

## More about Amicus...

Amicus was founded in 1992 – then known as The Andrew Lee Jones Fund – in memory of Andrew Lee Jones, who was executed in Louisiana in 1991. The charity's objectives are to assist in the provision of legal representation for those awaiting capital trial and punishment in the US, or any other country, and to raise awareness of potential abuses of defendants' rights.

## Amicus' main activities are:

### 01. Internships

The charity arranges volunteer placements with US capital defence attorneys' offices. Funding from Lime 2004 enabled Amicus to extend the reach of its intern programme, increasing the number of interns placed in the US and widening the number of states covered by the programme. In the period October 2004 to May 2007, Amicus placed 53 interns across the US for internships of between three and 18 months. Another 11 interns have placements arranged or being arranged for summer/autumn 2007. Outside of the ongoing intern programme, several Amicus members travelled out to work in New Orleans in the aftermath of Hurricane Katrina, providing vital assistance to Amicus' contacts there at a time when many of their own staff were unable to return to work.

### 02. Training

Amicus runs a comprehensive training programme in US criminal law and procedure, legal research, evidence and professional conduct, equipping interns to be of most use to an office on arrival. The training is available for any intern intending to go to the US (including those not being placed by Amicus) and for UK-based volunteer case workers drafting *amicus curiae* briefs, motions and international applications and conducting general research on behalf of capital defence attorneys' offices. The charity is registered as a CPD (continuing professional development) training provider by the Bar Council and the Law Society. After Lime 2004, Amicus was able to introduce regional introductory training days to complement its London- and Birmingham-based training courses, increasing greatly the total number of trainee places. Since October 2004 (to May 2007), Amicus has trained over 500 people in preparation for internships and UK-based case work.

Amicus collaborated with the Middle Temple Library to ensure that all the key US capital punishment criminal and constitutional texts are available in the UK, as part of the Middle Temple's American Collection (the largest collection of US law in London) and Capital Punishment Collection (which includes key texts and materials for jurisdictions around the world, including the US). Both collections are housed on the third floor of the Middle Temple Library, with access for all barristers and entry arrangements for non-barristers arranged by Amicus.

### 03. Case work

*Amicus curiae* briefs: Literally meaning "a friend of the court", *amicus curiae* briefs are a way in which professional groups, organisations and charities are able to assist a court in coming to a decision, by describing comparative standards, international law and the practices of other nations. At the request of capital defence attorneys, Amicus has presented briefs on a number of topics (such as the execution of juveniles and the mentally retarded, the treatment of juries and rules of evidence) at various stages of cases' proceedings, including to the US Supreme Court.

*Drafting motions*: UK-based case workers have prepared motions for use by capital defence attorneys across the US both before and during trials and appeals, such as motions against the use of gruesome photographs and on the use of the lethal injection as a means of execution. Amicus has also provided assistance with the drafting of clemency statements and petitions in a number of states. This voluntary practical assistance from UK-based lawyers is often vital to capital defence attorneys who are facing very tight timescales, with limited resources, prior to and during trial and appeal.

*International applications:* UK lawyers are very experienced in arguing before international tribunals on points of international law. The jurisdiction of the Privy Council in London, which is still the final court of appeal for many Caribbean countries, means that they have argued many of the issues which pertain to the death penalty in the US before an extremely sophisticated tribunal. In addition, UK-based lawyers have argued Caribbean cases before the United Nations Human Rights Commission. Amicus lawyers have drafted applications to the Inter-American Commission of Human Rights, in Washington, on behalf of capital defence attorneys in capital cases. Applications have covered such issues as the Vienna Convention on Consular Relations (where appellants were not given proper access to consular officials), the admission of unadjudicated previous convictions in the sentencing phase and the appropriateness of executing juveniles and the mentally ill.

#### *04. Events*

Amicus holds events to raise awareness of the issues surrounding the application of the death penalty in the US. Since Lime 2004, the charity has built on its existing events programme in London and Birmingham, holding a variety of regional events and activities in Manchester, Oxford, Newcastle and Leeds. One successful series of events was a tour by Juan Melendez who was exonerated from Florida's death row after almost 18 years behind bars. Initially, Juan visited the UK briefly in spring 2005, speaking to over 170 people. He returned for a longer trip in February 2006, speaking to over 350 people in London, Manchester and Oxford.

#### *05. Legal education*

Three recipients of some Amicus funding have completed US legal education and are practising full-time as capital defence attorneys. Amicus' long-term objective is to reinstate US legal education grants to individuals who commit to practising as capital defence attorneys post-qualification. Currently, however, the charity's funding position means that the short-term focus is on extending further the intern programme to meet the immediate demands in the US.

## Andrew Lee Jones

Andrew was born in rural Louisiana, the fifth son of a black share-cropping family. His life changed on the death of his father, when the family was evicted from their home and Andrew, devastated by the death of a much-loved father, took off to Baton Rouge. He fell into a life of petty crime.

In 1984, Andrew was charged with the murder of the daughter of his estranged girlfriend. The only evidence offered at his trial – which lasted less than a day – was that he knew the victim. No scientific evidence was produced by the prosecution. There was no evidence of a break-in at the girl's house in spite of the prosecution's allegations of the use of force. Andrew himself had no recollection of that fateful night, except that he had been drunk. Prior to the trial, a defence witness was beaten by the police and withdrew his alibi statement.

Andrew was found guilty and sentenced to death by an all-white jury in a courtroom where the only black faces were those of the family members, in spite of 30% of the local population being black. Black jury members are traditionally excluded from serving in East Baton Rouge parish.

On 19th July 1991, the Board of Pardons met to hear the final pleas for clemency from witnesses and appeals from the defence lawyers. Discussion of guilt or innocence is not part of this procedure. Andrew's mother, brothers and sister begged for his life, and a psychiatrist and a psychologist gave information relating to the family situation, and Andrew's state of mind.

Finally, the defence lawyer at the trial gave evidence. He offered his apologies for not giving Andrew a fair defence. As a court-appointed lawyer he had received the papers only a short time prior to the trial. He was not qualified to conduct capital trials, being less than five years out of law school, and this was his first capital case.

He saw his client only occasionally prior to the trial, and he had only recently been made aware that his client was medicated with Thorazine, a psychotropic drug, before and during the trial. The amount of medication given during his trial exceeded the amount needed for tranquilising purposes.

However, Andrew was refused clemency and he was duly executed by the State of Louisiana.

The girl's mother – who had continually visited Andrew on death row, until she became a heroin addict – phoned him less than 10 hours before he was electrocuted, to say that she was really sorry, she had never meant for this to happen...

In his memory, and in recognition of the need for people like Andrew to receive proper legal representation when facing the ultimate penalty, Amicus was formed in 1992.

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