

UPCOMING EVENTS

Thursday, May 24, 7:30 PM. *Monthly Meeting* Caltech Y is located off San Pasqual between Hill and Holliston, south side. You will see two curving walls forming a gate to a path-- our building is just beyond. Help us plan future actions on Sudan, the War on Terror, death penalty and more.

Saturday, May 26, 2:00-5:00 PM. *Tiananmen Symposium.* Baxter Lecture Hall, Caltech. Veterans of the June 4 demonstrations in Tiananmen Square China gather to read poems and reflect on the anniversary of the protests.

Tuesday, June 12, 7:30 PM. *Letter-writing Meeting* at the Athenaeum. Corner of California & Hill. We meet downstairs in the cafeteria. This informal gathering is a great way for newcomers to get acquainted with Amnesty!

Sunday, June 17, 6:30 PM. Rights Readers Human Rights Book Discussion Group. Vroman's Book Bookstore, 695 E. Colorado Blvd., Pasadena. This month we read Alan Hollinghurst's Booker Prize-winning work, *The Line of Beauty* (More below).

COORDINATOR'S CORNER

Greetings!

We are fast approaching June and I hope this brings pleasant thoughts to those of you who might be planning some beach time or other summer vacation pursuits. Meanwhile in Amnesty-land we stay pretty serious – June brings to mind Tiananmen, Stonewall and the International Day to Support Victims of Torture on June 26. We'll get back to you on the last one with actions from the Denounce Torture campaign in next month's newsletter.

But you can jump right into the commemoration of the Tiananmen demonstrations on May 26 when prominent veterans of the protests come to Caltech to share poetry and reflections at a special symposium (see Upcoming Events). Thanks to Wen Chen for bringing this opportunity to campus and we hope to bring attention to current human rights issues in China including the plight of prisoner of conscience Shi Tao and Chinese foreign policy in the Sudan at the event. Amnesty has also just issued a new report on the state of human rights in the run up to the 2008 Olympics, "The Olympics Countdown," which you can check out on the amnestyusa.org website. Please also note the small China action included in this newsletter.

We would also like to draw your attention to the Iran action from the OutFront network. We'll touch on the subject of the politics of sexual orientation at our June

book discussion of Alan Hollinghurst's Booker-winning, *The Line of Beauty* as well.

Finally, the death penalty debate in California is picking up again with the state proposing new rules for lethal injection and the judge in the case set to respond in June. Please visit our blog <http://rightsreaders.blogspot.com> for information on how to contact your state legislators and Gov. Schwarzenegger in reaction to developments as they unfold. Just keep in mind this simple message: the death penalty is too flawed to fix!

While we are still in our defacto moratorium here in California, lethal injection continues apace in Texas and we call your attention to the action for Cathy Henderson in this newsletter. We began work on this case back in February when Sister Helen Prejean was in Pasadena and were heartened by a temporary reprieve, but now the execution is back on for June 13 and we need to make a final push for clemency.

On a positive note, keep an eye on New Jersey! A death penalty abolition bill passed their state senate judiciary committee by a wide margin a couple of weeks ago and there is much optimism that a big abolition victory may be in the works. Right after the vote came news of the release of Byron Halsey, who was wrongfully convicted in 1988 of the brutal murders of two children in Plainfield, NJ. DNA testing proved that another man committed the crime. Way to put a punctuation mark on that abolition vote!

Finally, a bittersweet story out of Tennessee. Philip Workman, prior to his execution this month requested that in lieu of a last meal a pizza be donated to a homeless person. Workman was homeless at the time he was convicted of a convenience store robbery-murder. The prison refused his request, but activists inundated Nashville and Memphis homeless shelters with pizzas on the day of his execution. Thank you Philip for this lesson in human dignity delivered in your last hour.

Hope to see you at a meeting this month!

Martha aigp22@caltech.edu

ERITREA

More Religious Leaders in Detention

Zecharias Abraham, the pastor of a Presbyterian church in the capital, Asmara, Mikias Mekonnen, a church elder and 78 churchgoers, are held incommunicado at an unknown location, and are at risk of torture or ill-treatment. Amnesty International believes them to be prisoners of conscience, detained solely for the peaceful exercise of their religious beliefs.

Police raided a service at the Mehrete Yesus Evangelical Presbyterian Church and arrested those named above during a church service on 29 April. Amongst those arrested were a man and woman from the USA and a number of school teachers from India. The two US nationals were released on 3 May, but the

remainder of the group is still being detained incommunicado and their whereabouts are unknown.

BACKGROUND INFORMATION

In 2002, the government of Eritrea ordered all unregistered religions to close their places of worship until they were registered. Only Islam and the Orthodox, Catholic and Lutheran Christian churches have been officially recognized since May 2002. Members of evangelical churches - including the Presbyterian Church - have been subjected to arrest, torture and coercion by the security forces to try and force them to deny their faith. Reports indicate that there are more than 2,000 evangelical Christians currently being detained incommunicado, without charge or access to legal redress. Many of them are held in remote army camps. Those detained include 68 members of different evangelical churches who were arrested during three operations carried out by the police and military authorities in early January 2007.

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

- calling for Zecharias Abraham, Mikias Mekonnen, and 78 churchgoers from the Mehrete Yesus Presbyterian church in Asmara to be released immediately and unconditionally, as they are prisoners of conscience, detained solely for the peaceful exercise of their right to freedom of religion, which is guaranteed in the Eritrean Constitution;
- asking the authorities to ensure that none of those detained are tortured or ill-treated, and for the detainees to be given immediate access to their families, lawyers and any medical attention they may require;
- expressing concern that the Presbyterian Church members have been arbitrarily detained without charge or trial, contrary to human rights provisions in the Eritrean Constitution and laws, which require that people are brought before a court within 48 hours of their arrest.

APPEALS TO:

President:
His Excellency President Issayas Afewerki
Office of the President
P O Box 257, Asmara, Eritrea
Salutation: Your Excellency

Ms Fawzia Hashim
Minister of Justice
Ministry of Justice
P O Box 241, Asmara, Eritrea
Salutation: Dear Minister

Commissioner of Police
Ministry of Internal Affairs
P O Box 1223, Asmara, Eritrea
Salutation: Dear Commissioner

COPIES TO:

Mr Semere Beyene
Director, Department of Religious Affairs
Ministry of Local Government
P O Box 225, Asmara, Eritrea

Ambassador Girma Asmerom
Embassy of the State of Eritrea
1708 New Hampshire Ave NW
Washington DC 20009
email: embassyeritrea@embassyeritrea.org

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DEATH PENALTY

Texas Woman's Execution Set

Cathy Henderson is scheduled to be executed in Texas on 13 June. She was sentenced to death in May 1995 for the murder of a three-and-a-half-month-old baby, Brandon Baugh, in January 1994.

On the morning of 21 January 1994, Brandon Baugh's parents left him with Cathy Henderson, who was the daily caregiver, at her home in Pflugerville, near Austin, Texas. When the child's mother returned to collect him later in the day, both he and Cathy Henderson had disappeared. The FBI arrested Cathy Henderson in Kansas City, Missouri, on 1 February 1994.

Cathy Henderson admitted that she had killed the child, but stated that it had been an accident, which she has maintained ever since. She said that she had dropped the baby and that he had struck his head on a concrete floor. She said that after her efforts to resuscitate him had been unsuccessful, she had panicked, buried the baby's body and fled to Missouri, her native state. After the body was located on 8 February, Cathy Henderson was charged with capital murder. Under the Texas penal code, the murder of a child under six years old is punishable by the death penalty.

The jury heard expert opinion that the head injuries sustained by the baby could not have been the result of an accidental fall from the defendant's arms. Dr Roberto Bayardo, who conducted the autopsy, stated that the nature of the injuries "proved" that Cathy Henderson had deliberately murdered Brandon Baugh by a blow to the head. For example, he said that the baby would have to have fallen "from a height higher than a two-storey building", or to have been "involved in a motor vehicle accident" in order to have sustained the head injury in question. Dr Sparks Veasey suggested that the death had occurred as a result of "the child's head impacting in an extremely forceful manner a blunt surface - a floor, counter top, a desk top, a wall".

The prosecution provided no crime scene evidence to support such hypotheses offered by its experts. The analysis of the amount of "force" necessary to break or shatter an object, including a skull, requires expertise in the sciences of physics and engineering, rather than medicine, and this has led to the science of

“biomechanical” analysis. Prior to the trial, the defense lawyers had sought funds to hire an expert to conduct a biomechanical investigation of Cathy Henderson’s claim that the baby’s death had been accidental. The request was denied. The jury convicted Cathy Henderson of capital child murder and after finding that she would pose a danger to society if allowed to live, voted for execution.

In an appeal just filed in the Texas Court of Criminal Appeals, Cathy Henderson’s current lawyers point out that the biomechanical analysis of infant head trauma has developed substantially in the dozen years since her trial. With accompanying reports from four experts, the appeal argues that the trial of Cathy Henderson would today be conducted against a fundamentally different scientific landscape than existed in 1995. For example, in his report, Dr Peter Stephens states that “biomechanical consultation and testimony is essential to the understanding of any impact injury to the head, and is mandatory for any case proceeding to litigation, civil or criminal... I would not contemplate assigning a cause and manner of death in any controversial case involving head injury without obtaining, or recommending consulting, a biomechanical evaluation.”

Dr John Plunkett, a forensic pathologist with an expertise in infant head trauma, states that while he agrees with the experts at trial that an impact injury caused Brandon Baugh’s death, Dr Bayardo’s conclusions were “wrong” and that he had “strayed from his area of medical competence and expertise when he opined about the amount of ‘force’ sustained by Brandon Baugh, and opined that this ‘force’ could not have been sustained accidentally”. Dr Plunkett notes that the trial transcripts indicate that “none of the medical witnesses in Ms Henderson’s trial understood [the science of biomechanics]”. Dr Plunkett states that he has reviewed at least two cases of accidental falls of less than four and half feet involving infants that “caused fractures virtually identical to Brandon’s”. Dr Stephens concurs, stating that “since 2000, physicians have increasingly recognized that lethal injury to the infant can, and does, occur from an accidental fall, even of a short distance... It is simply incorrect to state that only a fall from a bunk bed, balcony, or upper story window can cause such an injury. Forensic pathologists, biomechanical scientists and many pediatricians now agree that such comparisons are without scientific merit and should not be made.”

In her report on the case, Dr Janice Ophoven notes: “In the past, the characteristics of a fracture of the type seen in Brandon were assumed to denote an abusive injury. However, current scientific experience reflects a more conservative analytical approach to skull fracture evaluation. The nature of the fracture itself cannot be used to determine whether the injury is due to an accident or inflicted injury”. Fourthly, Dr Kenneth Monson, a leading biomechanics expert, states that the ‘force’ at which Brandon Baugh’s skull would have hit the floor under Cathy Henderson’s version of events was enough to cause the injury that killed him. The

accidental death of Brandon Baugh, he states, “cannot be ruled out given the current state of knowledge”.

The large number of errors discovered in capital cases in the USA over recent years may have been one of the factors contributing to a lessening in public support for this irrevocable punishment. Science has played its part in revealing such errors. For example, in 15 of the 124 cases of prisoners released from death rows since 1973 on grounds of wrongful conviction, DNA testing played a substantial role in establishing the inmate’s innocence. In each of these cases at the original trial, the prosecution had argued, and the jury or judge had found, that the defendant was guilty beyond a reasonable doubt. In some cases, the state had supported its theory of guilt with expert evidence. For example, in Texas, investigators concluded that a house fire that killed two people in 1986 was arson, and Ernest Willis was sentenced to death. Post-conviction investigations using modern methods concluded that there was no evidence of arson, and Willis was released after more than 15 years on death row. In Mississippi, Sabrina Butler was acquitted at a retrial in 1995, five years after she was sentenced to death for the murder of her nine-month-old child. It is now believed that the baby may have died either of cystic kidney disease or from sudden infant death syndrome.

Since the USA resumed executions in 1977, 1,076 prisoners have been put to death, 11 of them women. There have been 393 executions in Texas, three of them of women. There have been 19 executions in 2007, 14 of them in Texas. Amnesty International opposes the death penalty unconditionally. Today, 129 countries are abolitionist in law or practice. The UN Safeguards Guaranteeing Protection of the Rights of those facing the Death Penalty state that “capital punishment may be imposed only when the guilt of the person charged is based upon clear and convincing evidence leaving no room for an alternative explanation of the facts.”

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in your own words (please include Cathy Henderson’s inmate number, #999148)

- expressing sympathy for the parents of Brandon Baugh, and explaining that you are not seeking to downplay the suffering they will have endured as a result of their child’s death;
- opposing the execution of Cathy Henderson;
- noting the recent conclusions from experts, including experts in biomechanical analysis, not heard at the trial, supportive of Cathy Henderson’s claim that the baby’s death was the result of an accidental fall;
- noting that developments in science have been one of the reasons why numerous wrongful capital convictions have been uncovered in the USA in the past three decades;
- calling for Cathy Henderson to be granted clemency.

APPEALS TO:

Rissie Owens
Presiding Officer
Board of Pardons and Paroles
Executive Clemency Section
8610 Shoal Creek Boulevard
Austin, TX 78757

Governor Rick Perry
Office of the Governor
P.O. Box 12428
Austin, Texas 78711-2428, USA

OUTFRONT

Iranian Men Targeted

Up to 17 men remain in detention after being arrested at a private party in Esfahan province, central Iran on 10 May. They may have been tortured or ill-treated and remain at risk of such abuse. The men were among 87 people reportedly arrested at the party; the others have been released, apparently on bail, and are likely to face prosecution in the future. Those still detained are believed to have been wearing clothes generally associated with women at the time of their arrest. They are not believed to have had access to lawyers or family members, and a judge has reportedly said that those still detained will be charged with consumption of alcohol, and "homosexual conduct" (*hamjensgarai*). Amnesty International is not aware of any evidence that the men attending the party identify themselves as gay or were engaging in same-sex sexual relations. Their arrests were made at a time when the Iranian authorities have been mounting a security operation to enforce dress codes in Iran.

Eyewitnesses to the arrest have reportedly described how those attending the party were dragged into the street by police and members of the Basij force (volunteer paramilitary units attached to the Revolutionary Guards Corps), who beat them severely, causing bruising and, in some cases, broken bones. It is not known if those detained have been allowed access to medical treatment.

Amnesty International recognizes that consumption of alcohol is a criminal offence in Iran, although the organization has no information as to whether any of those detained had consumed alcohol. However, the organization is concerned that the men may be held because of what they were wearing at the time of their arrest, in light of the fact that the others arrested have since been released. If this is the case, then they are prisoners of conscience, detained solely for the peaceful exercise of their right to freedom of expression.

BACKGROUND INFORMATION

The arrests have come in the context of an annual crackdown on "immoral behavior" in Iran, which began in April. Police are reported to have stopped thousands of people in the street, and to have required many of them to sign statements committing themselves to observe the official dress code in Iran,

which prescribes what is regarded as acceptable attire for men and for women. More than 130 people are reportedly facing prosecution either for refusing to comply with the police demands or for breaching the official dress code. Men convicted of homosexual sex face the death penalty or flogging, depending on the particular act. Women convicted of lesbian sex face flogging or, after conviction for a fourth time, the death penalty. Consumption of alcohol in Iran carries a penalty of one hundred lashes, or, after conviction for a third time, the death penalty.

Amnesty International opposes the criminalization of consensual adult sexual relations conducted in private and urges the Iranian authorities to urgently review law and practice to ensure that no one can be prosecuted for such reasons. Amnesty International is also opposed to the use of flogging and other judicial corporal punishments which constitute torture or other cruel, inhuman or degrading punishment, and is unconditionally opposed to the use of the death penalty.

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

- expressing concern at the reports of the continued detention of up to 17 men;
- urging the authorities to grant them immediate and regular access to family members and to lawyers of their choice;
- asking why, of those who were originally arrested at the same time, around 70 of whom have since been released, these individuals continue to be detained;
- stating that if the reason for their continued detention is solely related to what they were wearing at the time of their arrest, then they are prisoners of conscience, detained solely on account of the peaceful exercise of their right to freedom of expression, who should be released immediately and unconditionally;
- urging the authorities to review the cases against those individuals who have already been released, and to drop any charges arising solely out of the peaceful exercise of the right to freedom of expression;
- expressing concern at the reports of beatings of those arrested by the security forces and urging the authorities to conduct an immediate and impartial investigation, with anyone responsible for abuses to be brought to justice in a trial which complies with international fair trial standards;
- seeking assurances that those still detained are protected from torture or ill-treatment and that they have access to any medical treatment they may require;
- urging the authorities to review legislation with a view to ensuring freedom of expression, decriminalising consensual adult sexual relations

conducted in private and to abolishing the use of cruel, judicial punishments such as flogging, and with a view to abolishing the death penalty.

APPEALS TO:

Leader of the Islamic Republic:

His Excellency Ayatollah Sayed 'Ali Khamenei
The Office of the Supreme Leader
Shahid Keshvar Doost St
Tehran, Islamic Republic of Iran
Email: info@leader.ir
istiftaa@wilayah.org
Salutation: Your Excellency

President:

His Excellency Mahmoud Ahmadinejad
The Presidency, Palestine Avenue
Azerbaijan Intersection
Tehran, Islamic Republic of Iran
Email: dr-ahmadinejad@president.ir
via website: www.president.ir/email
Salutation: Your Excellency

Head of the Judiciary:

Ayatollah Mahmoud Hashemi Shahroudi
Ministry of Justice
Ministry of Justice Building
Panzdah-Khordad Square
Tehran, Islamic Republic of Iran
Email: info@dadgostary-tehran.ir (In the subject
line write: FAO Ayatollah Shahroudi)
Salutation: Your Excellency

COPIES TO:

Iran does not presently have an embassy in this country. Instead, please send copies to:
Iranian Interests Section
2209 Wisconsin Ave NW
Washington DC 20007
Email: requests@daftar.org

RIGHTS READERS

Human Rights Book Discussion Group

Keep up with Rights Readers at
<http://rightsreaders.blogspot.com>

Sunday, June 17, 6:30 PM

Vroman's Bookstore

695 E. Colorado Boulevard in
Pasadena

The Line of Beauty

--by Alan Hollinghurst

In the summer of 1983, twenty-year-old Nick Guest moves into an attic room in the home of a conservative Member of Parliament, his wealthy wife and their two children. As the boom

years of the eighties unfold, Nick, an innocent in the

world of politics and money, finds his life altered by the rising fortunes of this glamorous family. His two vividly contrasting love affairs, one with a young black clerk and one with a Lebanese millionaire, dramatize the dangers and rewards of his own private pursuit of beauty, a pursuit as compelling to Nick as the desire for power and riches among his friends. Richly textured, emotionally charged, disarmingly comic, this is a major work by one of our finest writers.

CHINA

Support Prisoner of Conscience

Mao Hengfeng was dismissed from her job in 1988 when she became pregnant with her third child, violating China's family planning regulations. Mao, already the mother of twins, refused to have an abortion and gave birth successfully while she appealed to the court for the return of her job. She subsequently did abort a fourth pregnancy under pressure from the authorities. She failed to regain her job, and has since petitioned authorities tirelessly on family planning issues.

She has been detained many times and has reportedly been subjected to torture and ill-treatment. She served various terms of "re-education through labor" and has been forcibly confined to psychiatric facilities. She was detained by police in May 2006 and charged with "violating the terms of residential surveillance."

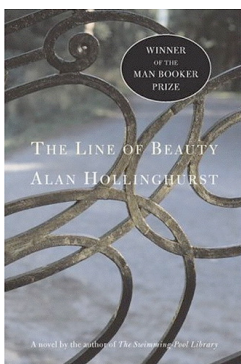
She was placed under "soft detention" in a house in Shanghai, where she was beaten by police and forced to share cramped quarters with six other people sent to monitor her. She broke two table lamps in protest of her treatment. In December 2006, a court sentenced her to two and a half years in prison for breaking the lamps. Amnesty International believes that Mao Hengfeng is a prisoner of conscience and that the charges against her were used a pretext to punish her for her ongoing petitioning activities.

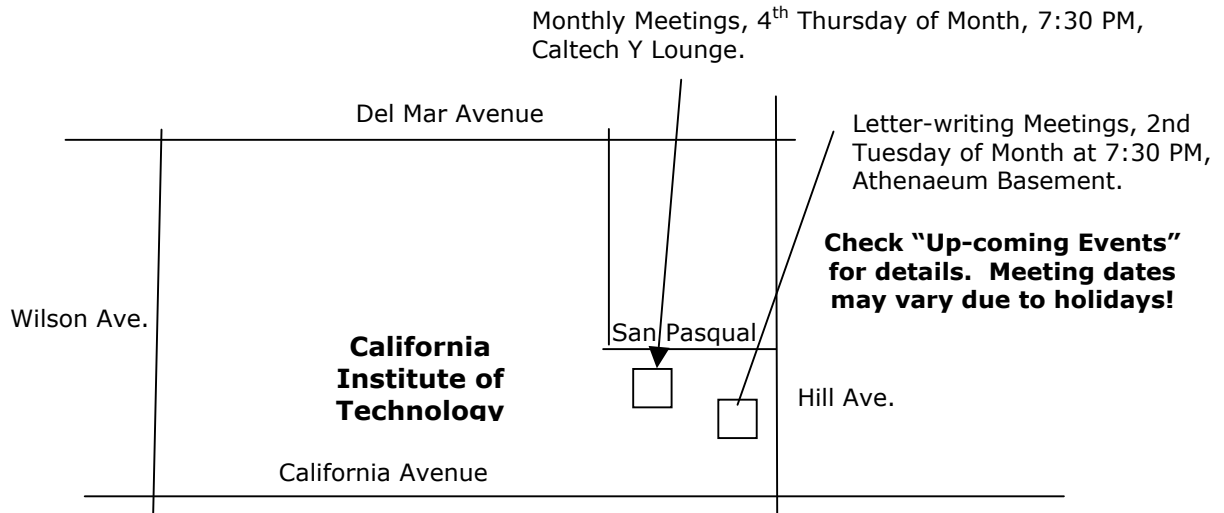
Please send letters and cards of hope and support to:

Mao Hengfeng
Yangpu Police Detention Centre
2143 Changyanglu
Yangpu District
Shanghai 200090
PEOPLE'S REPUBLIC OF CHINA

LETTER COUNT

Eritrea	2
Urgent Actions	29
Uganda	5
Total:	36
To add your letters to the total contact lwkamp@sbcglobal.net	





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
The Caltech Y
Mail Code 5-62
Pasadena, CA 91125
www.its.caltech.edu/~aigp22/



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.