

# URGENT ACTION

## OPPOSITION TO PENNSYLVANIA EXECUTION GROWS

**Terrance Williams, a 46-year-old African American man, is due to be executed on 3 October in Pennsylvania for a murder committed when he was 18. The victim's widow, five of the trial jurors, and numerous experts on child abuse have called for clemency.**

The body of 56-year-old Amos Norwood was found in a cemetery in Philadelphia on 15 June 1984. He had been beaten to death. **Terrance (Terry) Williams** was brought to trial in early 1986, and convicted of first-degree murder. Arguing for the death penalty, the state presented evidence that he had been convicted of armed robbery committed when he was 16 and the murder of a 51-year-old man, Herbert Hamilton, when he was 17. In mitigation, the defence presented three witnesses – the mother, girlfriend, and a cousin of the defendant – who testified as to his good character. Except for a passing reference by the mother that her second husband was “very abusive” to her son, there was no other evidence presented of any abuse suffered by Terry Williams. The defence lawyer urged the jury to consider his client's young age – 18 years and three months – at the time of the crime.

According to Terry Williams' clemency petition, his childhood was marked “by over a decade of sexual abuse” as well as “years of physical and emotional abuse, neglect and abandonment”. This “unrelenting abuse and neglect” rendered him “an easy target for sexual predators”, two of whom had been Amos Norwood and Herbert Hamilton, according to the petition. In 2007, a US District Court found that the trial lawyer's representation of Terry Williams at the sentencing had been “constitutionally deficient” and “fell far short of prevailing professional norms” because of his failure to conduct a “meaningful investigation” into his client's background. However, under the highly deferential standard for federal judicial review of state cases in US law, the District Court ruled that the lawyer's failings had not altered the trial's outcome. In 2012, the US Court of Appeals for the Third Circuit upheld the ruling, despite acknowledging that the mitigation evidence portrayed a “much more complicated and troubled individual than the one depicted during the trial's penalty phase.”

Those who have called for clemency include 30 child advocates and experts on child abuse, 18 former prosecutors, eight retired judges, 47 mental health professionals and numerous law professors. Amos Norwood's widow has signed a declaration that she has forgiven Terry Williams for the murder of her husband and that she wishes “to see his life spared”. Five of the trial jurors have also said they now oppose his death sentence.

### **Please write immediately, in English if possible (to Governor until 3 October; to Board until 17 September):**

- Explaining that you are not seeking to excuse Amos Norwood's murder or downplay the suffering caused;
- Expressing concern that, during the trial, the jury never heard evidence of Terrance Williams' severely abusive childhood from which he was only just emerging at the time of the crime, when he was 18 years old;
- Welcoming the breadth of opposition to this execution, from former judges, prosecutors, and experts on child abuse, in addition to five of the trial jurors and the widow of Amos Norwood;
- Calling for Terry Williams' death sentence to be commuted.

### **PLEASE SEND APPEALS BEFORE 3 OCTOBER 2012 TO:**

Office of Governor Tom Corbett

Main Capitol Building, Room 225

Harrisburg, PA 17120, USA

Fax: +1 717 772 8284

Email: [governor@pa.gov](mailto:governor@pa.gov)

Salutation: **Dear Governor**

Pennsylvania Board of Pardons

333 Market Street, 15th Floor

Harrisburg, PA 17126, USA

Fax: +1 717 772 3135

Email: [RA-BOP@pa.gov](mailto:RA-BOP@pa.gov)

Salutation: **Dear Board members**

**Send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:**

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date.

**AMNESTY  
INTERNATIONAL**



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### ADDITIONAL INFORMATION

The US Supreme Court has said that “capital punishment must be limited to those offenders who commit a narrow category of the most serious crimes and whose extreme culpability makes them the most deserving of execution”. In 2005, in *Roper v. Simmons*, the Court removed people who were under 18 at the time of the crime from the reach of the death penalty on the grounds of their categorically diminished culpability. The *Roper* ruling recognized the immaturity, impulsiveness, poor judgment and underdeveloped sense of responsibility often associated with youth. The Court noted that while it was coming up with a categorical rule, the age of 18 as a cut-off for death penalty eligibility was a *minimum* standard. The Court noted that the “qualities that distinguish juveniles from adults do not disappear when an individual turns 18”. Indeed, scientific research shows that development of the brain and psychological and emotional maturation continues at least into a person’s early 20s.

Thus if the murder of Amos Norwood had been committed three-and-a-half months earlier, Terry Williams would not now be facing execution as he would have been under 18 at the time of the crime. In addition, if the jury had heard the sort of evidence and expert testimony about the abusive childhood from which he was emerging at the time of the murder of Amos Norwood, it has to be considered possible that at least one of the jurors would have voted for life rather than death (as five of them have now indicated). In 1993, the Supreme Court emphasised that: “youth is more than a chronological fact. It is a time and condition of life when a person may be most susceptible to influence and to psychological damage.” According to his clemency petition, Terry Williams’ childhood “had a devastating effect on his psychological and emotional development. Terry Williams’ first 18 years of life were nothing short of tragic. He was physically abused by his mother and stepfather and was raped and sexually assaulted by adults who should have protected him. He never received any kind of mental health treatment or counselling to help him cope with the trauma”. Dr David Lisak, a clinical psychologist and an expert on such abuse and its effects on boys and men, has said that “the violence and abuse that Terry Williams suffered was so severe, and so sustained, that I would not expect any child subjected to such unrelenting trauma to emerge without severe and long lasting psychological damage.” Terry Williams has been diagnosed as suffering from, among other things, Post Traumatic Stress Disorder (PTSD) and to this day is reported to suffer “secondary symptoms of PTSD, including near constant anxiety, sleep disorders, and nightmares”.

According to the clemency petition, the sexual exploitation of Terry Williams by Amos Norwood became increasingly violent over time. The murder for which Terry Williams is now facing execution took place the day after a violent sexual assault by Norwood on the teenager. Terry Williams told Dr Lisak that at the time of the murder, “I was very angry and very scared, and I just snapped. I wanted him to feel the pain that he made me feel. I couldn’t think clearly. I felt such anger and betrayal at everyone who used me and betrayed me. I couldn’t think of anything else”. Terry Williams, who has spent more than half of his life on death row, is reported to be “deeply remorseful” for the murders of Herbert Hamilton and Amos Norwood, and “has demonstrated an ongoing desire to become a better person and to make a positive impact on his daughter and on society from behind the prison walls”.

The clemency petition does not seek to excuse the murder of Amos Norwood but asks the clemency authorities to consider the mitigating effect of the childhood abuse Terry Williams suffered, something the jury was never able to do.

Amnesty International opposes the death penalty unconditionally in all cases, regardless of questions of culpability, the details of the crime, or the method used to kill the prisoner. There have been 1,304 executions in the USA since executions resumed there in 1977, including 27 so far in 2012. This would be the first “non-consensual” execution in Pennsylvania for 50 years. The three executions carried out in this state since 1977 were of people who had given up their appeals.

Name: Terrance Williams

Gender m/f: m

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