

PUBLIC

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**Further information on EXTRA 170/99 (AMR 51/192/99, 30 November 1999) - Death Penalty**

**USA (Virginia) Andre L. Graham, black, aged 29**

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Andre Graham was executed as scheduled on 9 December 1999 in Virginia. He had been sentenced to death in 1994 for the murder of Sheryl Stack.

Andre Graham made no final statement before the lethal injection was administered. In the days leading up to his execution he continued to maintain that, although he had been present at the crime, he had not been the gunman.

In recent days, the local media has reported that two prisoners had come forward to support Andre Graham's claim not to have been the "triggerman". Both claimed to have heard Mark Sheppard, who was executed in January 1999 for a different crime, say that Graham had not killed Sheryl Stack.

A spokesperson for Virginia's Attorney General reportedly responded to the claims by saying: "Death row inmates have nothing better to do than perpetuate lies and myths about third party killers, last-minute evidence and a host of other smoke screens to try to avoid the death penalty. Rather than trying to tie the legal system in knots at the last minute, they should be seeking forgiveness and apologizing to the victim's family."

In extracts from an interview conducted with the *Virginian-Pilot* newspaper, published on 8 December, Andre Graham continued to deny that he was the gunman: "It's not that I'm clinging to life, but I didn't do this murder." He expressed regret at the shooting of Sheryl Stack and Edward Martin (who survived): "I feel so sorry for them. I know how my mother would feel. I wish I could just prove... I don't know... I just hate having people hate me."

Andre Graham became the 14<sup>th</sup> prisoner to be put to death in Virginia this year, the highest annual total since the state resumed executions in 1982. He also became the 96<sup>th</sup> inmate executed nationwide in 1999 and the 596<sup>th</sup> since the USA resumed executions in 1977.

Andre Graham was one of four prisoners executed in the USA on 9 December, the eve of Human Rights Day (see News Service 231/99, AMR 51/197/99, 8 December 1999 - *USA: Four prisoners to be killed on the eve of Human Rights Day as USA heads for 100<sup>th</sup> execution in 1999*, and News Service 232/99 - *News Flash*, AMR 51/199/99, 9 December 1999 - *USA's addiction to execution continues*. It is the first time since the USA resumed executions in 1977 that four prisoners have been put to death on the same day.

**No further action by the UA Network is requested. Many thanks to all who sent appeals on behalf of Andre Graham.**