

June 17, 2009

Honorable Members and Officials at Large:

It is my pleasure to present you with A Report Addendum by Professor Philip Alston, United Nations Human Rights Council Special Rapporteur on extrajudicial, summary or arbitrary executions – a Mission to the United States of America – dated May 26, 2009

The focus of Professor Alston's report is on wrongful death penalty convictions and executing innocent people. Mr. Alston's findings on systematic flaws in Alabama (and Texas) are potent. Texas appears to be willing to make some corrections to these errors. Alabama still insists its system is flawless and that there are no innocent people in prison. It is my hope that sending this amended report to you may help spread the word around the world about how unscrupulous Alabama's judicial system is.

Below are a few highlights of the above captioned report:

**"Serious flaws in the system are of obvious significance to the innocent convicted person, but also of serious concern for victims' families and the wider community, because wrongful convictions mean that true criminals remain at large. . . . But the truth is that Alabama's capital system is simply not designed to uncover cases of innocence, however compelling they might be. . . . its officials would rather deny than confront criminal justice system flaws."**

It is a fact that the United States has less than 5 percent of the world's population. But it has almost 25% of the world's prisoners. **See "Inmate Count in U.S. Dwarfs Other Nations' "** <http://www.nytimes.com/2008/04/23/us/23prison.html>

It is also a fact that innocent people are sent to prison; some die there of natural causes (old age); some are executed; some die from prison abuse; the lucky ones receive legal assistance, prove their innocence and are eventually set free – but not without a huge and extraordinarily expensive fight (financially, mentally, emotionally, spiritually and physically). Meanwhile, the families suffer needlessly. As if it were not enough suffering to watch proof of innocence being ignored, the families also suffer abuse by the system when their only crime is having an innocent family member in prison.

What people fail to see is that prisons are the testing grounds for what can and will happen to the general public. World History has shown that the degree of injustice and abuse carried out by the judicial system such as it is being experienced in today's United States of America, sanctioned by those who oversee such things, is the degree to which the general public may expect mistreatment upon themselves.

We need your help. The media has the ability to spread the word of "this or that" to millions of citizens around the world in a day. Is it not worthwhile to spread the word of judicial misconduct in the United States, some states, namely Alabama, being hugely worse than others?

Alabama is known as “Planet Alabama” to those who have actual experience with its judicial system. In many cases they do not follow the rule of law; they ignore evidence of innocence; they suspend the Great Writ; they follow unconstitutional court rules over the U.S. Constitution; they allow judicial misconduct and they practice abuse of power. This is Alabama’s “Means & Methods” of presenting an appearance of justice when there is no justice. **See “The Appearance of Justice Revisited”** Journal of Criminal Law and Criminology , Spring, 1996 by Peter David Blanck  
[http://findarticles.com/p/articles/mi\\_hb6700/is\\_n3\\_86/ai\\_n28672989/](http://findarticles.com/p/articles/mi_hb6700/is_n3_86/ai_n28672989/)

Through the internet, the citizens will make this information about Alabama public should the elected officials choose to do nothing to address it. The last election certainly taught us about the power of the internet when it comes to holding elected officials accountable for their actions and the citizens will use this capability to expose what Alabama is trying to hide. Please be reminded that both the financial industries and automotive industries in this country have imploded due to failed oversight and clearly the legal industry is next as it continues to ignore its fundamental purpose and refuses to implement oversight over its lawyers, judges, police officers, and other practitioners.

Our website receives over 600,000 hits per month on average and can easily be aimed to target and remove elected officials in Alabama who do not follow the law, serve and protect the citizens and ride roughshod over the rights of innocent people. We shall help spread the word around the world just as other organizations are in the process of doing. For example: <http://www.capitalpunishmentbook.com/?p=209> Jun 16, 2009  
**“U.S. Death Penalty Draws International Criticism”** by Billy Sinclair – “Alabama is a ‘deep South’ state—one with a terrible history of racism, lynchings, and determined efforts to keep the impoverished in the shackles of ignorance and deprivation.”

Arbitrary convictions happen in Alabama. Innocent people suffer; families are torn apart; communities are raped of dignity; true criminals remain at large; and with impunity, Alabama prosecutors claim flawless perfection. This is currently the Alabama way. They are loath to admit error even when error is clearly presented. This cycle of injustice must end, and like the Phoenix Rising, the once invincible Rule of Law shall prevail again.

When you read the Report Addendum by Professor Philip Alston, United Nations Human Rights Council Special Rapporteur on extrajudicial, summary or arbitrary executions – a Mission to the United States of America dated May 26, 2009 – please search on the word “Alabama” to further understand the problems that exist.

Respectfully submitted:



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**Please see the following article:**

**UN Investigator Says US Death Penalty Leads to Miscarriage of Justice**

<http://www2.ohchr.org/english/bodies/hrcouncil/docs/11session/A.HRC.11.2.Add.5.pdf> -  
- - - <http://www.voanews.com/english/2009-06-03-voa56.cfm>

03 June 2009

By Lisa Schlein | Geneva

**A U.N. Special Investigator** is criticizing the application of the death penalty in the United States, saying it sometimes leads to miscarriages of justice. The expert, Philip Alston, calls for the United States to enact more stringent safeguards to protect the innocent. Philip Alston submitted a report to the U.N. Human Rights Council in Geneva.

Special Investigator Philip Alston is not calling for the United States to end capital punishment. But, he urges the government to make sure the imposition of the death penalty complies with fundamental due process requirements.

"It is widely acknowledged that innocent people have most likely been executed in the U.S.," said Philip Alston. "Yet, in Alabama and Texas, the two States that I visited, I found a shocking lack of urgency about the need to reform criminal-justice system flaws."

Alston says the U.S. Congress should enact legislation permitting a review of state and federal death penalty cases.

The U.N. Special Investigator also criticizes the U.S. military and intelligence operations for a lack of transparency and accountability in relation to civilian casualties. He says targeted killings carried out by drone attacks on the territory of other countries are increasingly common and remain deeply troubling.

"The government has failed to effectively investigate and punish lower-ranked soldiers for such deaths, and has not held senior officers responsible under the doctrine of command responsibility," he said. "Worse, it has effectively created a zone of impunity for private contractors and civilian agents by only rarely investigating and prosecuting them."



**U.N. Special Investigator Philip Alston (file photo)**

Acting Deputy Chief at the U.S. Mission in Geneva Lawrence Richter says he accepts Alston's observations on the need for safeguards in serious cases of capital punishment. But, he adds the U.S. system already has robust safeguards in place.

"For example, if the death penalty were disproportionate to the severity of the underlying offense, it could be challenged under the 8th Amendment of the U.S. Constitution as being cruel and unusual punishment," said Lawrence Richter. "We fully share Professor Alston's concerns about the need to address the issue of wrongful convictions, and indeed the U.S. government has made this a priority. We are one of only five countries in the world that belong to the Innocence Network, a group of countries that are working to embrace modern forensic science and reforms to prevent wrongful convictions."

Richter says Alston has gone too far in his criticisms of Washington in regard to its actions in the military sphere. He says the United States does not believe military and intelligence operations during armed conflict fall within the Special Investigator's mandate.

copies to:

Troy King, Alabama Attorney General  
Sonny Reagan, Counsel for Alabama Governor  
Bob Riley, Alabama Governor  
Sue Bell Cobb, Alabama Chief Justice