

URGENT ACTION

THREE FACE EXECUTION IN TRUMP'S LAST WEEKS

Two men and one woman convicted under USA federal law face execution in the last weeks of the Trump presidency. The USA federal authorities resumed executions after 17 years and have been pursuing an unprecedented number of lethal injections, bucking national and global trends towards abolition. The cases of those selected for execution have been affected by arbitrariness, ineffective legal representation, racial bias, and have involved people with severe mental and intellectual disabilities, in violation of international law and standards. We urge the USA Attorney General to halt all executions.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

US Acting Attorney General Jeff Rosen
U.S.A. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001
Department Comment Line: 202-353-1555
Email: askdoj@usdoj.gov

Dear Acting Attorney General Rosen,

I urge you to call off all set federal executions and withdraw authorization to seek the death penalty as sentencing option in ongoing trials.

The pursuit of 13 executions by the Trump administration has been unprecedented and goes against trends in the USA and globally away from the use of the death penalty. If all set executions are carried out, in under seven months your administration will be responsible for more than half of the annual number of executions recorded in the USA in recent years.

The resort to executions as shown in recent months has not only put the spotlight on the unjust flaws and arbitrariness that have long affected the USA death penalty system, but also failures on the part of your administration to uphold safeguards and restrictions established under international law and standards to guarantee protection of the rights of those facing the death penalty. Racial bias, sentencing of people with severe mental and intellectual disabilities, and flawed legal representation are some of the common factors that have contributed to unreliable judicial decisions on life or death.

*As of today, 22 USA states and the District of Columbia have abolished the death penalty, and 11 others have not carried out executions in more than 10 years. Instead of pursuing executions, in your final weeks in office **I urge you to immediately call off all set executions.***

Yours sincerely,

ADDITIONAL INFORMATION

Two men and one woman face execution in the last weeks of the Trump administration.; [Lisa Montgomery](#), on 12 January; [Corey Johnson](#) on 14 January; and [Dustin Higgs](#) on 15 January. Their legal representatives have highlighted that flaws and arbitrariness that have long affected the use of the death penalty in the USA also affect their cases (see links to statements). Since resuming USA federal executions after 17 years last July, the Trump administration has put to death a total of eight men and is pursuing a further five executions in its last weeks in office, including that of the only woman on federal death row. If all executions are carried out, the Trump administration will have put to death 13 people in seven months. This staggering figure is unprecedented, not only as three federal executions in total were recorded in the more than 40 years since executions restarted in the USA in 1977 up until June 2020; but also as it represents more than half of the total number of executions recorded for the USA in recent years (22 in 2019; 25 in 2018). For the first time in more than 130 years, USA federal executions have been authorized during the presidential transition period.

The Trump administration has pursued executions in violation of international restrictions to the use of the death penalty established under international human rights law and standards. Among other concerns highlighted by the legal defence teams and [Amnesty International](#), [Daniel Lewis Lee](#) was executed with 16 hours' delay on 14 July without adequate notice given to his legal counsel of the rescheduled execution; and with several legal motions in his case still pending. [Wesley Ira Purkey](#) was pronounced dead on 16 July, also 16 hours after the time set for his execution. A district court had stayed his execution as he had provided substantial evidence that he had Alzheimer's disease and had been diagnosed with complex Post-Traumatic Stress Disorder, schizophrenia, bipolar disorder, major depression, and psychosis, which made him not competent for execution. International law prohibits the use of the death penalty against persons with mental (psychosocial) or intellectual disabilities. [Dustin Honken](#)' lawyers had highlighted how his trial and sentencing were affected by misconduct and ineffective legal counsel, who failed to inform the jury of his mental disability and challenges in his background history – but he was executed on 17 July. [Lezmond Mitchell](#), a Navajo man, was executed on 26 August, despite a request for a stay by the Inter-American Commission on Human Rights, on the grounds that his right to a fair trial had been violated; and that the execution would also violate the right to cultural identity of the Navajo Nation and undermine their right to self-determination, as they actively oppose the application of the death penalty to their members. [Keith Dwayne Nelson](#)'s lawyers argued before his 28 August execution that the ineffective legal representation he received at trial resulted in crucial errors and the jury never hearing of mitigating factors in his case, including the repeated sexual and physical abuse that he faced during his traumatic childhood. **William Emmett LeCroy**, who was put to death on 22 September, had argued that ineffective legal representation at trial resulted in mitigating evidence of childhood sexual abuse and long-standing mental disability not being adequately presented to the jury, but the courts dismissed the appeals. [Christopher Vialva](#) was executed on 24 September for a crime committed when he was just 19 years old, despite scientific research showing that development of the brain and psychological and emotional maturation continue into a person's 20s. His lawyers had raised concern at the ineffective legal counsel he received, which failed to investigate evidence of his traumatic childhood and mental and intellectual disabilities. [Orlando Hall](#), a Black man, was executed on 19 November after being sentenced to death in 1995 by an all-White jury after the prosecution struck four of the five eligible Black jurors from service. Orlando Hall's execution was the first execution since 1889 to be carried out during a presidential transition period. [Brendon Bernard](#), who was just 18 years old when the crime was committed, was executed on 10 December; [Alfred Bourgeois](#), who had an intellectual disability, on 11 December. All ten executions took place at the Federal Correctional Centre in Terre Haute, Indiana.

Widespread calls to halt the executions have been put forward to USA Attorney General Barr, including most recently by nearly [100 current and former elected prosecutors](#), deputy and state Attorneys General, and law enforcement leaders, and former USA attorneys and Department of Justice officials. As of today, 142 countries have abolished the death penalty in law or practice. Amnesty International opposes the death penalty in all cases, without exception, as a violation of the right to life and the ultimate cruel, inhuman and degrading punishment.

PREFERRED LANGUAGE TO ADDRESS TARGET: English.

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 15 January 2021

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PRONOUN: People at risk of USA federal executions (them, they)

LINK TO PREVIOUS UA: <https://www.amnesty.org/en/documents/amr51/3441/2020/en/>

ADDITIONAL TARGETS

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