

# AMICUS

fighting for justice on death row

US Death Penalty Training  
Spring 2016

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## **Introductory Evening**

Friday 26th February 2016

## **Theory Weekend**

Saturday 27th & Sunday 28th February 2016

## **Practical Weekend**

Saturday 12th & Sunday 13th March 2016

**Baker & McKenzie** 100 New Bridge St, London EC4V 6JA (Introductory Evening)

**Freshfields** 65 Fleet St, London EC4Y 1HS (Theory and Practical Weekend)

# A message from Amicus

Welcome to the US Death Penalty Training course. This course provides insight, practical and theoretical skills for defending those facing the death penalty in the US.

Amicus is a small legal charity which helps provide representation for those facing the death penalty in the United States. Amicus was founded in 1992 in memory of Andrew Lee Jones, who was executed in Louisiana in 1991.

We believe the death penalty is disproportionately imposed on the most vulnerable in society, violating their right to due process and the concept of equal justice before the law. We work to provide better access to justice for those who could not otherwise afford it.

"The Constitution says that everyone's entitled to the attorney of their choice. ... The Constitution doesn't say that the lawyer has to be awake."

**District Judge Doug Shaver, McFarland v. State of Texas (1992)**

The quality of representation in a capital trial is literally a matter of life and death. Unfortunately capital defence lawyers in the US are generally overworked and underpaid. Some are also woefully inexperienced and a significant number of US defendants have gone to their deaths because of poor legal representation.

"All are equal before the law and are entitled, without any discrimination, to equal protection of the law."

**Article 7, Universal Declaration of Human Rights**

The US has executed over 800 people since 2000. 34.6% of defendants executed by the US since 1976 were black, although the US census bureau estimates that as of 2014 only 13.2% of the general population is black.

A recent Louisiana study concluded that, even after taking other variables into consideration, "the odds of a death sentence are still 97% higher for those who kill whites than for those who kill blacks". All are equal before the law?

90% of death row inmates are classed as indigent and cannot afford their own lawyer.

"The death penalty remains fraught with arbitrariness, discrimination, caprice, and mistake."

**U.S. Supreme Court Justice Harry A. Blackmun, 1994**

Since 1973, more than 150 people in 26 states have been released from death row with evidence of their innocence.

Amicus helps save lives - but we need your support.

# Friday 26th February 2016

6.00 pm	<b>Introduction</b> Maroshini Krishna Morgan
6.05 pm	<b>Icebreaker Quiz</b> Maroshini Krishna Morgan
6.20 pm	<b>About Amicus</b> Margot Ravenscroft
6.40 pm	<b>Intern Speakers</b> Matthew James Maroshini Krishna Morgan
7.00 pm	<b>Keynote Speakers</b> Sunny Jacobs and Peter Pringle
8.15 pm	<b>Close</b> Drinks Reception & Networking with Interns

# Saturday 27th February 2016

9.00 am	<b>Coffee/ Tea</b>
9.15 am	<b>Introduction</b> Margot Ravenscroft
9.30 am	<b>Introduction to the US legal system: US Constitution &amp; Supreme Court</b> Ilaria Di-Gioia
11 am	<b>Break</b>
11.15 am	<b>Trial Procedure (part 1)</b> Mark George QC
12.45 am	<b>Lunch</b>
1.30 pm	<b>Trial Procedure (part 2)</b> Mark George QC
2.00 pm	<b>Jury Selection</b> Emma Daykin
3.15 pm	<b>Break</b>
3.30 pm	<b>Appeals</b> Mark George QC
5.15 pm	<b>Round up and Questions</b> Margot Ravenscroft

# Sunday 28th February 2016

9.30 am	<b>Coffee/ Tea</b>
9.45 am	<b>Open</b> Margot Ravenscroft
10.00 am	<b>European Perspective</b> Dr Jon Yorke
11.15 am	<b>Break</b>
11.30 am	<b>Slavery and Race</b> Dr Bharat Malkani
12.30 pm	<b>Lunch</b>
1.45 pm	<b>Krone Workshop (part 1)</b> Sarah Cooper
2.45 pm	<b>Break</b>
3.00 pm	<b>Krone Workshop (part 2)</b> Sarah Cooper
4.00 pm	<b>Round up and Questions</b> Margot Ravenscroft

# Saturday 12th March 2016

9.15 am	<b>Introduction</b> Margot Ravenscroft
9.30 am	<b>Report from the Field: Current State of the U.S. Death Penalty</b> Jim Marcus & Raoul Schonemann
9.45 am	<b>Constructing a Case Narrative for Life</b> Jim Marcus & Raoul Schonemann
10.45 am	<b>Break</b>
11.00 am	<b>The Right to Counsel and Contemporary Standard of Practice in Capital Cases</b> Raoul Schonemann
12.00 noon	<b>Lunch</b>
1:00 pm	<b>Investigating and Litigating Ineffective Assistance of Counsel Issues in Capital Cases</b> Jim Marcus
2.00 pm	<b>Break</b>
2.15 pm	<b>Investigation and Litigating Race Discrimination Issues in Capital Cases</b> Raoul Schonemann
3.15 pm	<b>Investigation and Litigating State Misconduct Issues in Capital Cases</b> Jim Marcus
4.15 pm	<b>Round-up and Conclusions</b> Margot Ravenscroft

# Sunday 13th March 2016

9.30 am	<b>Coffee/ Tea</b>
10.00 am	<b>Investigating and Litigating Mental Health Issues in Capital Cases</b> Jim Marcus & Raoul Schonemann
11.15 am	<b>Break</b>
11.30 am	<b>Investigation and Interviewing Skills</b> Jim Marcus & Raoul Schonemann
12.30 pm	<b>Lunch</b>
1.30 pm	<b>Investigation Workshops (part 1)</b> Margot Ravenscroft
2.45 pm	<b>Break</b>
3.00 pm	<b>Investigation Workshops (part 2)</b> Margot Ravenscroft
4.00 pm	<b>Round up and Questions</b> Margot Ravenscroft

# Our Speakers - 26th, 27th, & 28th February

## Sunny Jacobs

Sunny had served 17 years before she managed to get her conviction overturned. Sunny and her first husband, Jesse Tafero, were both implicated in the shooting of two police officers in Florida in 1976. Jesse was executed in 1990, despite significant ongoing doubt about his guilt. Sunny's death row ordeal later became one of six stories told through the acclaimed play *The Exonerated*. The play was also adapted for television with Susan Sarandon playing Sunny.

*Sunny's book 'Stolen Time' will be on sale during training.*

## Peter Pringle

Peter's story also started with the death of two policemen - this time during a bank raid in Ballaghderreen, Ireland. His conviction was finally quashed after 15 years of incarceration when evidence of his innocence was brought to light, including evidence that his 'confession' had been written before he'd even been interviewed.

*Peter's book 'About Time' will be on sale during training.*

## Margot Ravenscroft

Director at Amicus, Margot joined Amicus in 2007 after working for the Bar Pro Bono Unit. Previously she worked in California at the offices of Clarence & Dyer LLP on death penalty appeals alongside white collar crime matters. On returning to the UK she continued in the field working pro bono on Jamaican capital cases while working in re-insurance litigation at Barlow Lyde & Gilbert LLP. She also served on the National Pro Bono Committee and on the organising committee for the UK's first Pro Bono Conference.

## Maroshini Krishna Morgan

Assistant Director at Amicus, Maroshini joined Amicus in 2016 after working as a corporate solicitor in Kuala Lumpur, Malaysia for several years. Maroshini has assisted on ad hoc human rights initiatives in Malaysia and in 2015, she undertook a capital defence internship with the Texas Defender Service in Houston, Texas.

## Sarah Cooper

Sarah is a Senior Lecturer in Law and Director of Mooting at Birmingham City University in the United Kingdom, where her teaching focuses on English and American criminal procedure, practice and reform. Before joining Birmingham City, Sarah interned for a former U.S. Supreme Court Law Clerk in Arizona and worked for a federal capital defence team in California. Sarah is a Barrister and Lord Denning Scholar of the Bar of England and Wales, and is academic faculty for charities Amicus and Reprieve. She currently holds a Fellowship at the Arizona Justice Project at Arizona State University, where she focuses on cases of innocence and "manifest injustice," and has recently led a team of lawyers and students to strategize and draft petitions for Post Conviction Relief and Clemency. Sarah's research has appeared in European and American law journals- and she is currently leading an Edited Collection for Ashgate Publishing entitled "Controversies in Innocence Cases in America."

## Ilaria Di-Gioia

Ilaria Di Gioia is a Graduate Teaching Assistant and PhD student in American Public Law at Birmingham City University School of Law. Her research, conducted in collaboration with the National Conference of State Legislatures, investigates the ideological and political reasons of states' aversion to the enactment of Affordable Care Act and conceptualises the resistance in the bigger picture of opposition to the interference of the federal government in social policies.

Before joining Birmingham City University, Ilaria interned at the Italian Embassy in Washington, DC and at the United Nations System Staff College in Turin, Italy.

### Mark George QC

Mark is a senior criminal defence practitioner at Garden Court North Chambers in Manchester. Mark assisted attorneys in Texas with the preparation of a capital case in 1998. He has written several Amicus Briefs for the Supreme Court, including one for the recent issue to Life Without Parole for Juveniles. Mark is also an Amicus Trustee who regularly teaches at Amicus training sessions on trial procedures, jury selection, and mitigation issues in capital cases. He has written for the Amicus Journal on many aspects of US death penalty law.

### Emma Daykin

Emma, a barrister at Lambs Buildings appears as an advocate and advises in all aspects of immigration, asylum and human rights, at all levels. Emma has particular experience in trafficking claims, deprivation of nationality claims from Ethiopia/Eritrea, appeals of Turkish nationals seeking to establish themselves in business and appeals against deportation. She also regularly advises and acts in judicial review matters (including urgent applications and injunctions) and civil claims for damages for unlawful detention. Emma remains absolutely committed to representing those facing the death penalty through her involvement with Amicus. Emma's devotion to this work began in 2004 when she worked as an investigator with the Office of Capital Defense Counsel, in Jackson, Mississippi on numerous capital murder cases and returning for a brief period in 2007. In 2015 Emma assisted in launching a major Death Penalty study in Missouri supported by Amicus. Emma regularly lectures and assists with training and selecting future interns.

### Dr Jon Yorke

Jon is a Reader in Law and Director of the Centre for American Legal Studies at Birmingham City University. He is an expert on the death penalty and international law. He is a member of the Foreign and Commonwealth Office Death Penalty Expert Group, which advises the British government on death penalty matters. He has advised the European Union and the Council of Europe on death penalty issues and has presented on the death penalty in the United Nations. He is a founding member of the International Academic Network for the Abolition of Capital Punishment, and he has published widely on death penalty issues. He is a former recipient of an Andrew Lee Jones scholarship, and is a member of the editorial board of the Amicus Journal.

### Dr Bharat Malkani

Bharat is a lecturer in the Law School at the University of Birmingham. He convenes the modules 'Human Rights and Criminal Justice', and 'The Death Penalty in Law and Practice'. Bharat is also the Director of the Birmingham Law School Pro Bono Group, which provides free legal services for the local community. Prior to joining academia, Bharat interned with the Louisiana Crisis Assistance Center in New Orleans, and worked with the Juvenile Death Penalty Initiative in Washington DC.

# Our Speakers - 12th & 13th March



**Raoul Schonemann**

Raoul Schonemann is a clinical professor and the co-director of the Capital Punishment Clinic at the University of Texas School of Law in Austin, Texas. For the past 25 years, he has defended people facing the death penalty in Texas, California, Alabama, and Georgia, primarily in appellate and post-conviction habeas corpus proceedings. Prior to joining the law school, he was employed as the managing attorney of the Capital Litigation Unit at the Southern Center for Human Rights in Atlanta; as a deputy public defender at the Office of the State Public Defender in San Francisco; and as a staff attorney at the Texas Resource Center in Austin. In 2003, he served as a consultant to the American Bar Association

in its revision of the "Guidelines for the Appointment and Performance of Counsel in Death Penalty Cases." He is a co-chair of the Death Penalty Committee of the National Association of Criminal Defense Lawyers and has previously served as NACDL's national capital defense training coordinator.



**Jim Marcus**

Since graduating law school in 1993, Jim Marcus has represented death-sentenced clients at every level of state and federal habeas corpus proceedings. Mr. Marcus began his career at the Texas Resource Center. In 1995, he helped found the Texas Defender Service, a non-profit capital defense project. Mr. Marcus served as the Executive Director of Texas Defender Service from 1997 until 2006, when he joined the Capital Punishment Clinic at the University of Texas School of Law. Mr. Marcus is currently a Clinical Professor and Co-Director of the Capital Punishment Clinic and a Texas

Habeas Assistance and Training Counsel. In the latter capacity, Mr. Marcus trains and supports capital habeas counsel in Texas cases and lectures in capital defense seminars across the nation.

# About our work

- Casework
- Training
- Educational Events
- Raising Awareness
- Internships
- Legal Research and Drafting
- Fundraising
- The Amicus Journal

## How Members Can Get Involved

**Casework:** Members can work on individual cases and play a direct role in helping save a person from execution. Caseworkers also get involved in research projects and developing legal toolkits. The work ranges from summarising trial transcripts to drafting motions and briefs. The type of work a member can do depends on their qualifications and experience but all contributions make a real difference to the individuals involved.

**Internships:** Every year we train and place approximately 30 interns with capital defence organisations in the US. Capital defence attorneys are generally overworked and under-resourced so our interns provide vital support and carry out work that would not be done without them. This support can make all the difference to a case:

*"[Our Amicus intern] shared his work with the Texas office and another Amicus intern over there [Texas]. They used it and this guy didn't die last night. I can't think of a way to overstate the importance of this work. The guy didn't die. Kind of says it all. Everyone over there [UK] ought to know about this. It makes it all worthwhile. Thank you."*

**Training:** Our spring and autumn death penalty training programmes are accredited by The Bar Standards Board and Solicitors Regulation Authority for 22 CPD points.

**Fundraising:** Amicus events range from concerts and film screenings to conferences and reading nights. There's something for everyone.

**Journal and Newsletter:** We need regular contributions for our academic journal and our monthly newsletter.

**Membership Fees and Donations:** As a small charity we are very much dependent upon our members for the funds that keep us going. Your support will help us expand and improve our work, ensuring better access to justice for more people facing capital punishment in the USA.

# The story of Andrew Lee Jones

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

In 1984, he was convicted of murdering his girlfriend's daughter. The main evidence offered at his trial – which lasted less than a day – was that he knew the victim. There was no scientific evidence linking him to the crime.

During sentencing, his attorney told the court that Andrew had been drunk on the night of the crime but did not offer any further mitigating evidence. He could have told the court that:

- Andrew had an IQ of 77 and had never progressed beyond the second grade in school;
- He suffered from organic brain damage;
- He had become addicted to drugs as a teenager and experienced psychotic episodes throughout his adult life, for which he was never treated;
- A state psychiatrist concluded Andrew was psychotic at the time of the crime.

The attorney could also have interviewed the mother of the victim, who called Andrew just before his execution to say she was really sorry, she had never meant for this to happen...

However, Andrew's attorney had never conducted a capital trial before and had been out of law school for less than five years. He did not have the time, the experience or the funds to mount an adequate defence during the guilt phase of the trial or to gather the mitigating evidence that could have saved Andrew from a death sentence during the penalty phase. This is where Amicus can help. If our interns and caseworkers had been at hand to help in the 1980's, then Andrew might still be alive today.





# Membership and donations

(Please tear off this form and return to Amicus)

By joining Amicus or making a donation, you will provide valuable support for the work that the charity does. If you become a member, you will receive regular information about Amicus events and also a copy of the Amicus Journal on publication. If applicable, please fill in the Gift Aid Declaration.

Title	
First Name	
Surname	
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Country	
Phone Number	
E-Mail Address	
Occupation	

## Becoming a member

- Student - £18 per year
- Member - £48 per year
- Corporate - £500 per year

I enclose a cheque for .....

I would like to pay by standing order

## Making a donation

I enclose a cheque for .....

I would like to pay by standing order

## Standing Order Instructions

Please set up standing order to amount stated above to start immediately from my account to  
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**SORT 40-52-40      ACC NO 00010063**

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**Membership:** Please pay to Amicus the sum of ..... on ..... (date) and the same sum on 2<sup>nd</sup> of every month / year (please delete as appropriate) thereafter until further notice.

**Donations:** Please pay to Amicus the sum of ..... on ..... (date) and the same sum on the 1<sup>st</sup> of every month / quarter / year (please delete as appropriate) thereafter until further notice.

## Gift Aid Donation

All donations that I make to Amicus on or after the date of this declaration should be treated as Gift Aid donations until further notice. I am currently paying UK income tax and/or capital gains tax that is equal to or more than the tax reclaimed by Amicus (28p for every pound).

Please tick box if applicable

Signature	
Date	

# AMICUS

fighting for justice on death row

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Amicus is the trading name of the Andrew Lee Jones Fund Ltd  
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