

URGENT ACTION

GOVERNOR IMPOSES MORATORIUM ON EXECUTIONS

The Governor of Oregon has blocked an imminent execution – which would have been the first in this US state since 1997 and only the third since 1962 – and said that he will allow no further executions while he is governor.

Governor John Kitzhaber announced on 22 November that he was issuing a reprieve in the case of **Gary Haugen**, a 49-year-old man scheduled for execution on 6 December after waiving his appeals. A day earlier, the Oregon Supreme Court had ruled by four votes to three that the execution could go forward, narrowly rejecting a petition asking the court to order a new mental competency hearing for Haugen. Oregon has carried out two executions since judicial killing resumed in the USA in 1977 – one in 1996 and one in 1997. Both were of inmates who had given up appeals against their death sentences. Both were executed during Governor Kitzhaber's first term in office.

Governor Kitzhaber said that he had allowed the two earlier executions to go ahead “despite my personal opposition to the death penalty.” He said that at that time he had been “torn between my personal convictions about the morality of capital punishment and my oath to uphold the Oregon constitution”. Now, he continued, “I do not believe that those executions made us safer; and certainly they did not make us nobler as a society”. Today, he said, he could not “participate once again in something I believe to be morally wrong”. Not only has he blocked the execution of Gary Haugen “for the duration of my term in office”, he said he was refusing to be a part of “this compromised and inequitable system any longer” and that he would allow no further executions while he is governor.

He said that Oregon's death penalty was “neither fair nor just”, nor “swift or certain”, and that it was a “perversion of justice that the single best indicator of who will and who will not be executed” in Oregon is whether a prisoner “volunteers” for execution by giving up their appeals. He noted that many judges, prosecutors, legislators and victim family members were now in agreement that Oregon's capital justice system is “broken”. He also pointed to the fact that in recent years, legislators and governors in Illinois, New Jersey and New Mexico had banned the death penalty, recognizing its unfairnesses, risks, costs and inequities. It is time, he said, for Oregon “to consider a different approach”.

Governor Kitzhaber said that he had chosen not to commute Gary Haugen's death sentence or any of the other 36 inmates on the state's death row because “the policy of this state is not mine alone to decide”. He said that it was his hope and intention that the moratorium on executions he was imposing would bring about “a long overdue reevaluation of our current policy and our system of capital punishment” because “we can no longer ignore the contradictions and inequities of our current system”.

He concluded by saying that he was sure that Oregon can find a “better solution”, one that ensures public safety and “supports the victims of crime and their families”. Fourteen years ago, he said “I struggled with the decision to allow an execution to proceed. Over the years I have thought that if faced with the same set of circumstances I would make a different decision. That time has come”.

Amnesty International welcomes the principled stand taken by Governor Kitzhaber, which is consistent with the abolitionist spirit of international human rights law and repeated calls by the international community for governments to impose a moratorium on executions. Governor Kitzhaber was elected to a third four-year term as governor in 2010, taking office in January 2011. His term runs until January 2015.

No further appeals by the UA Network are requested. Many thanks to all who sent appeals.

This is the first update to UA: 308/11. Further information: <http://www.amnesty.org/en/library/info/AMR51/087/2011/en>

Name: Gary Haugen

Gender: m/f: male

FU on UA:308/11 Index: AMR 51/096/2011 Issue Date: 23 November 2011

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