

STOP THE EXECUTION OF REGGIE CLEMONS!



Reggie Clemons was sentenced to death as an accomplice in the 1991 murder in St. Louis of two young white women, Julie and Robin Kerry, who plunged from the Chain of Rocks Bridge into the Mississippi River. Two other black youths were also convicted, including Marlin Gray (executed in 2005). Clemons has consistently maintained his innocence. His case illustrates many of the flaws in the U.S. death penalty system.

■ NO PHYSICAL EVIDENCE

No physical evidence ties Clemons to the crime or the events leading up to it. The prosecution conceded that **he neither killed the victims nor planned the crime.**

■ TWO WITNESSES: 1 FORMER SUSPECT, 1 CO-DEFENDANT

Two eyewitnesses were critical to the conviction. Thomas Cummins initially confessed to police that he murdered the victims, his cousins. After identifying Clemons and three other suspects, charges against him were dropped. On the day Clemons was sentenced to death, Cummins filed a **police brutality lawsuit, resulting in a \$150,000 settlement.** Daniel Winfrey pled guilty to a lesser offense **in exchange for testimony against Clemons** and the other two.

■ POLICE COERCION ALLEGED

Clemons alleges that he confessed under the pressure of police brutality to raping one of the victims. He never confessed to the murders. He subsequently retracted his confession. Two other suspects independently alleged mistreatment by the police. Witnesses attest to Clemons' face being swollen after his interrogation.

■ PROSECUTORIAL MISCONDUCT

Four federal judges have agreed that the prosecutor's conduct was "**abusive and boorish.**" In his closing statement, he compared Clemons to two convicted serial killers, even though Clemons **had no criminal record.** He was 19 years old when the crime occurred. This behavior was part of a pattern that earned the prosecutor repeated criticism by state and federal courts.

■ INADEQUATE LEGAL REPRESENTATION

Clemons' lawyer was later suspended from practicing law following numerous complaints. His co-counsel had a full-time job in another state when she represented Clemons. Another lawyer hired by Clemons' mother to assist in the case said that as the trial loomed, it was clear the two **trial lawyers had not done the necessary preparation.**

■ QUESTIONS OF RACE

Race, particularly race of victim, biases the U.S. death penalty. Here, the murder victims were white, the three convicted defendants were black, and the two crucial witnesses were white. **Blacks were disproportionately dismissed during jury selection,** resulting in an unrepresentative jury given St. Louis' sizeable black population.

■ A 'STACKED' JURY

In 2002, a U.S. District Court judge ruled that Clemons' death sentence should not stand because **six prospective jurors had been improperly excluded** at jury selection. A higher court overturned this ruling on technical grounds – saying that Clemons' lawyer had not properly preserved the claim for federal judicial review.

Shortly after his 2009 execution date was stayed, the Missouri Supreme Court assigned a judge (a "Special Master") to investigate the reliability of his conviction and proportionality of his sentence. **Amnesty International urges the state of Missouri to recognize the serious concerns in Reggie Clemons' case and to commute his death sentence.**

TAKE ACTION TO STOP THE EXECUTION OF REGGIE CLEMONS!

www.amnestyusa.org/abolish | dpac@aiusa.org | 202-544-0200

AIUSA DEATH PENALTY ABOLITION CAMPAIGN
600 PENNSYLVANIA AVE. SE, 5TH FL., WASHINGTON, DC 20003
O) 202-544-0200 F) 202-546-7142 www.amnestyusa.org/abolish

