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USA: VIRGINIA GOVERNOR COMMUTES DEATH SENTENCE

On 20 April, the Governor of Virginia commuted the death sentence of Ivan Teleguz, a Ukrainian national who was scheduled to be executed on 25 April and who has continued to maintain his innocence.

Ivan Teleguz was sentenced to death for hiring Michael Hetrick to commit the murder of Stephanie Sipe in Harrisonburg, Virginia on July 23rd 2001. Michael Hetrick, Edwin Gilkes and Aleksey Safanov each received deals in exchange for testifying against Ivan Teleguz. Michael Hetrick avoided the death penalty, while Edwin Gilkes was given a deal that would allow his release in 2018. Edwin Gilkes testified that Ivan Teleguz was involved in another arranged murder in Ephrata, Pennsylvania. The prosecutor urged jurors to sentence him to death based on this evidence of a pattern of how he “solves problems” with arranged murder. In 2010, Edwin Gilkes said that he had “fabricated” most of his trial testimony in order to avoid the death penalty.

On 20 April 2017, Governor Terry McAuliffe explained that he had decided to deny Ivan Teleguz’s request for a pardon, on the basis of “my belief that the reliable evidence continues to support his conviction”. However, the Governor said that he had decided to commute the death sentence to life imprisonment without the possibility of parole because the sentencing phase of the trial was “flawed”. It was now known, he said, that “the jury acted on false information, and that it was driven by passions and fears raised – not from actual evidence introduced at trial – but from inference. To allow a sentence to stand based on false information and speculation is a violation of the very principles of justice our system holds dear.”

Governor McAuliffe specifically pointed to the issue of the Ephrata murder: “In arguing for the death penalty, the prosecutor made explicit reference to this evidence in arguing that Mr Teleguz was so dangerous that he needed to be put to death. We now know that no such murder occurred, much less with any involvement by Mr Teleguz. It was false information, plain and simple”. The governor further noted that “references were made throughout the trial, as hearsay evidence, that Mr Teleguz was a member of the Russian mafia”, yet “no evidence” was introduced in support of that contention. At the same time, he said, there was evidence that these fear-mongering factors had influenced the jury’s decision to impose a death sentence.

Governor McAuliffe also noted “the appearance of disproportionate sentences” in this case – the death sentence imposed upon Ivan Teleguz, compared to the life sentence given to Michael Hetrick, the person who carried out the murder.

Ivan Teleguz’s lawyer has asked for her thanks to be relayed to those who sent appeals. She said that the Urgent Action “did get a huge number of people hearing about the case and speaking out”. She told Amnesty International after the governor’s decision: “Ivan is so grateful for the extraordinary support he has received and the thousands of people who have come to his aid in spreading his story and helping others to learn about the case. He is incredibly touched that people from all over the world – who do not even know him – have been speaking out on his behalf. And it worked. The execution has been stopped, and Ivan will be alive to continue fighting to prove his innocence.”

No further action by the UA Network is requested. Many thanks to all who sent appeals.

This is the first update to UA 55/17. Further information:
www.amnesty.org/en/documents/amr51/5812/2017/en/