

EXTERNAL (for general distribution)

AI Index: AMR 51/59/92

Distr: UA/SC

30 April 1992

*Please bring this action to the attention of the person responsible for outreach in your section so that they can organize appeals from health professionals and lawyers.*

Further information on EXTRA 43/92 (AMR 51/51/92, 14 April 1992) - Death Penalty

USA (Florida): Edward KENNEDY  
Nollie MARTIN

---

Amnesty International has learned that Edward Kennedy, who was scheduled to be executed in Florida on 29 April 1992, has received a temporary stay of execution until 1 May 1992. The stay was granted by the Florida Supreme Court which is examining a number of new appeal issues. Edward Kennedy is still feared to be at great risk of execution in the coming days.

Nollie Martin is still scheduled to be executed on 6 May 1992. Amnesty International has received the following additional information about his history of child abuse and his mental illness.

Nollie Martin was born into great poverty in rural North Carolina in January 1949. Mental illness was prevalent in his family. His father was violent and regularly assaulted his wife and children, beating them severely and occasionally threatening them with weapons. Nollie Martin was also physically and sexually abused from early infancy by his mother. A sister, two uncles and three nephews required hospital treatment and medication for mental illness.

Nollie Martin suffered several severe head injuries resulting in unconsciousness and neuropsychiatric impairment. At the age of four he fell from a high porch, hitting his head and losing consciousness. At 15, he fell from a tree and was unconscious for an hour. His most serious head injury occurred at the age of 12, when he fell from a wagon, and one of the wheels rolled over his head. Later medical examination revealed that serious mental impairment resulted from this injury. Martin suffers tremours, poor coordination and balance, and an inability to recall three digits backwards.

Nollie Martin began suffering episodes of psychosis before he reached adolescence. Symptoms included intense anxiety, hallucinations and paranoia. He would avoid school and hide in the woods all day. He became convinced that people were talking about him. He alternated between periods of suicidal depression and hyperactivity. He cut and mutilated himself, sticking pins in his flesh and burning himself with cigarettes. He also resorted to alcohol. He was badly burned after starting a fire in the apartment in which he lived in 1971 and was imprisoned for five years for this offence.

In 1977 he was released on parole and went to Florida. He received no assistance for his mental problems and continued to drink alcohol. With a cousin he committed a robbery to obtain alcohol which resulted in the murder of a young white woman, Patricia Greenfield. In a statement following his arrest, Nollie Martin expressed revulsion, remorse, disbelief and pleaded for psychiatric help and prayers. He was sentenced to death in November 1978.

**Page 2 of FU EXTRA 43/92**

Nollie Martin's thirteen years on death row are described by his lawyers as "marked by intense and relentless torment. He loathes himself for taking Patricia's life and he agonizes over how he could have performed such a brutal act. He believes that satanic forces are to blame for the murder, but punishes himself for not being strong enough to withstand their directions." According to his lawyers, Nollie Martin can make no sense of his impending execution, nor of his entire life.

Nollie Martin requires constant medication to treat his mental illness. He is said to hear voices constantly mocking at him; he beats his head and fists against the wall of his cell and continues to mutilate himself. He hallucinates and his conversation rambles incoherently. A former death row guard at Florida State Prison recently recalled: "Nollie would just sit on the floor of his cell and rock back and forth; sometimes he would ramble on and on when no one was speaking to him...Nollie was simply out of touch with reality most of the time...Nollie was a pathetic sight."

Amnesty International is concerned that Nollie Martin's execution would be in contravention of United Economic and Social Council (ECOSOC) resolution 1989/64, adopted in May 1989, which recommends "...eliminating the death penalty for persons suffering from mental retardation or extremely limited mental competence, whether at the stage of sentence or execution."

**FURTHER RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express and airmail letters**

- urging Governor Chiles to grant clemency to Edward Kennedy and Nollie Martin, by commuting their death sentences;

- expressing deep concern at reports that Nollie Martin faces imminent execution despite his very serious mental illness; citing UN ECOSOC resolution 1989/64 which calls on states not to execute persons suffering from mental retardation or extremely limited mental competence;

- urging that the interests of justice cannot be served by the execution of someone as mentally impaired as Nollie Martin.

**APPEALS TO:**

1) The Honorable Lawton Chiles  
Governor of Florida  
State Capitol  
Tallahassee, FL 32399-0001  
USA

**Dear Governor**

**Telegrams: Governor Chiles, Tallahassee, FL 32399-0001**  
**Telephone: + 1 904 488 2272**  
**Faxes: + 1 904 487 0801**

**COPIES OF YOUR APPEALS TO:**

Miami Herald

Miami Herald Publishing Co.

1 Herald Plaza

Miami, FL 33101

USA

**Faxes: +1 305 376 8950**

and to diplomatic representatives of the USA in your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 5 May 1992.