants receive adequate assistance "at all stages of the proceedings". In 1998, the UN Special Rapporteur on extrajudicial, summary or arbitrary executions emphasised that "all mitigating factors must be taken into account" in capital cases.

George Page is facing execution by lethal injection carried out using a combination of three chemicals: sodium thiopental, pancuronium bromide and potassium chloride. There is evidence that the pancuronium bromide, a derivative of curare which paralyses the muscles but does not affect the brain or nerves, may mask the condemned prisoner's suffering during the execution. A person injected with this chemical cannot move or speak. Lawyers around the country continue to file claims that a "chemical veil" is masking the reality of the lethal injection process. The last person executed in North Carolina was Raymond Rowsey, put to death on 9 January 2004. The execution went ahead after the US Supreme Court voted 5-4 to lift a stay imposed by a lower court following an appeal challenging the lethal injection process.

There have been 897 executions in the USA since it resumed judicial killing in 1977, 31 of them in North Carolina. As evidence has mounted about the discriminatory, arbitrary and error-prone nature of the capital justice system, support for a moratorium on executions has grown. In North Carolina, there have been more than 500 resolutions passed in favour of a moratorium on executions in the state. They have been passed by local government authorities, commercial businesses, religious organizations and congregations, political parties, community groups, student bodies, and law firms. More than 20 newspapers in the state have carried editorials supporting a moratorium.

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

- expressing sympathy for the family and friends of Winston-Salem police officer, Stephen Levi Amos, and explaining that you are not seeking to minimize the gravity of his death or the suffering caused;
- noting the evidence of George Franklin Page's history of mental problems, including at the time of the crime, and expressing concern that the jury was not provided with full information of these problems on which to base its sentencing verdict;
- calling for clemency for George Page, and urging the governor to support a moratorium on executions.

APPEALS TO:

Governor Michael F. Easley
Office of the Governor, 20301 Mail Services Center
Raleigh, NC 27699-0301, USA

Fax: +1 919 715 3175 or 733 2120

Email, via governor's website: <http://www.governor.state.nc.us/email.asp?to=1>

Salutation: Dear Governor

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

You may also write brief letters (not more than 250 words) to: Letters to the Editor, *News & Observer*, P.O. Box 191, Raleigh, NC 27602, USA. **Fax +1 919 829 4540; Email: forum@nando.com**

PLEASE SEND APPEALS IMMEDIATELY. All appeals must arrive by 27 February 2004.