



**Urgent Action Office** 3-1992 Yonge Street Toronto ON M4S 1Z7 Phone: (416) 363-9933 Fax: (416) 363-3103 [urgentaction@amnesty.ca](mailto:urgentaction@amnesty.ca)  
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## USA

### GEORGIA SETS FIRST EXECUTION IN FOUR YEARS

Willie Pye is set for execution in Georgia on March 20, 2024. Pye, now 58 years old, was sentenced to death for a murder in 1992, when he was 27. In 2021, his death sentence was overturned because his trial lawyer did not present evidence of Pye's low intellectual abilities and troubled childhood. However, this decision was reversed on appeal due to a technicality, based on a 1996 law. Pye's lawyers have shown he has an intellectual disability. Yet, under Georgia's strict standard requiring proof "beyond a reasonable doubt," his death sentence stands.

- Write to the Members of the State Board of Pardons and Paroles to use your authority to ensure that Willie Pye's death sentence is commuted.

#### Write to:

State Board of Pardons and Paroles  
2 Martin Luther King, Jr. Drive SE  
Suite 430, Balcony Level, West Tower  
Atlanta, GA 30334, USA  
Email: [GaParoleBoard@pap.ga.gov](mailto:GaParoleBoard@pap.ga.gov)

*Salutation: Dear Members of the State Board of Pardons and Paroles,*

### ADDITIONAL INFORMATION

Willie Pye, an African American man, was arrested in 1993 for the murder of his former girlfriend in 1992. The public defender from Spalding County was assigned to his case as the sole attorney. During this period, the attorney was also handling four other capital cases and numerous non-capital cases. A federal court noted in 2021 that the attorney spent about 150 hours preparing for Pye's trial, which is significantly less than the recommended time for capital cases by the American Bar Association. The jury convicted Pye, and the sentencing phase concluded swiftly in one morning with a death sentence.

The Antiterrorism and Effective Death Penalty Act (AEDPA) was enacted in 1996, influencing how federal courts review state-court rulings. It introduced a "highly deferential standard" that often benefits state court decisions. The AEDPA has been criticized, including by the UN Special Rapporteur, for jeopardizing fair trial rights and contributing to injustices. Despite this, a panel from the US Court of Appeals found in 2021 that Pye's case warranted relief due to inadequate counsel, overturning the state court's decision. This decision was later reversed by the full 11th Circuit, with dissenting opinions highlighting concerns over fair trial standards.

At Pye's trial, Georgia was unique in the U.S. for not executing individuals with intellectual disabilities. However, his lawyer failed to investigate this aspect. The U.S. Supreme Court later prohibited executing individuals with intellectual disabilities. Pye's current legal team has presented evidence of his intellectual disability, but Georgia's stringent standards for proving this beyond a reasonable doubt

have maintained his death sentence. This case underscores ongoing debates about the death penalty, legal representation, and the rights of defendants with intellectual disabilities under both U.S. law and international human rights standards.

***Please take action as soon as possible until March 20, 2024! The UA will be duly updated should there be the need for further action.***