

20 February 2002

**Further information on EXTRA 14/02 (AMR 51/030/2002, 12 February 2002) - Death penalty / Legal concern****USA (Georgia) Alexander Edmund Williams (m), black, aged 33**

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On 19 February 2002, the Georgia Board of Pardons and Paroles stayed the execution of Alexander Williams in order to have more time to consider the case. He had been scheduled to be executed at 7pm on 20 February. His death warrant remains in force until noon on 26 February, and his execution has been tentatively scheduled for 25 February. The Board could dissolve the stay, extend it to 90 days, or commute the death sentence.

Alexander Williams is facing execution for the 1986 murder of 16-year-old Aleta Carol Bunch, white, committed when Williams himself was only 17. International law forbids the execution of people who were under 18 at the time of the crime.

At his trial, Alexander Williams was represented by a lawyer who failed to investigate substantial mitigating evidence to present to the jury. In 2000, five of the surviving eight jurors from the trial signed affidavits saying that if they had been presented with evidence of Alexander Williams's mental illness and history of abuse they would not have voted for death.

Alexander Williams's mental illness has worsened during his 15 years on death row. He has been diagnosed as suffering from paranoid schizophrenia and schizoaffective disorder with bipolar features. His symptoms include delusions and auditory and visual hallucinations. The prison authorities have forcibly medicated him with anti-psychotic drugs, using teams in full riot gear to enter his cell, hold him down and shackle him, while others inject him. A forcible medication order against him remains in effect. His lawyers argue that without such medication, Williams could meet the threshold for legal insanity, rendering his execution unconstitutional.

An appeal is pending before the US Supreme Court. The appeal argues that Alexander Williams has been rendered "synthetically sane" by forcible medication. It also argues that the execution of child offenders is unconstitutional and a violation of international law.

On 20 February, the United Nations High Commissioner for Human Rights, Mary Robinson, welcomed the stay of execution and called for Alexander Williams's death sentence to be commuted. She pointed to his age at the time of the crime, as well as the evidence of his mental illness and of his inadequate legal representation. Her statement followed earlier appeals from the UN Special Rapporteur on extrajudicial, summary or arbitrary executions and the UN Special Rapporteur on the independence of judges and lawyers.

The Inter-American Commission on Human Rights has issued "precautionary measures" calling for the execution of Alexander Williams not to go ahead until the Commission has examined the case.

On 15 February, the Secretary General of the Council of Europe, Walter Schwimmer, appealed to the Board to halt the execution "in the name of human decency". A day earlier, the European Union appealed for clemency.

For more information on this case, see *USA: Crying out for clemency: The case of Alexander Williams, mentally ill child offender facing execution* (AMR 51/139/00, September 2000, available on [www.amnesty.org](http://www.amnesty.org)).

#### **BACKGROUND INFORMATION**

The execution of people for crimes committed when they were under 18 violates the International Covenant on Civil and Political Rights and the Convention on the Rights of the Child. Since January 1993, there have been 21 such executions documented worldwide, 13 of them in the USA. The others were in Democratic Republic of Congo (1), Iran (3), Nigeria (1), Pakistan (2) and Yemen (1). Yemen has since abolished such use of the death penalty. In December 2001, the President of Pakistan announced that he would commute the death sentences of all young offenders on death row in his country.

The UN Safeguards Guaranteeing Protection of the Rights of Those Facing the Death Penalty require adequate legal representation for capital defendants at all stages of proceedings. The execution of the legally insane, those who cannot understand the reason for or reality of their punishment, violates the UN Safeguards as well as the US Constitution. In recent years, the UN Commission on Human Rights has repeatedly adopted resolutions calling on retentionist countries not to use the death penalty against anyone suffering from "any form of mental disorder".

**FURTHER 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;
- welcoming the stay of execution, but urging the Board to have the courage to commute the death sentence in line with international law and commonly held standards of justice and decency;
- noting that five of the original jurors oppose the execution, pointing out that if any one of them had voted for life at the 1986 trial, Alexander Williams would not have been sentenced to death.

#### **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**

**Salutation: Dear Mr Ray**

#### **COPIES TO:**

If possible, please fax a copy of all appeals to Brian Mendelsohn (lawyer) for use in clemency efforts: **Fax: + 1 404 222 9231**

The Honourable Roy E. Barnes, Governor of Georgia, 203 State Capitol, Atlanta, GA 30334, USA. **Fax: + 1 404 657 7332**

and 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*

P.O. Box 4689, Atlanta, GA 30302, USA. **Fax: + 1 404 526 5611**

**E-mail: via website: [www.accessatlanta.com/partners/ajc/letters/](http://www.accessatlanta.com/partners/ajc/letters/)**

PLEASE SEND APPEALS IMMEDIATELY.