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The Nation

Killer's Sentence of Death Debated

Law: A Ga. inmate who murdered a girl when he was 17 is delusional. His looming execution raises issues about putting to death a 'synthetically sane' young offender.

February 19, 2002 | HENRY WEINSTEIN | TIMES STAFF WRITER

A man who is so delusional that he believes actress Sigourney Weaver is God and that she speaks to him is scheduled to be executed Wednesday in Georgia, amid growing protests from human rights groups and mental health organizations.

The case of Alexander E. Williams IV, who is forcibly medicated by prison officials, raises a thorny legal issue that has never been resolved by the U.S. Supreme Court. Williams was 17 when he murdered a teenage model in Augusta, Ga.

In 1986, the Supreme Court prohibited the execution of murderers who have become so insane that they do not know they are about to be killed and the reason for it. But the high court has never ruled on the issue of whether it is permissible to execute an inmate who is medicated to achieve a minimum level of sanity.

Williams' attorneys are asking the Georgia Board of Pardons and Paroles to grant clemency to Williams, who has been characterized as a "chronic paranoid schizophrenic" by prison doctors. The five-member board is scheduled to meet in closed session on the attorneys' request today and to hear from the murder victim's mother later in the day.

In addition, Williams' attorneys have asked the Supreme Court to grant a stay of execution pending further review of the case. In papers they filed Friday, attorneys Mark E. Oliver and Timothy K. Ford cite two principal reasons for a stay--Williams' mental condition and the fact that he was a juvenile when he committed the murder in 1986.

On the first issue, the attorneys are urging the Supreme Court to bar Georgia from executing their client while he is "synthetically sane" as a result of forced medication. They are asking the high court to follow a 1992 ruling of the Louisiana Supreme Court, which held that forcibly medicating insane inmates so they can be executed is unconstitutional.

The attorneys also are asking the Supreme Court to reconsider its 1989 decision in *Stanford vs. Kentucky* when the justices ruled that it was permissible to execute someone for a murder committed under the age of 18. This ruling came just one year after the court held that a killer had to be at least 16 years old for it to be constitutional to execute him.

Fifteen of the 38 states that have capital punishment laws prohibit the execution of juveniles. Five other states with death penalty laws are considering similar prohibitions on executing juveniles.

Williams' lawyers cite scientific research indicating that a person's mind is not fully developed until 18--the age at which individuals become eligible to vote, enlist in the military without parental consent and sign a binding contract.

In addition, the practice of executing an individual for a crime committed while a juvenile has become increasingly controversial around the world. In the last three years, only the U.S., Iran and the Democratic Republic of the Congo have executed people for crimes committed under the age of 18.

Juvenile executions are barred under several major international treaties, including the International Covenant on Civil and Political Rights. The U.S. Senate ratified the treaty in 1992 but specifically reserved the right to permit executions in this country for crimes committed under the age of 18.

Former First Lady Rosalyn Carter, the American Bar Assn., Amnesty International, the European Union, the National Mental Health Assn. and even five of the jurors who voted in favor of a death sentence for Williams are among those who have urged the Georgia Board of Pardon and Paroles to commute his sentence to a life term.

Danny Craig, the district attorney in Augusta, declined comment but will accompany the victim's mother--who favors imposition of the death sentence--to the parole board today.

There is no debate about the fact that Williams kidnapped Aleta Carol Bunch, a conscientious 16-year-old high school student, from an Augusta shopping mall where she was buying her mother a birthday present.

Williams drove Bunch to the woods in her blue 1984 Mustang, raped her and shot her four times in the head. Williams then used her car and her credit cards and gave some of her jewelry to his friends.

He was convicted by a jury in August 1986 of rape, robbery, kidnapping, murder and financial transaction fraud. He was sentenced to death. The convictions and sentence were upheld by the Georgia Supreme Court, and the U.S. Supreme Court declined review.

Since some of Williams' friends testified that he had confessed the crime to them, it was hardly surprising that he was convicted. The question of punishment was not so clear, however. One juror urged a life sentence but eventually was persuaded by other jurors to change his mind, according to affidavits submitted by other jurors years after the trial.

As a child, Williams was struck by his mother with cooking utensils, electrical cords and a hammer and was forced to stand naked outside their house in broad daylight, according to statements from his brother and father.

His stepfather and grandmother beat him too, the latter using the heel of a glass slipper and tree branches, court documents show.

But Williams' court-appointed lawyer, O.L. Collins, failed to present any information about Williams' mental problems or child abuse to the jury when the poor black teenager was sentenced to death.

During the penalty phase, Collins called only three witnesses to present mitigating evidence--including Williams' mother, who had beaten him for years. She told the jury during brief testimony that her son was a nice boy who collected comic books and coins.

In his 15-minute closing argument, Collins raised no legal issues, expressed his support of the death penalty, said he could "think of nothing worse than [spending] the rest of your life behind bars in jail" and told the jury that the murder victim "is better off in the arms of her God" than his client awaiting his fate.

A few years later, Collins was removed from the list of attorneys approved to handle capital cases in Georgia. He is now dead.

However, a federal district judge in Augusta and the U.S. 11th Circuit Court of Appeals in Atlanta rejected claims by Williams' appellate lawyers that Collins and another attorney who handled the first phase of his appeal had rendered constitutionally deficient representation.

Collins did not attempt to have Williams diagnosed at the time of trial. But shortly after he arrived on death row, testing found that "Williams shows evidence of substantial, generalized psychotic illness."

Now, 33, Williams has been diagnosed with schizophrenia and suffers from a variety of hallucinations, according to prison medical records.

In the papers Williams' attorneys submitted to the U.S. Supreme Court, they cite numerous reports filed by prison doctors and psychologists, who examined Williams at death row in Jackson, Ga., over the last dozen years, describing his severe mental illness--including "chronic paranoid delusions."

In 1990, Williams attacked one of his attorneys in prison. Asked why, he told a prison psychologist that "a little red man in the attorney's eye had something to do with it."

In 1992, one physician wrote, "it appears that he is suffering from a schizophrenic process that is probably life long." The doctor also noted that "Williams did not appear to have a manipulative quality about his thinking."

The following year, another doctor wrote, "It does not take much probing and questioning to realize that he is out of touch with reality."

In 1995, the same doctor wrote, "Mr. Williams is aware that his thoughts are more psychotic and he is in fantasy/magical world where Sigourney Weaver is his God as well as the real world of G-3."

In 1997, prison officials reported that Williams "was seen pacing in his cell, wearing a mask made out of a sheet, acting as if he was the Lone Ranger."

The records show that in recent years prison officials have issued orders stating that Williams can be forcibly medicated, including one in September that lasts for six months. Several reports filed since September--including one in late January--describe Williams as "delusional."

The attorneys also emphasize in the papers filed Friday that on the day Williams is scheduled to be executed, the Supreme Court is set to hear arguments on whether the 8th Amendment's bar of cruel and unusual punishment prohibits executing the mentally retarded. Since the outcome of that case is based on similar issues to those being raised by Williams, the attorneys are asking the high court to at least postpone his execution until the retardation issue is resolved.

Five of the jurors who sentenced Williams to death have now urged the parole board to grant clemency for Williams, meaning that he would receive a life sentence instead.

The jurors have submitted affidavits to the board saying that if they had known about Williams' troubled childhood and mental problems they would not have voted in favor of the death penalty.

"The one thing about Mr. Williams' trial that stands out in my mind is the fact that we knew so little about him as a person," juror Charles Walker wrote. "His lawyer really told us nothing about him or his background. I thought that Mr. Williams was not right in the head, but we were given no information at trial about this one way or another."

The Georgia Attorney General's office has not yet responded to the latest motion filed in the Supreme Court by Williams' attorneys. However, in an official briefing paper on the case posted on its Web site, it has attempted to cast doubts about Williams' mental illness and when it started.

The paper notes that after Williams was convicted, a new lawyer spoke to his mother, who informed the attorney that in 1985, the year before the murder, she had sent her son to a regional mental hospital for an evaluation.

The attorney spoke to a psychiatrist, who was the facility's director. The doctor told him that "there was nothing to indicate Williams suffered from schizophrenia or had any other mental disorder and that there was no reason to conduct another evaluation of him" because Williams was "just a sociopath," according to court records.

Although it is not certain when Williams' mental problems began, his attorneys and mental health experts say the severity of his condition is no longer in doubt. In a letter sent to the Georgia Board of Pardons and Paroles, Laurie Flynn of the National Alliance for the Mentally Ill noted that under a 1990 Supreme Court decision it is quite difficult to obtain involuntary medication orders for inmates with mental illnesses.

To administer involuntary medications, states must prove that an inmate is a danger to himself or others and that the treatment is in the inmate's best interests, the decision holds. Nonetheless, Flynn added, the prison medical records demonstrate that Williams "remains psychotic even when he takes anti-psychotic medications," Flynn added.

In addition to the mental health focus, Williams' attorneys, in their clemency petition to the parole board, emphasize the growing trend against juvenile executions around the world and pointedly appeal to Georgia's sense of pride as a sophisticated, contemporary state:

"As home to the 1996 Olympic Games, CNN, and major multinational corporations such as Coca Cola, Georgia has developed a global reputation as a modern, international state. That reputation is at stake in the case of Alexander Williams. The world is watching this board to see if Georgia truly is a member of the international community or a rogue state, to be viewed like Iran, that flouts international law and internationally accepted human rights standards of decency."