Governor Kay Ivey

v/ Amnesty International i Norge

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Dear Governor,

I am greatly concerned by the many flaws that have affected the case of Rocky Myers, who is currently held on death row at Holman Correctional Facility in Atmore, Alabama. I urge you to intervene and ensure that his case is immediately reviewed and death sentence commuted, ending the injustice that has tarnished his case for more than a quarter of a century.

Rocky Myers was convicted by a nearly all-white jury who sentenced him to life without the possibility of parole for the murder of a white woman in the neighbourhood. The trial judge overrode their decision and imposed a death sentence – a practice now outlawed in Alabama. No physical evidence linked Rocky Myers to the murder of which he was convicted, except for a video-recorder taken from the victim, which Mr. Myers maintains he found abandoned in the street. Key testimonies against him were tainted by inconsistencies and allegations of police pressure, with one later recanted as untrue.

At Age 11, Rocky Myers was diagnosed with an intellectual disability and reads at primary school level. His assigned lawyer for post-conviction appeals abandoned his case without notice, making him miss key deadlines for judicial appeals. The courts relied primarily on IQ tests, a standard which the US Supreme Court found to be inadequate in 2014, to reject his request for a deadline extension submitted on the grounds that he is a person with an intellectual disability. Racial and class bias also affected the proceedings against him.

Rocky Myers faced execution in 2004 and 2012. As the Governor of Alabama, you can use the power of clemency to alleviate the flaws in the case against him that the criminal justice system could not address and even heightened. I urge you to halt all executions in the state and establish a review of the case of Rocky Myers as well as of others on death row including those affected by similar concerns, with a view to commuting their death sentences.

Yours sincerely,