

UPCOMING EVENTS

Thursday, October 28, 7:30 PM. *Monthly Meeting* Caltech Y has moved. **New Location!** Just around the corner from our old meeting place, we move to San Pasqual between Hill and Holliston, south side. You will see two curving walls forming a gate to a path-- our building is just behind that sign. Help us plan future actions on Tibet, the Patriot Act, Campaign Against Discrimination, death penalty, environmental justice and more.

Tuesday, November 9, 7:30 PM. *Letter-writing Meeting* at the Athenaeum. Corner of California & Hill. **We are back in our usual location in the basement recreation area.** This informal gathering is a great for newcomers to get acquainted with Amnesty!

Sunday, November 21, 9:00 AM-2:00 PM (aprox.) *Doo-Dah Parade.* Contact us at aigp22@caltech.edu if you're interested in marching!

Sunday, November 21, 6:30 PM. *Rights Readers Human Rights Book Discussion Group.* Vroman's Book Bookstore, 695 E. Colorado Blvd., Pasadena. This month we discuss David Von Drehle's account of the famous Triangle Shirtwaist factory fire, *Triangle*. (More info below.)

COORDINATOR'S CORNER

Hi all. Hope you are enjoying the fall and the last few weeks of daylight savings time. (the change is Oct 31st, when we set the clocks back one hour!). This is my favorite time of year, even though we don't really have seasons here.

On October 5th, several group 22 members viewed the film "The Lost Boys of Sudan", a production which was shown on the PBS program "POV" (Point of View) last year. This film is about two teenage Sudanese refugees from the civil war between northern and southern Sudan which has been going on for many years. These young men from the Dinka tribe (Peter and Santino) were sent to America and the film follows them through their first year of adjustment to their new life. The purpose of this gathering-sponsored by Amnesty International- was to create interest in the current situation in Darfur, Sudan (in the western part of

Sudan and a different conflict than the one featured in "Lost Boys"). Everyone was given a packet with information on Sudan, with letters to send to Sudanese officials and other resources. It was an interesting and informative evening and I hope that the new people who came will come to one of our regular meetings.

There will be an interfaith candlelight march for Sudan on Monday October 25 at 7 PM beginning at the Islamic Center, 434 S. Vermont Ave, Los Angeles. For information, contact 323-761-8350 or 213-482-2040 ext 245. This is sponsored by Progressive Jewish Alliance and Progressive Christians Uniting. This is not an Amnesty event, but may be of interest.

Group 22 is participating in the Doo-Dah Parade again this year, which will be on November 21st, a Sunday. Come to our monthly meeting this next week, Thursday October 28, to see what's happening and how you can be a part of it! We need volunteers! (For those who don't know, Doo-Dah is a hilarious spoof of the Rose Parade).

The **Western Regional Conference** will be in Salt Lake City November 12-14. The theme is "It's In Our Hands, Ending Violence Against Women". For more info, contact the Western Regional Office in Culver City at 866-273-4466 or go on line at: <http://www.amnestyusa.org/events/western/regionalconference.html>.

Take care,

Kathy

aigp22@caltech.edu

CONFLICT DIAMONDS

National Day of Action Survey Results!

Thanks to the many activists (including local high school and Group 22 members) who joined forces on September 18 to find out what diamond retailers are doing (or not doing) to combat the trade in conflict diamonds. The day was a huge success - in 50 cities across 18 states, AI activists visited 246 stores to conduct the survey and raised awareness among consumers by tabling and leafleting in their communities. Quick Stats

- Only 27% of shops were able assure us that they had a policy on conflict diamonds.
- 30% of the shops that said they had a policy were unable to produce a hard copy of or explain it.
- Only 13% of shops provided warranties to their customers as a standard practice.
- 37% of the shops we visited claimed to be aware of the conflict diamonds issue. But 54% of them reported an inaccurate definition of the crisis.

- Only 28% of the shops were aware of the Kimberley Process.
- 29% of those who were aware of the Kimberley Process had only a minimal or limited understanding of it.
- When asked whether consumers inquired about conflict diamonds, 83% of respondents answered rarely or never.
- 110 shops refused outright to take the survey.

To learn more about the National Day of Action and other developments in the Conflict Diamonds campaign, visit: www.amnestyusa.org/buisness.

PRISONER OF CONSCIENCE

Ngawang Gyaltzen Freed!

The Tibetan Centre for Human Rights and Democracy announced in September that China has released Ngawang Gyaltzen after 15 years in prison. (<http://www.tchrd.org/hrupdate/2004/hr200409.html>)

Group 22 just began working on his case a few months ago -- we didn't expect to get results this quickly! Seriously, congratulations to the other AI groups who worked in behalf of Ngawang Gyaltzen for many years.

Ngawang Gyaltzen was ordained as a monk at Drepung Monastery in 1984. He served 15 years of the 17-year sentence he was given in 1989. He was one of the Group of Ten, who printed and distributed material concerning human rights in Tibet. Two of the ten, Ngawang Phulchung and Jampel Jangchub, received 19-year sentences and are still in Drapchi Prison. AI Group 4 in Seattle adopted Ngawang Phulchung as their POC, and you can learn more about him at the Group 4 website at <http://www.scn.org/amnesty/ngawang.html>.

Group 22 joins human rights activists everywhere in wishing Ngawang Gyaltzen peace and healing in body and spirit after his long ordeal.

ACTION UPDATE!

Innocence Protection Act Passes Congress!

After many years of letter-writing actions (including several in this newsletter) the Innocence Protection Act has passed the Congress and is headed to the President for his signature!

This legislation will help improve access to post-conviction DNA evidence, will help provide funding so that DNA rape kits can be tested, will help improve the quality of legal representation in capital cases, and will help increase the

compensation for the wrongfully accused. As Senator Leahy said, it is a day to rejoice!

Many thanks to all those who sent appeals. Your actions have made a difference. See below for another death penalty action.

LETTER COUNT

Urgent Actions	27
Sudan	13
Colombia	7
Total	47

Want to add your letters to the total? Get in touch with lwkamp@sbcglobal.net

DEATH PENALTY

KY inmate makes innocence/retardation claims

Kentucky's Attorney General, Greg Stumbo, has asked Governor Ernie Fletcher to set an execution date of 16 November 2004 for Thomas Bowling (m), white, aged 51, who was sentenced to death for a double murder committed in 1990. Governor Fletcher has this week been presented with a clemency petition.

On the morning of 9 April 1990, Tina and Eddie Earley were shot dead outside their small dry-cleaning business in the city of Lexington, Kentucky. Thomas Bowling was arrested on 11 April in neighboring Tennessee. His car and a .357 calibre handgun were found hidden at his family's home in rural Kentucky.

Thomas Bowling's murder trial was held in December 1990. Among the state's witnesses were two eyewitnesses, the first of whom described the gunman as six feet tall (Bowling's approximate height) and wearing a black jacket and hat (Bowling owned such items). He had not been able to pick Bowling out at a police line-up, however, and also admitted that he may have told police that the gunman had long brown hair, a dark complexion and possibly a moustache - none of which described Bowling. The second

eyewitness could not be located at the time of the trial, and instead the jury was played an audiotape of a police interview with him on the day of the shootings. His description did not identify Bowling. The state also presented a witness who said that he had sold a .357 gun to Bowling a few days before the shootings. Expert testimony identified Thomas Bowling's car as the vehicle used in the crime and suggested that the bullets fired at the scene could have come from the retrieved gun. However, the ballistics

expert admitted that there could be millions of guns that could have fired the bullets. The defense lawyers presented no witnesses at the guilt/innocence stage of the trial.

At the sentencing, the defense presented six witnesses. A former work colleague and two jail employees testified to Thomas Bowling's good character, and his mother, sister and son testified about their love for him, his marriage break-up, his dependence on alcohol, his recent depressed mental and emotional state, and his limited mental ability. The jury voted for a death sentence.

Thomas Bowling's appeal lawyers are seeking clemency on the grounds that he has mental retardation. In 1990, shortly before Bowling's trial, Kentucky legislated to prohibit the execution of people with mental retardation. His trial lawyers did not raise the issue. In 2002, in *Atkins v. Virginia*, the US Supreme Court outlawed the use of the death penalty against such offenders. It left it up to each individual state how to comply with the ruling. The Court noted that "clinical definitions of mental retardation require not only sub-average intellectual functioning, but also significant limitations in adaptive skills such as communication, self-care, and self-direction that became manifest before age 18... Because of their impairments... by definition they have diminished capacities to understand and process information, to communicate, to abstract from mistakes and learn from experience, to engage in logical reasoning, to control impulses, and to understand the reactions of others. There is no evidence that they are more likely to engage in criminal conduct than others, but there is abundant evidence that they often act on impulse rather than pursuant to a premeditated plan, and that in group settings they are followers rather than leaders. Their deficiencies do not warrant an exemption from criminal sanctions, but they do diminish their personal culpability." Thomas Bowling's clemency petition argues that he falls within this category. At the age of 12 or 13, Thomas Bowling's IQ was assessed at 74, which with the margin of error in such assessments places him within the range for possible mental retardation if coupled with adaptive deficits which Bowling is said to have. He was described as a "follower" and easily manipulated.

Thomas Bowling's clemency lawyers have also raised evidence that he is innocent. The evidence against him is circumstantial - there is no physical evidence placing him at the scene of the crime, no confession, no identification of him as the gunman, the weapon linked to him was one of millions that could have been used in the crime, and while the car used in the crime was his, there is no proof that he was driving it at the time. The state did not establish a motive for Thomas Bowling to kill the Earley couple, whom he did not know and had never met.

The clemency petition suggests that Eddie and Tina Earley may have been shot because of their involvement with a local family (the Adams family) - members of which had allegedly run a drug dealing business from a store situated behind the Earleys' dry-cleaning business. The petition raises the possibility that one of the Adams family had shot the Earley couple. The clemency petition also argues that the Lexington Police Department may have focused on Thomas Bowling rather than pursuing suspects from the Adams family because it feared further unfavorable exposure following a recent corruption scandal involving the department. The so-called "Bluegrass Conspiracy" involved a cover-up of the murder of a young woman in the 1970s to prevent exposure of the involvement of police in criminal drugs activity.

In addition to seeking clemency from the governor, Thomas Bowling's lawyers are seeking relief in the appeal courts. They are pursuing the mental retardation issue, which has already been summarily dismissed at the trial court level. They are seeking police records from the case, including 10 video tapes of witness interviews conducted early in the case which may help to show whether the police wrongly turned away from investigating other suspects after Thomas Bowling's arrest. The lawyers are also challenging Kentucky's lethal injection procedures.

The United Nations Safeguards Guaranteeing the Protection of the Rights of Those Facing the Death Penalty prohibit the

execution of people whose guilt is not based on "clear and convincing evidence leaving no room for an alternative explanation of the facts". Amnesty International opposes the death penalty in all cases, regardless of issues of guilt or innocence, or the method used to kill the prisoner. Today 118 countries are abolitionist in law or practice. Since the USA resumed executions in 1977, it has executed 937 people, including 52 this year. During this time more than 100 people have been released from US death rows on grounds of innocence. Kentucky has carried out two executions since 1977, the most recent of which was in May 1999.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in your own words:

- expressing sympathy for the family and friends of Tina and Eddie Earley, and explaining that you are not seeking to condone the manner or their deaths, or to in any way minimize the suffering caused;
- noting evidence that Thomas Bowling has mental retardation, and that if this is the case his execution would violate state and federal law;
- expressing concern at the doubts surrounding his conviction, and reminding the governor of the many

wrongful convictions and other errors that have been revealed in capital cases in the USA;

- calling on the governor to grant clemency.

APPEALS TO:

Ernie Fletcher

Governor of Kentucky

700 Capital Avenue, Suite 100

Frankfort, KY 40601

Fax: 1 502 564-2517

Email via: <http://governor.ky.gov/contact.htm>

HAITI

Human Rights Lawyers Recieve Threats

Lawyers Rénan Hédouville and Mario Joseph, who have worked on behalf of people who suffered human rights abuses at the hands of the army while Haiti was under military rule, have been receiving numerous anonymous telephone death threats. Amnesty International believes both men's lives are in danger. M. Hédouville has reported the threats repeatedly to the media and the authorities, but nothing has been done to protect him.

Rénan Hédouville is Secretary-General of the Comité des Avocats pour le Respect des Libertés Individuelles (CARLI), Lawyers' Committee for the Respect of Individual Liberties. He has been told that he will be killed unless he stops his work of defending human rights and accusing former army officers of human rights violations. He and other CARLI members are being targeted in an attempt to hinder their human rights work.

CARLI is an active human rights organization that documents and investigates human rights violations via a telephone "hotline". In August 2004 it protested publicly after a jury acquitted former paramilitary leader Louis Jodel-Chamblain and senior ex-military police officer Jackson Joanis of the September 1993 murder of prodemocracy activist Antoine Izméry. Izméry had been a prominent supporter of former president Aristide.

Mario Joseph is representing prominent supporters of ex-president Aristide's Famille Lavalas party, who have recently been imprisoned without charge. He has received numerous death threats because of this. As a lawyer working for the Bureau des Avocats Internationaux (BAI), International Lawyers Office, he defended and assisted victims of human rights abuses committed under the military government of 1991 to 1994, notably parents of victims of the April 1994 Raboteau massacre, a joint military and paramilitary operation attack on a shanty town where support for Aristide was strong, in which an estimated 20 people were killed.

There is no further news of Carline Séide, the young woman whose case was taken up by CARLI after she was gang-raped by seven men in November 2003. One of the attackers was alleged to have been a policeman. He was later arrested, but escaped from jail. Men who

claimed to be sent by him had harassed and threatened Carline, who went into hiding, and members of CARLI.

BACKGROUND INFORMATION

Jean-Bertrand Aristide, the first democratically elected president of Haiti, was overthrown in a 1991 coup by former military leaders. Thousands of his supporters were murdered over the three years of military rule that ended with US military intervention in 1994, that restored Aristide to power. He was re-elected in 2000.

In February 2004, after months of unrest and demonstrations, conflict broke out in the country's fourth largest town, Gonaïves, when armed opponents of the government and former soldiers led by Louis Jodel-Chamblain attacked police stations and courthouses, forcing the police and local authorities to flee. The conflict spread throughout the country and Aristide left the country in disputed circumstances. A transitional government was formed in early March, but the atmosphere of lawlessness that followed Aristide's departure remains.

Despite the presence of United Nations forces, a large number of armed groups are active throughout the country, including former military forces and militias loyal to former President Aristide. Heavily armed remnants of the Haitian Army, disbanded by Aristide, are now allegedly patrolling the streets of the capital, Port-au-Prince, saying they intend to "secure" the city.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible:

- expressing concern for the safety of Rénan Hédouville, other members of the Comité des Avocats pour le
- Respect des Libertés Individuelles and Mario Joseph;
- urging the authorities to publicly declare their recognition of the important role of human rights defenders and to remind all Haitians that efforts to curb or hinder their work will not be tolerated;
- expressing grave concern that it is increasingly difficult for CARLI and lawyers defending human rights to carry out their legitimate work on behalf of victims of human rights violations due to threats and harassment;
- urging the Haitian government to adhere to its obligations regarding the protection of human rights defenders, as laid out in the UN Declarations of Rights and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms, and the Human Rights Defenders in the Americas resolution of the Organisation of American States (OAS).

APPEALS TO: (It can be very difficult to send faxes to Haiti. Please keep trying)

Director General of the Haitian National Police:
M. Léon Charles

Directeur Général de la Police Nationale d'Haiti
Grand Quartier Général de la Police

12 rue Oscar Pacot
Port-au-Prince, Haïti
Salutation: Monsieur le Directeur

Minister of Justice and Public Security:
Monsieur Bernard Gousse
Ministère de la Justice et de la Sécurité Publique
Ministère de la Justice
19 Avenue Charles Sumner
Port-au-Prince, Haïti
Salutation: Monsieur le Ministre

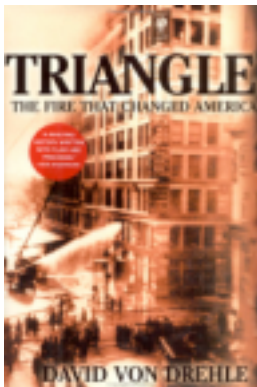
COPIES TO:

Ambassador
Embassy of the Republic of Haiti
2311 Massachusetts Ave.NW.
Washington DC 20008
Fax: 1 202 745 7215
Email: embassy@haiti.org

RIGHTS READERS

Human Rights Book Discussion Group
Vroman's Bookstore
695 E. Colorado Boulevard, Pasadena

Sunday, November 21, 6:30 PM



Triangle: The Fire that Changed America

by David Von Drehle

On a beautiful spring day, March 25, 1911, workers were preparing to leave the Triangle Shirtwaist factory in New York's Greenwich Village when a fire started. Within minutes it consumed the building's upper three stories. Firemen who arrived at the scene were unable to rescue those trapped inside. The final toll was 146—123 of them women. It was the worst disaster in New York City history until September 11, 2001. Harrowing yet compulsively readable, *Triangle* is both a chronicle of the fire and a vibrant portrait of an entire age. Waves of Jewish and Italian immigrants inundated New York in the early years of the century, filling its slums and supplying its garment factories with cheap, mostly female labor. Protesting their Dickensian work conditions, forty thousand women bravely participated in a massive shirtwaist workers' strike that brought together an unlikely coalition of socialists, socialites, and suffragettes. Von Drehle orchestrates these events into a drama rich in suspense and filled with memorable characters. Most powerfully, he puts a human face on the men and women who died, and shows how

the fire dramatically transformed politics and gave rise to urban liberalism.

PRISONER OF CONSCIENCE

Conscientious Objector Camilo Mejía Castillo

A quick sample letter on behalf of Iraq War Vet:

Major General William G. Webster, Jr.
60 Macneely Road
Fort Stewart, GA 31314
email: william.webster2@us.army.mil

Dear Major General Webster:

As you know, Staff Sergeant Camilo Mejía Castillo of the Florida National Guard was sentenced on May 21, 2004, by a U.S. military court to one year's imprisonment for desertion despite his pending application for conscientious objector status. I believe that Camilo Mejía is a prisoner of conscience, imprisoned for his legitimate conscientious opposition to participating in war.

After a six-month deployment in Iraq, Camilo Mejía failed to return to duty in October 2003 after two weeks' leave. He filed for discharge with a conscientious objector status, stating that he believed the war and occupation of Iraq to be "illegal and immoral." In his application, he described his concern at the conditions of detention and treatment of Iraqi prisoners. These included occasions when soldiers banged on metal walls with sledgehammers to enforce sleep deprivation and loaded pistols near the ears of prisoners after being ordered to "break the detainees' resolve." He also described witnessing the killing of civilians, including children. Staff Sergeant Mejía's objections to such abuse were made prior to the publication of photographs showing U.S. agents physically and mentally torturing and abusing Iraqi detainees in Abu Ghraib prison in Iraq. During Camilo Mejía's trial, his lawyers were not permitted to present arguments relating to his conscientious objection, including describing the abuse he witnessed. An appeal against his conviction is pending.

The independent human rights organization Amnesty International considers Camilo Mejía Castillo to be a prisoner of conscience. I join with Amnesty in urging you to bring about his immediate and unconditional release. I thank you for your attention to this matter..

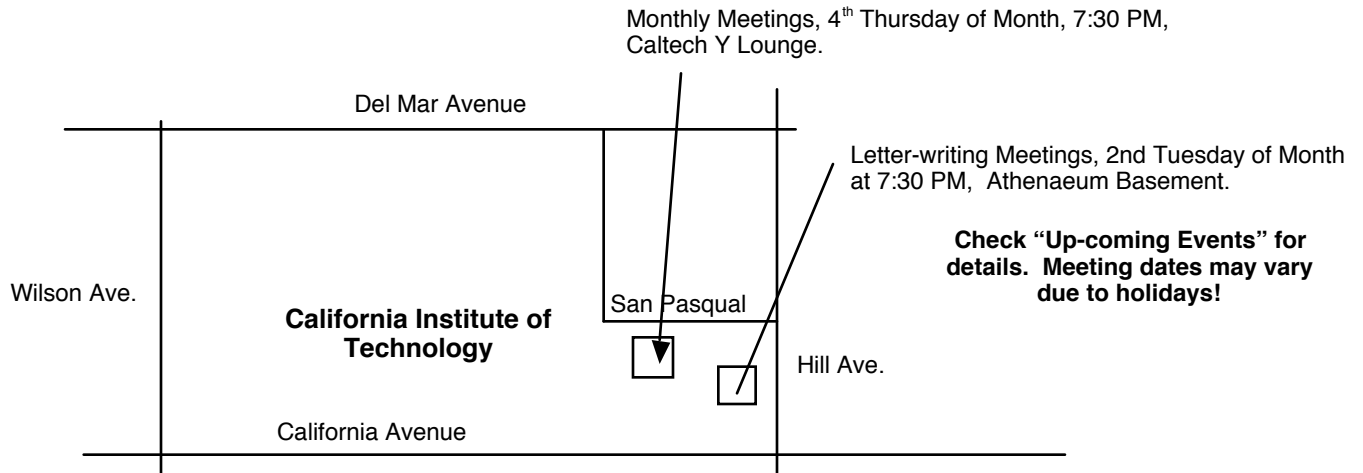
Sincerely, YOUR NAME and ADDRESS

copy to:

The Honorable Les Brownlee
Acting Secretary of the Army
102 Army Pentagon, Room 3E588
Washington, D.C. 20310-0102
email: les.brownlee@us.army.mil

EDITOR'S LAST WORD:

Read us on line: <http://www.cco.caltech.edu/~aigp22>
Martha Ter Maat, 626-281-4039 / rightsreaders@yahoo.com



From the 210 exit on Lake Avenue, head south, turn left on Del Mar
 From the 110 continue on Arroyo Parkway north, turn right on California
 Street parking is generally available.

Amnesty International Group 22
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Pasadena, CA 91115-0193



Amnesty International's mission is to undertake research and action focused on preventing and ending grave abuses of the rights to physical and mental integrity, freedom of conscience and expression, and freedom from discrimination, within the context of its work to promote all human rights.