



**Amnesty International**

**Group 524**

**July 2022**



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## **No July Meeting Death Penalty – Rocky Myers Ukraine**

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### **Welcome**

I hope the summer has brought some pleasant activities to your schedules. This month's focus is on inmate Rocky Myers and the latest reports from Ukraine.

### **Death Penalty: Rocky Myers**

We wrote letters last July supporting clemency for this death row inmate. Unfortunately his situation has not changed. July 16 is his birthday and you can send him a card. You can also petition the Governor of Alabama. See the details on this case on pages 2 and 3 and a sample letter on page 4.

### **Amnesty's Ukraine Crisis Campaign**

Amnesty has set up a page on their website to coordinate actions and information concerning Ukraine. <https://www.amnestyusa.org/UkraineCrisis/> A new report detailing indiscriminate attacks on civilians is on pages 5 and 6.

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Amnesty International Group 524

Meeting Schedule: Third Tuesday of the month, at 7:00 p.m.

Meeting Location: Providence Heights

9000 Babcock Blvd., Allison Park, PA 15101



Contact John Belch ([joheb@aol.com](mailto:joheb@aol.com) or 412-766-1894) for more information on material in this mailing, or visit the Amnesty USA web site ([www.amnestyusa.org](http://www.amnestyusa.org)) and Group 39's Amnesty Pittsburgh web site ([www.amnestypgh.org](http://www.amnestypgh.org)).

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## **ROCKY MYERS**

### **NEARLY THREE DECADES ON ALABAMA'S DEATH ROW, SEEKING JUSTICE**

Rocky Myers is currently on death row at Holman Correctional Facility in Atmore, Alabama.

Rocky Myers was convicted by a nearly all-white jury who sentenced him to life without the possibility of parole for the murder of his white neighbor. The trial judge overrode their decision and imposed a death sentence – a practice now outlawed in Alabama. No evidence linked him to the scene of the murder of which he was convicted, except for a video-recorder stolen from the victim, which he maintains he had found abandoned in the street. Key testimonies against him were tainted by inconsistencies and allegations of police pressure, with one later recanted as untrue.



At age 11, Rocky Myers was diagnosed with an intellectual disability. His assigned lawyer for post-conviction appeals abandoned his case without notice, making him miss key deadlines for judicial appeals. The courts relied primarily on IQ tests, a standard which the US Supreme Court found to be inadequate in 2014, to reject his request for a deadline extension submitted on the grounds that he is a person with an intellectual disability.

Racial and class bias also affected the proceedings against him. Rocky Myers faced execution in 2004 and 2012. As the Governor of Alabama, you can use the power of clemency to alleviate the flaws in the case against him that the criminal justice system could not address and even heightened.



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## ALABAMA'S DEATH PENALTY

- Alabama has executed 68 executions since 1976. Three were carried out in 2019 and one in 2020.
- As of March 1, 2022, there are 170 people, including five women, on death row in Alabama. All men under sentence of death are held at the Holman Correctional Facility in Atmore, close to the Southern border. All women sentenced to imprisonment or death are at Julia Tutwiler Prison for Women, North of Montgomery.
- Alabama executed people by electrocution until 2002 when the state changed its method to lethal injection. Due to shortages in the supply of lethal injection substances, in 2018 Rocky Myers and others were asked to choose if they wanted to die via the use of new drugs to be used in the lethal injection protocol or gas asphyxiation. He chose the latter.
- Alabama is building a new gas execution chamber –a cruel, inhuman and degrading punishment.

## ROCKY MYERS BIRTHDAY ACTION

Rocky Myers' birthday is July 16th. Each July, activists from around the world mobilize to raise awareness about Rocky's case, wish him a happy birthday, and urge Alabama's Governor to commute his death sentence.

### SEND A BIRTHDAY CARD TO ROCKY

Send birthday cards:  
Rocky Myers, AIS 0000Z563  
Holman Correctional Facility, M-44  
Holman 3700  
866 Ross Road  
Atmore, AL 36503 – USA

Please include the full sender's address, as it might otherwise result in the rejection of your mail.

Group 524  
July 2022



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Governor of Alabama Kay Ivey  
Office of the Governor of Alabama  
600 Dexter Avenue  
Montgomery, AL 36130 – USA

Dear Governor Ivey,

I am greatly concerned by the many flaws that have affected the case of Rocky Myers, who is currently on death row at Holman Correctional Facility in Atmore, Alabama. I urge you to intervene and ensure that his case is immediately reviewed and the death sentence commuted, ending the injustice that has tarnished Rocky Myers' case for more than a quarter of a century.

Rocky Myers was convicted by a nearly all-white jury who sentenced him to life without the possibility of parole for the murder of his white neighbor. The trial judge overrode their decision and imposed a death sentence – a practice now outlawed in Alabama. No evidence linked him to the murder of which he was convicted, except for a VCR stolen from the victim, which he maintains he had found abandoned in the street. Key testimonies against him were tainted by inconsistencies and allegations of police pressure, with one later recanted as untrue.

Aged 11, Rocky Myers was diagnosed with an intellectual disability and reads at primary school level. His assigned lawyer for post-conviction appeals abandoned his case without notice, making him miss key deadlines for judicial appeals. The courts relied primarily on IQ tests, a standard which the US Supreme Court found to be inadequate in 2014, to reject his request for a deadline extension submitted on the grounds that he is a person with an intellectual disability. Racial and class bias also affected the proceedings against him.

Rocky Myers faced execution in 2004 and 2012. As the Governor of Alabama, you can use the power of clemency to alleviate the flaws in the case against him that the criminal justice system could not address and even heightened. I urge you to halt all executions in the state and conduct a review of the case of Rocky Myers as well as of others on death row including those affected by similar concerns, with a view to commuting their death sentences.

Yours sincerely,



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## **CIVILIANS IN UKRAINE KILLED BY 'RECKLESS' RUSSIAN ATTACKS ON SERHIIVKA APARTMENT BLOCK AND BEACH RESORT**

July 7, 2022

Russian air strikes on an apartment block and beach resort hotel in the coastal town of Serhiivka in southern Ukraine killed at least 21 civilians, Amnesty International said today following a new on-the-ground investigation.

The strikes, apparently using anti-ship missiles, hit the town in the Odesa region shortly before 1am on July 1, injuring at least 35 people. Five people remain in serious condition in intensive care, meaning the total death toll may rise.

“These powerful weapons were designed to destroy warships, and firing them into residential areas is extremely reckless,” said Donatella Rovera, Amnesty International’s Senior Crisis Response Adviser.

“This attack is yet another example of the Russian military’s utter disregard for civilians in Ukraine as they continue to cause needless death and destruction. All those responsible for such war crimes must face justice for their actions.”

Amnesty International visited the strike locations in Serhiivka and found no evidence of the presence of Ukrainian soldiers, weapons, or other valid military targets nearby. Satellite imagery reviewed by Amnesty International also did not indicate any military activity in the area prior to the attack.

Local government officials told Amnesty International that the weapons used in the attack were two Kh-22 guided missiles. With an estimated warhead of more than 900kg and a targeting system designed to hit ships rather than land objects, the missile is potentially extremely inaccurate, and therefore completely inappropriate for use in a populated area.

Amnesty International’s Crisis Response weapons expert found ordnance fragments consistent with a large guided missile at the scene of the strike on the hotel. Notably, the fragments contained old-style rivets, consistent with a 50-year-old weapon such as a Kh-22.

A core principle of international humanitarian law (the laws of war) is that parties to an armed conflict must at all times distinguish between civilians and civilian objects, and members of the military and military objectives. Military objectives can be targeted, but it is unlawful to target civilians or civilian objects. Prior to any attack, members of the military are required to take steps to ensure that they are reasonably certain they are not targeting civilians and civilian objects.

To date, there have been numerous examples of Russian forces routinely launching unlawful attacks in Ukraine which have killed and injured civilians, some of which may have been deliberate attacks on civilians or civilian objects.

### **Resort hotel strike**

Just after midnight on July 1, Russian forces launched at least two missiles towards the Black Sea resort of Serhiivka, around 45 miles southwest of the city of Odesa. The first missile hit the Godji Hotel, and killed six civilians. Just minutes later, a second missile hit the hardware store at the front of a residential nine-storey building at 23 Budzhaska Street, and killed 15 civilians.

Amongst those killed at the Godji Hotel were Nadiya Rudnitskaya, the hotel manager, and her 12-year-old son Dmytro Rudnitsky. Olha Ilyashevych, 30, and her mother Maria, who had both fled fighting from Slovyansk in the Donbas region, were also killed.

The fatalities also included Oleksander Shishkov, 41, a well-known football coach who lived in Odesa but who had been staying at the hotel following a children’s football match the day before between the local team and the team from the nearby town of Bilhorod-Dnistrovsky.



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### Residential block strike

Amongst those killed in the strike on Budzhaska Street were Volodymyr Chulak, a 68-year-old physical education teacher, his wife Tetiana, a 64-year-old chef, and their son Mykhaylo, 35, who lived in Odesa and was visiting his parents.

Tetiana Chulak's sister Valentyna told Amnesty International: "I heard the explosions and ran to the street... I ran there [number 23] and into the building, and found Tetiana in her bed, dead, covered in smashed-up furniture and debris, and her husband Volodymyr was dead in the kitchen. Their son Mykhaylo had been standing on the terrace, and was directly hit by the missile; he was in shreds."

Also killed were Halyna Rumashuk, a 50-year-old receptionist, and her husband Serhii, a 48-year-old builder. They had initially survived the strike and managed to escape the building, but the couple then returned to look for some of their belongings, when a wall collapsed and killed them both.

Roman, 36, a resident of the fourth floor of the building, told Amnesty International that he and his mother only survived because at the time of the strike they were behind a poured-concrete wall in their kitchen, bathing their puppy who had undergone surgery. The rest of their apartment was obliterated in the blast. Roman attempted to save his next-door neighbor, Proskovia Pavlenko, 63. She was mortally wounded in the blast, and died as he carried her from the building.

Natalia Yankovska and her partner Maksym Nedomov both died from serious injuries caused by the blast. Natalia's two young sons from a previous marriage, aged 10 and 14, both remain in hospital, with one in critical condition.

Other victims killed in the strike on the residential block include Oleksander Sribny (47), Tetiana Nesterenko (64), and Vira Maksymenko (71).

"The Russian military's relentless bombardment of residential areas full of civilians, killing people as they sleep, shocks the conscience," said Donatella Rovera.

"How many more civilians must die before there is justice and accountability for these crimes? The Russian forces responsible for these ongoing serious violations of international humanitarian law must be held accountable for their actions, and victims and their families must receive full reparations."

Amnesty International's ongoing documentation of violations of human rights and international humanitarian law committed during the war in Ukraine [is available here](#).

