

# URGENT ACTION

## OKLAHOMA EXECUTION GOES AHEAD AFTER DELAYS

**Jeffrey Matthews was executed in Oklahoma on the evening of 11 January. He was sentenced to death for the murder of his great-uncle, 77-year-old Earl Short, in 1994.**

The execution, originally set for 17 June 2010, had been delayed a number of times, first by the state governor and then by a federal court. On 26 May, the state Pardon and Parole Board had voted by three votes to two to deny clemency. On 16 June, then-Governor Brad Henry granted a stay of execution until 20 July and five days before this stay ran out he extended it, with a new execution date set for 17 August. In early August the Director of the Pardon and Parole Board announced that the Board would not hold a second clemency hearing to reconsider its decision.

A few hours before the execution was due to be carried out, US District Judge Stephen Friot granted a stay of execution after lawyers for Jeffrey Matthews filed an emergency motion relating to the lethal injection procedure to be used in the execution. The lawyers had learned that the Department of Corrections had been unable to obtain the sodium thiopental, the anaesthetic used under the state's three-drug lethal injection protocol. The lawyers were informed that for the execution of Jeffrey Matthews, the state intended to use another drug, Brevital, also known as methohexital, as the anaesthetic.

On 19 November, Judge Friot ruled against the lethal injection challenge brought by Jeffrey Matthews and John Duty, another Oklahoma inmate facing imminent execution. John Duty was put to death on 16 December, using another drug Pentobarbital, as the anaesthetic component of the three-drug lethal injection method. This is believed to have been the first execution in the USA using Pentobarbital, a drug commonly used in the euthanizing of animals. Jeffrey Matthews becomes the third person so executed, following the execution of another Oklahoma death row inmate, Billy Alverson, on 6 January 2011.

There was no physical evidence – hair, fibre, blood, DNA, fingerprints or gunshot residue – linking Jeffrey Matthews to the crime he was sentenced for in 1995. In 2007, one of the police officers involved in investigating the crime signed a sworn statement saying that he believed "there is a reasonable likelihood that Matthews is innocent."

Oklahoma accounts for 96 of the 1,236 executions carried out in the USA since judicial killing resumed there in 1977. There have been two executions in the USA this year, both of them in Oklahoma.

**No further action by the UA Network is requested. Many thanks to all who sent appeals.**

This is the third update of UA 140/10. Further information: [www.amnesty.org/en/library/info/AMR51/054/2010/en](http://www.amnesty.org/en/library/info/AMR51/054/2010/en)

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