

URGENT ACTION

TENNESSEE MAN AT IMMINENT RISK OF EXECUTION

Edmund Zagorski has been on death row in Tennessee for over 30 years after allegedly receiving ineffective counsel. He was scheduled to be executed on 11 October, using a new three-drug lethal injection. After challenges made through litigation, the state Governor issued a ten-day reprieve to allow for preparation of the execution.

Edmund Zagorski was scheduled to be executed on 11 October, using the State of Tennessee's new three-drug lethal injection protocol, but the state Governor granted a temporary stay of execution until 21 October. After this date, Edmund Zagorski will be at imminent risk of execution.

Edmund Zagorski was convicted in 1984 of the first-degree murders of two men. The State of Tennessee presented evidence that Edmund Zagorski promised to sell them marijuana, then shot and killed both men. In the penalty phase of his original trial, Edmund Zagorski expressed a desire to receive the death penalty, rather than spend his life in prison. Edmund Zagorski claimed the statements he made to police were coerced; that police kept him in isolation, deprived him of sunlight, and exposed him to extreme temperatures while he was detained. He appealed his original conviction, stating that police coerced him to implicate himself in the murders, improperly withheld evidence, and that he did not receive effective counsel.

His attorneys have also argued that Edmund Zagorski was denied a constitutional proportionality review, a process in Tennessee capital punishment cases to determine whether the sentence is proportionate to those issued in cases with similar facts.

The Tennessee Supreme Court found his death sentence proportionate, but in each of the three cases cited by the Court in that review, the death sentences were overturned, and life sentences were imposed. The defendants in each of those three cases were also later released on parole.

Please write immediately in English or your own language to the USA authorities urging them to:

- Halt Edmund Zagorski's execution and commute his death sentence to life in prison.

PLEASE SEND APPEALS BEFORE 23 NOVEMBER 2018 TO:

Governor Bill Haslam
600 Charlotte Avenue
First Floor
Nashville, Tennessee 37243
United States of America
Telephone: +1 615-741-2001
Twitter: @BillHaslam
Facebook: @TeamHaslam
Salutation: Dear Governor

Also send copies to diplomatic representatives accredited to your country. HIS EXCELLENCY WOODY JOHNSON, U.S. Embassy London, 33 Nine Elms Lane SW11 7US, Phone: (0)20 7499-9000

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

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

Edmund Zagorski was convicted in 1984 of the first-degree murders of John Dale Dotson and Jimmy Porter. The State of Tennessee presented evidence that Edmund Zagorski promised to sell them marijuana, then shot and killed both men. In 1998, Edmund Zagorski appealed his conviction to the Tennessee Supreme Court, claiming that his counsel had been ineffective because his attorneys did not investigate or present mitigating evidence of Edmund Zagorski's childhood trauma and brain damage at the sentencing phase of his original trial. In 2009, Edmund Zagorski appealed on claims that the prosecution in his original trial improperly withheld evidence that someone else murdered John Dale Dotson and Jimmy Porter and that the prosecution in his original trial had improperly admitted statements that Edmund Zagorski made to police. In each of these appeals, the appellate court affirmed Edmund Zagorski's conviction and sentence.

Holding prisoners in prolonged solitary confinement is a violation of the absolute prohibition against torture and other cruel, inhumane or degrading treatment or punishment. In June 1983, Edmund Zagorski was placed in solitary confinement for seven weeks at Robertson County Jail, in a metal cell with no air conditioning, no air circulation and meager ventilation, allowing temperatures to reach 100 degrees Fahrenheit (38 degrees Celsius) in July. These conditions are believed to have contributed to compromised mental and physical health including significant weight loss and multiple suicide attempts.

There have been 18 executions in the USA in 2018, bringing to 1,483 the number of executions since 1976. Amnesty International opposes the death penalty unconditionally. Today 142 countries are abolitionist in law or practice.

Name: Edmund Zagorski
Gender m/f: m

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