

URGENT ACTION

EXECUTION CALLED OFF IN DEATH CHAMBER

The execution of Alva Campbell was called off on 15 November after the execution team was unable to find a viable vein for the lethal injection. The governor has set a new execution date of 5 June 2019, by which time Alva Campbell would be 71 years old.

Alva Campbell was convicted in 1998 of the 1997 murder of Charles Dials. In October 2017, the Ohio parole board voted 11-1 against clemency and on 9 November Governor John Kasich denied clemency. On 14 November, the US Supreme Court refused to issue a stay of execution, which was set for 10am on 15 November. The execution was delayed for about an hour, and then after Alva Campbell was taken into the death chamber, the execution team made several attempts over the course of 30 minutes to insert an intravenous line into his arms and then his right leg. The Director of the department of corrections called a halt to the execution, and Governor Kasich issued a temporary reprieve. The governor later set a new execution date of 5 June 2019. He will no longer be governor by then, as his term in office ends in January 2019. Alva Campbell's lawyer questioned how the state would have any more success in executing his client in June 2019 than it had achieved now: "He's 69 years old and has all kinds of illnesses and his veins are a mess. They're just not going to get any better."

Alva Campbell's lawyers had provided the courts and clemency authorities with details of how the prisoner's health had "progressively, and acutely, worsened, with multiple severe and life-threatening ailments arising almost every year" since 2003. The lawyers argued that this ill-health made it likely that he would have a "paradoxical reaction" to any lethal injection drug, "thus rendering any attempt of the State to execute him unconstitutional". They also argued that his veins were unviable. When the US Court of Appeals dismissed the appeal on 25 October, one of the three judges dissented: "There are situations in which killing a person whose mental biology has deteriorated would be an exercise in mindless vengeance, and there are situations in which killing a person whose physical biology has worsened would be an exercise in mindless vengeance." The lawyers filed a petition for a stay of execution in the US Supreme Court, which denied it on 14 November, without comment or dissent.

There have been 23 executions in the USA this year, two of them in Ohio, which now accounts for 55 of the 1,465 executions since 1976. Ohio currently has 27 prisoners scheduled for execution before September 2022, including Alva Campbell. They also include Romell Broom, whom the state attempted to execute in 2009, but whose execution was also abandoned after the lethal injection team could not find a viable vein. In 2016, the Ohio Supreme Court ruled four to three that it would be constitutional for the state to attempt to execute him again. One of the dissenting judges wrote: "I wonder when concepts of human dignity will evolve sufficiently that the State of Ohio will lay down the death penalty entirely just like the more obvious forms of torture that have been abandoned so far".

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

This is the first update to UA: 247/17. Further information: www.amnesty.org/en/documents/amr51/7377/2017/en/

Name: Alva Campbell
Gender m/f: m

Further information on UA: 247/17 Index: AMR 51/7471/2017 Issue Date: 16 November 2017

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