20th World Day Against the Death Penalty

Testimonies:
acts of torture in capital punishment

This document has been compiled by the Secretariat of the World Coalition Against the Death Penalty with substantial aide from member organizations, including Amnesty International, the Abdorrahman Boroumand Center for Human Rights in Iran (ABC), Justice Project Pakistan, Lifespark, Paris Bar association, Reprieve, and Witness to Innocence.

Every effort has been made to preserve the testimonies in the original form in which they were received, with edits being made either for clarity, security, or for length. If a testimony has been edited, it will be stated.

We thank all those who agreed to share their testimonies and their stories.
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Confessions

_In countries around the world where the death penalty is still applied, forced confessions may be used by law enforcement to obtain a confession to a capital offense._

*Junius Burno* (USA, Pennsylvania)

I was never physically tortured. Mine has been purely psychological and emotional. I had psychological pressure applied on me to falsely confess. From both the police and the actual D.A. trying my case. They repeatedly outside the presence of my counsel threatened me with the death penalty. Explaining how they kill you, the process. The threat was I needed to secure a deal or my co-defendant would get it and I would be put to death.

Then the entire time prior to trial was quite torturous. From the standpoint of receiving and recognizing that I was receiving very sub-par representation. I could not afford my own attorney so the court appointed counsel to me. They are merely there to give the appearance of representation. I was later told by one of them that winning was not what they were there for. And could put him/them out of a job! Each judge has a list of attorneys he gives these cases to. It is a safe bet that not one of them have ever won any of the cases he has assigned them. Also, safe bet that this is universal.

The same thing carries over to your appellate process. So, it is all of the time consumed that is tortuous to me and others. It is time greatly wasted and devastates the incarcerated and their families. I know I am a casualty of it. Time consumed trying your earnest to get your case properly and fairly presented, heard and decided upon. This virtually never happens. So you, your case, and family languish for years, decades! SHEER TORTURE!

_Testimony collected by Lifespark in 2022.*

*Hoo Yew Wah* (Malaysia)

In 2005, at 20 years old, Hoo Yew Wah was arrested for possession of 188.35 grams of methamphetamine. He was later taken to a police station, where police broke his finger, threatened to beat his girlfriend, and was made to make a statement without a lawyer present. He also made the statement in, his mother tongue, which the police wrote down in Malay.

Yew Wah contested this statement in court, noting inaccuracies and threats, but the judge dismissed these claims without ordering an investigation.

Yew Wah was automatically presumed to be guilty of drug trafficking – and was given the mandatory sentence of death.

_Testimony collected by Amnesty international in 2019.*
Ms. Alamhuli-Atashgah was arrested on 26 May 2008 by the [Islamic] Revolutionary Guards Corps [IRGC]. After enduring 25 days of torture and detention, she was transferred to Evin Prison. Following six months’ imprisonment, she was transferred to Evin’s Women’s Ward. According to Fars News Agency, she was arrested in connection with an explosion at the headquarters of the IRGC.

Ms. Alamhuli-Atashgah reported that no arrest warrant was presented to her and that during her detention in the IRGC headquarters, she had no access to a lawyer. She also described the harsh prison conditions and the torture she was subjected to in several letters. On 18 January 2010, she wrote: “I was arrested in May 2008 by several military and plainclothes officers and taken directly to the IRGC headquarters. Upon arrival, they promptly proceeded to beat me. I spent a total of 25 days in IRGC custody, 22 days of which I was on hunger strike. During that period, I was constantly subjected to all kinds of physical and psychological pressure. The interrogators, who were male, handcuffed me to a bed. They repeatedly struck me on my face, body and soles of my feet with electric batons, cables, kicks and punches. At the time, I could barely speak or understand any Persian. So when their questions remained unanswered, they would beat me so hard that I would pass out. At Call to Prayers, they would go for their prayers, giving me time to, in their words, think about my conduct. Then it would start all over again: the beatings, passing out, ice water..."

"Blows to my head during interrogation have given me severe head trauma. There are days when I am struck with the most agonizing headaches. My nose starts to bleed, and I lose awareness of my surroundings. It takes several hours before I gradually regain consciousness. Another ‘gift’ of their torture was the damage to my eyesight, which is worsening every day. My request for eyeglasses has remained unanswered."

"When they realized my resolve to continue with the hunger strike, they attempted to forcibly feed me by shoving serums and tubes into my stomach through my nose. I would resist by pulling out the tubes, which resulted in bleeding and tremendous pain. After some two years, the scars remain and bother me."

"One day during interrogations, they kicked me so hard in the stomach that I immediately started to bleed. One day one of the interrogators approached me, asking irrelevant questions. He was the only interrogator I saw, as at other times I was in blindfolds. When I failed to respond, he slapped me, drew a gun from his belt and put it to my head. He said: ‘Answer my
questions. I know you are a member of PJAK and a terrorist. Look girl! It makes no difference whether or not you talk. We are happy to have taken a PJAK member captive."

"They would make me stand on my injured feet until they would become totally swollen. Then they would bring me some ice. Every night I could hear screams and cries, which would continue until dawn, leaving me unnerved. I subsequently found out that they were recordings intended to intensify my suffering. Or I would be held in the interrogation room for hours with cold water dripping on my head, before being returned to my cell in the evening. One day, as I was being interrogated while sitting in a chair with blindfolds on, the interrogator put out his cigarette on my hand. On another day, he placed his shoes on my feet pressing so hard that my toenails turned black and fell off. Or they would make me stand on my feet the whole day without asking any questions, while the interrogators sat there, doing crossword puzzles."

Ms. Alamhuli-Atashgah was transferred from the IRGC headquarters to a hospital and then to section 209 of Evin Prison, which refused to take her in custody as she appeared very weak. "Ward 209 refused to accept me owing to my physical state and the fact that I could not even walk. They kept me in that state next to the ward for an entire day, until eventually they transferred me to the [prison] clinic. I could no longer differentiate between day and night. I don't know how long I was in Evin’s general clinic before being taken back to Ward 209 once my wounds had healed. And the interrogations resumed."

"Interrogators at 209 had their own particular styles and techniques; or as they put it, a ‘policy of [blowing] hot and cold’. First, a heavy-handed interrogator would come in and subject me to pressure, torture and threats. He would tell me that he did not give a damn about any laws and could do anything he wanted to me... And then, it would be the turn of the gentle interrogator, who would enter and ask him to stop treating me like that. He would then offer me a cigarette and repeat the same questions; and so the vicious circle would continue."

Testimony collected by the Abdorrahman Boroumand Center.

Debra Milke (USA, Arizona)

I spent 22 years on Arizona's death row for a crime I did not commit.

In 1989, I was a single, 25-year-old mother with a four-year-old son named Christopher. One day in December, my son went to the mall with my friend to go see Santa Claus, but he never came back. Hours later, I was taken into an interrogation room and told the devastating news, my son was found murdered, and I was under arrest.

Armando Saldate Jr., the homicide detective who interrogated me, lied and said I had confessed everything to him. He didn’t have tapes,
witnesses, or a signed statement to prove it, the only “evidence” was his word against mine. The prosecutors failed to disclose that Saldate had a history of misconduct. These lies and cover ups would take away decades of my life.

At my trial, I told the jury I had not committed this terrible crime, but every argument for my innocence was countered by Saldate’s lie that I had confessed. Ultimately, the jury believed the lying detective over me and I was sentenced to death.

I fought for my life and my freedom for over two decades; learning legal language, reading briefs, and getting a new lawyer. Finally, in 2013, the federal Ninth Circuit Court of Appeals overturned my conviction, stating, in part, “no civilized system of justice should have to depend on such flimsy evidence, quite possibly tainted by dishonesty or overzealousness, to decide whether to take someone’s life or liberty.”

Years later, my heart still aches for the loss of my son. I am glad I kept fighting for my freedom, but that pain is still with me. No one should have to experience this kind of blatant injustice.

_Testimony collected by Witness to innocence in 2022._

**Navid Afkari (Iran)**

I’m innocent. I was in solitary, underground, for months. Over and over again they put plastic over my head until I passed out from suffocation. They broke my shoulder, they broke my hands - but I didn’t give in. And they pulled my family into it. A family that didn’t know if their children were alive or dead. When I saw they’d arrested my brother, my dad, and my sister to psychologically torture us, and keep us from being able to do anything; when they showed me the arrest warrant for my mother and sister; when they tortured [my brother] Vahid in front of me; when I saw these people could just do whatever they wanted - it was the end of the line for me [and I falsely confessed to murder as they wanted me to]... I gave in so all the nightmares would end.

_Testimony collected by the Abdorrahman Boroumand Center in 2021._

**Anonymous (DRC)**

Armed men jump out of the vehicles, point their guns at me, and blows from their rifle butts crashed into my skull. I was violently thrown to the ground, tied up and thrown into a vehicle that sped off to the airport, destination Kinshasa.

The interrogation at the Research and Information Centre is carried out under torture. Electric baton, twisting of the genitals, simulated execution with live ammunition, an unprecedented brutality...
I was wrongfully convicted and sentenced to death in Illinois in 1993 for a crime I did not commit.

I was living with my family in Northern Illinois where I worked with my dad with farming. Early one morning, gang members who had decided that my parents would be an easy target showed up, tried to rob, and killed my parents. I was working at a different farm next door and didn’t even know they were missing until the next day when I found my dad’s body in a locked garage. It was horrible. I called the paramedics who called the police. My mom’s body was found locked in a trailer. Immediately after they found my mom’s body they locked me up and questioned me for 18 hours. They couldn’t get a confession out of me. I knew I couldn’t get a lawyer, I didn’t ask for a lawyer and I didn’t think I needed a lawyer because I wasn’t guilty of anything. I told them I was not going to testify to anything that I didn’t remember so they threw away all of their notes and concocted a confession that didn’t even match the crime. I testified for 5 hours in my defense explaining the nature of the interrogation and how I never confessed.

A lawyer at Northwestern agreed to take my case on appeal. After 3 years, in 1996, the appellate court voted unanimously to grant me a new trial. Due to the lack of evidence, probable cause, or an actual confession the state attorney had no choice but to drop the charges, and I was exonerated and released.

Testimony collected by Witness to innocence in 2022.

Death row phenomenon

The psychological impact felt by a person sentenced to death that combines harsh living conditions, and the apprehension of death, contribute to the psychological torture of death row inmates, commonly called “Death Row Syndrome”.

There was no evidence tying me to the murder and the confession wasn’t even written down or signed but the jury convicted me in less than 3 hours.
Behnud Shojaei (Iran)

I have spent four and a half years of my life in jail among a bunch of criminals, since I was 17. I swear to God, the punishment I have suffered is enough to last a lifetime. I pray to God that even [my] worst enemy doesn’t end up in a place like this.

Testimony collected by the Abdorrahman Boroumand Center.

Iwao Hakamada (Japan)

Exactly one year ago today, 78-year-old Hakamada Iwao walked out of the Tokyo Detention Centre after a District Court in Japan granted him a temporary release and retrial. Hakamada – the world’s longest serving death row prisoner – had spent more than half his life on Japan’s death row. His conviction had been based on a “confession” he made under repeated torture, and with evidence that the court ruled could have been fabricated.

When Hakamada emerged from detention into the glare of the media spotlight on 27 March last year, what news cameras captured was not an image of jubilation, but of a slightly stooped elderly man wearing a blank expression. After more than 45 years confined alone in a 5 square metre cell, Hakamada left prison mentally ill. His speech makes little sense and he often withdraws into himself. At other times, he suddenly flies into a temper.

Hakamada began showing signs of disturbed thinking and behaviour back in 1980, when the Supreme Court confirmed his death sentence. His lawyer reported that it was difficult to communicate with him, which made meetings with him ineffective. Conversations with his sister, Hideko, and letters he wrote also showed disordered thinking.

Testimony collected by Amnesty international in 2015.

Anonymous (Sri Lanka)

When describing his schedule on a prison ward, the following anonymous man who has been under a sentence of death for 13 years explained, “Exercise time is at 10H00. I don’t go out for exercise. I haven’t gone out for exercise for about five years. What is the point?”

Over 1200 persons are under sentenced of death in Sri Lanka.

Steven Ching’ombe (Malawi)

In April 2021, the Malawi Supreme Court handed down an opinion that abolished the death penalty. Four months later, the Supreme Court changed their ruling, effectively retaining the death penalty in the penal code. Steven Ching’ombe, on death row in Zomba, described the experience:

"We were so excited we couldn’t eat - all our relatives outside the prison were so happy." Then when they heard the news four months later that the judgement had been changed "our hearts were broken... we all just cried... I could have done the job for them and hanged myself."

Steven sought mercy from the government for himself and fellow people on death row following this terrible ordeal, saying "the Government was merciful to my friends who were released through re-sentencing... We are hopeful they will be merciful to us too." Steven said "We ask for your forgiveness... We want to contribute to the development of Malawi... None of those who were released through re-sentencing have come back to prison. We will be the same."

Testimony collected by Reprieve UK in 2022.

George Billiati (Malawi)

When the revised Khoviwa judgment was handed down in August 2021, Mr. Billiati says, "I lost all hope. The comfort I had received from the original judgment was removed, and I was plunged into an even deeper sense of despair and depression." He said that "I am now fearful at all times that I will be executed."

Testimony collected by Reprieve UK in 2022.

Moments before the execution

Whether or not the date of the execution is known by the person sentenced to death, an individual sentenced to death wakes up every morning thinking about the upcoming execution. The anticipation of the execution undeniably constitutes a psychological torture for those sentenced to death.
Juan Roberto Meléndez (USA, Florida)

My name is Juan Roberto Meléndez. In 1984, I was convicted and sentenced to death in Florida for a crime I did not commit. Almost eighteen years later, on January 3, 2002, I was exonerated and released from death row. If it weren’t for the very fortunate discovery of the taped confession of the real killer - 16 years after I had been sentenced to death - I would not be here today.

Life on death row was hell. I lived in a six-by-nine foot cell, infested with rats and roaches. I suffered terribly. One of the hardest things for me when I was on death row was when they would take another inmate to execute him - someone who lived in the cell next to me. Someone who cried on my shoulders, and I on his. Someone who shared with me his most intimate thoughts, and I with him. Someone who was like family to me and who I had grown to love. And one day, they snatch him out of his cell, and I know exactly what’s going to happen. I knew that the state of Florida is going to kill him and there is nothing I can do to stop it. And I know precisely the moment when they burn the life out of him in the electric chair because I could hear the buzzing of the electricity, and the lights would cut on and off. The state of Florida had taken the life of another one of my dear friends. But the saddest part of all, I believe that some of them are innocent. Jesse Tafero, Benny Demps, Leo Jones, and Pedro Medina, all I can say is this: I’ll see you soon.

Testimony collected by Witness to innocence in 2022.

Daniel Gwynn (USA, Pennsylvania)

Due to decades of deceptive practices by the Philadelphia DA’s office and their judicial partner’s perpetuation of their misconduct, I’ve sat in limbo fearing their injustice inflicted would unjustly take my life. While sitting alone in the darkness of how I got here, my hopes and dreams of "the truth shall set me free" was slowly chipped away by judiciary indifference to truth and justice. Day-by-day, the madness of the State’s sliding scale of ethics kept a knee on my neck. I’m twisted up in knots trying not to give up hope as I stare at throbbing veins on my
wrist longing for that Goodnight Kiss. I'm dying inside from the rollercoaster ride of anxiety as I fight unethical DAs and enabling State Courts to bring to light exonerating evidence after 15 years of some sick game of ‘Hide-n-Seek’ with the DA’s office. Although the U.S. Constitution guarantees the right to a fair judicial process, this does not alleviate my physical and mental anguish when malfeasance has its thumbs on Lady Justice's scale.

*Testimony collected by Lifespark in 2022.*

Mohammad Fada’i (Iran)

Now, once more, I am waiting for execution. I am no longer afraid of death. I have lived with it for several years. I am have suffered from such nightmares for years and before me my dreams were executed. There are other people like me whose life has stopped at the age of 16. Also, there are many people out there who have not tasted the sweetness of their life for whatever reason and have to wait thinking that every night could be their last night.

Today I am writing this letter to you and I still cannot believe that I have been separated from my school and my friends forever. I still cannot believe that I am grown up and my childhood and youth has ended. I cannot believe that I have to die in few days.

*Testimony collected by the Abdorrahman Boroumand Center in 2008.*

Weng Renzian (Taiwan)

There is no single day in which I do not say to my mom that this might be my last call to her, and every day she cries.

Testimony shared by Lin Hsin-Yi, Executive Director of Taiwan Alliance to End the Death Penalty

For the first time in Taiwan, there were no death penalty verdicts handed down nor executions carried out in 2021. The last execution was on April 1, 2020. The person being executed was Weng Renxian. He set fire to his home on Lunar New Year’s Eve, killing five family members and one caregiver. During the trial, a psychiatric report assessed him as suspected of having psychosocial disorders. But he was very determined to die, and as he wished, he was sentenced to death in 2019. In 2020, Taiwan government ordered his killing as the Covid-19 epidemic swept the world.
Before his execution, Weng Renxian was incarcerated in the Taipei Detention Center, the place where Taiwan holds the most death row prisoners. The implementation of the death penalty in Taiwan is carried out by a bailiff of the Supreme Prosecutors Office who shoots the prisoner in the back at close range with aim at the heart. The prisoner will be notified about an hour before execution, and family members or lawyers will not be notified.

Several death row prisoners have shared what they saw on the day of Weng Renzian's execution. They said that Weng Renxian was unwilling to let the prison guards take them out of his cell and resisted strongly. Other prisoners were locked in their cells with the small glass window on the door covered, so that they could not see the condition outside. The guards called for more help to come in to assist. In the end, Weng Renxian was dragged along the corridor, and the sound of shackles, handcuffs and floor tiles colliding was even more eerily deafening and frightening in the quiet prison in the evening. There was another death row prisoner, lying beside the door, looking out from the hole where the food was delivered. He just happened to meet the eyes of Weng Renxian, who was being dragged away. Renxian shouted, "My brothers, take care! I'll leave first!" and then he was taken to the execution ground.

Currently there are 38 death row prisoners in Taiwan, and the one who has been incarcerated for the longest time is Chiu Hoshun. He has been incarcerated for over 30 years. The eldest death row inmate, Wang Xinfu, is also a case of a miscarriage of justice. The majority of death row prisoners have been incarcerated for more than 15 to 20 years, and more than one-third of the death row inmates have psycho-social and mental disorders. These death row prisoners have “heard” part of the execution process of the death penalty from their counterparts and suffered from death row phenomenon. The Taiwan prisons detain not only death row inmates, but also the souls of those who have been tortured for a long time.

Testimony collected by Taiwan Alliance to End the Death Penalty in 2022.

Psychological torture of those not sentenced to death

Individuals on death row are not the only victims of psychological torture. The families of those sentenced to death, of the victims, the lawyers, or the prison guards are also affected by the horror that surrounds the death penalty.
Anonymous – Brother and mother (Iran)

The thing that bothered me the most was the trauma that my mother suffered that made her sick. My mother completely fell apart after my brother’s arrest; it had gotten so that we would sleep at night only after making sure that our mother was sleeping. She would wake up most nights in the middle of the night because of nightmares and would say “they are beating Aso now”. She would sleep and wake up again and say “now they’re burning his back with cigarettes”. Later, when we were allowed to visit with my brother, he would swear that he was undergoing beatings and torture at the same exact time my mother was having her dreams. Just imagine being a mother, having these nightmares, and later learning that they were true; you will lose your spirit and you will simply be devastated.

Testimony collected by the Abdorrahman Boroumand Center.

Sasha – Child (Belarus)

A letter arrived in the post a month later [the execution]. Just a piece of paper notifying us that the sentence had been carried out. Until the last moment we had hoped that there would be a moratorium or abolition of the death penalty, that everything would be ok, unfortunately, it wasn’t ok. It has been very hard to believe that this has actually happened because they never returned any of his personal belongings. They didn’t give us his body. With no body to burry it’s very hard to believe. Perhaps he’s buried in this graveyard or maybe there’s a special burial place – we just don’t know. We can only lay flowers and pray for him at our family grave. So that’s what we do. We have no other choice. There are many rumors of where they’re buried, where they take them. Nobody really knows for sure. It’s classified information. Just like it was in the former Soviet Union.

It’s harder for my mother, people keep telling her strange stories that he is still alive somewhere. People call offering to show her where he is buried in exchange for payment. They offer to show her his unmarked grave.

I didn’t even know that the death penalty exists in Belarus. I first found out about it in court, to my shock. Very few people in Belarus pay attention to this issue. Some are scared. Others are simply unaware. What hurt me the most was what people started writing [on the internet] about my daughter, saying that she has the same genes, and should be shot at the age of four because she will grow up to be the same.

Testimony collected by Amnesty international in 2018.

Anonymous – Wife (Iran)

My husband picked our daughter up and held her in his arms: “We have to make a promise to each other,” he said, “you have to take care of your mommy and your mommy has to take care of you.”
of you. Baba has made a mistake and he's going to go be with God.” My husband's father had passed away two years earlier of a heart attack due to stress. My husband said to my daughter: "I'm going to be with your Grandpa." "Don't say these things, Baba," my daughter said with a lump in her throat. Then they announced that time was up and we had to leave. My daughter, in his father's arms, was clinging to him and would not let go. It was an extremely difficult moment. I wish he had died in an accident, I wish he had had a heart attack, or died some other way, so I would never have had to see that day, to have to part with my beloved. I became sick and fell to the ground. My sister dragged me on the floor and got me out of there. I could not part with my husband; even in our last visit, I was not able to see him properly. They could have let us spend a little more time together but they didn’t…

Testimony collected by the Abdorrahman Boroumand Center.

Nancy Vollertsen - Sister (USA, Oklahoma)

My brother, Greg Wilhoit, spent five years on Oklahoma's death row for a crime he did not commit. Greg was convicted of killing his wife Kathy, leaving him with two daughters who were four months and 14 months old. My family believed completely in Greg's innocence and my parents spent their life savings to hire an attorney who had a reputation as a top defense attorney. Unfortunately, unbeknownst to us, he was now an alcoholic with brain damage from falls he took while drunk. He showed up drunk in court and literally put on no defense. My parents blamed themselves, and the guilt was overwhelming. They devoted themselves to caring for Greg's daughters, and provided them with counseling to help the girls deal with the fact that their mother had been murdered and their father was also going to be murdered, in his case by the state. It was heartbreaking.

After Greg's conviction he made it clear that he was willing to pursue his first appeal, but that if the best outcome was commuting his sentence to life he was going to ask to be executed. We were all terrified, even though he had an outstanding appellate attorney, that the system would fail Greg again. Our family dynamic changed and for years almost every conversation centered around saving Greg's life.

Visiting Greg on death row was very traumatic. Oklahoma does not allow contact visits so we were not able to even hug Greg for years. He shared with us the barbaric living conditions, and we had nightmares imagining what he was dealing with and his hopelessness. We tried to comfort him when his friends were executed. It was devastating.

Nothing that we suffered compared to what Greg went through, but no family should have to watch the state methodically plan the murder of their loved one.

Testimony collected by Witness to innocence in 2022.
Methods of execution

Hanging, decapitation, electrocution... The different methods of execution used throughout the world can sometimes constitute in themselves forms of torture, by their inhumanity and the pain that may result from it.

Sohail Yafat (Pakistan)

Sohail Yafat was falsely accused of murder in 2001. He spent ten years in jail before he was acquitted without any charge.

I was asked to witness an execution of one of my fellow inmates in 2006. Mami Pabal was a burly man, at least six feet tall with a booming voice. He had been at Sahiwal Central Jail for years and had befriended many of us. Even the prison officials liked his company. It was easy to forget that he had been accused of murder. He used to joke, “There are a lot of crimes I should be in here for – but this murder is not one of them.”

When death unnecessarily came for him, he cried like a small child.

He was escorted to the gallows. Half-carried would be more accurate. The Medical Officer, Magistrate, jail Superintendent, blacksmith, and two men from the victim’s family were there. The jail staff who were present kept reminding the victim’s family of the option to forgive Mami.

The superintendent told him to recite the kalma. I don’t think Mami heard him. He kept crying out that he had not done it, that he was innocent, that killing him would be murder, not justice.

You never forget the sound of a body being dropped into the pit. The way the beam creaks is not loud enough to drown out the choking, the sound of a bone breaking. The only dignity they give him, is that at least you cannot see his tongue lolling out of his mouth as he gasps for breath.

The power to take a life has a humbling effect on prison officials. They, too, are taken aback by what they have done. They would be less harsh with prisoners the next day. After all, they have also lost someone who they have seen day in, day out, often for years.

No job should require this much of you.

Testimony collected by Justice Project Pakistan in 2018.