

found. Coleman's knife, which the prosecution claimed was the murder weapon, was one inch too short.

Coleman's evidence is not addressed in the polygraph test which he took in desperation on the morning of his execution—the most stressful situation imaginable. A polygraph measures stress to show the “truth” of the subject's responses. Coleman's defense team charged that Wilder permitted the polygraph to neutralize reaction against his denial of clemency to Coleman on May 18, but in so doing, Wilder attempted “to come out clean, but instead came out dirtier.” Wilder explained that he denied clemency because Coleman had failed to prove his innocence—a burden that no defendant is supposed to bear, and radically different from “reasonable doubt” of guilt.

It is also certain that Coleman's trial should have been moved to a different venue. Instead, it occurred in Grundy, a terrified town of 1,300 in the southwest corner of Virginia. During Coleman's trial, a lighted 4 by 8 foot sign was displayed next to the courthouse which read, “Time For Another Hanging in Grundy.” After trial, one witness volunteered the information that her husband's cousin lied to get on the jury, “to burn that [obscurity].”

Vital questions remain, because courts which have jurisdiction, including the U.S. Fourth Circuit Court of Appeals and the U.S. Supreme Court itself, have refused to hear them for 11 years. The Commonwealth of Virginia ruled that all Coleman's issues were lost forever because his first set of appeals attorneys filed one day late. In April 1991, the U.S. Supreme Court concurred, with Justice Sandra Day O'Connor's opinion declaring, “This is a case about federalism.” The May 20 *New York Times* editorialized against the U.S. Supreme Court: “Mr. Coleman's execution . . . marks a modern low in the federal judiciary's default, as guardian of justice. . . . And it exposes the utter failure of a governor and state legislature to secure fairness in capital cases.”

Supreme Court continues Nazi trend

On May 4, the U.S. Supreme Court issued an opinion restricting the right of defendants to a federal hearing, even when a court agrees that a severe error has occurred at the state level. The opinion, written by Justice Byron White for a majority he has been seeking on this issue since 1963, argues that judicial economy—cost considerations—is a prime reason for limiting federal review of these *habeas corpus* cases.

The case, *Keeney v. Tamayo-Reyes*, concerned a Cuban immigrant's plea to a manslaughter charge based on a mis-translation of the plea into Spanish, which was admitted by all parties. Justice O'Connor warned in the dissent that the Supreme Court, “under the guise of overruling what it called ‘a remnant of a decision’ . . . and achieving ‘uniformity in the law’ . . . has changed the law of *habeas corpus* in a fundamental way.” Forty percent of the death penalty cases that are reviewed in federal *habeas corpus* proceedings are overturned, and the clear intent is to shut the door on such reviews.

In another 5-4 decision May 4, the U.S. Supreme Court

voted to sanction grand jury railroads. In *U.S. v. Williams*, the Court ruled that a prosecutor's failure to present exculpatory evidence to a grand jury is not a prosecutorial error that requires an indictment to be dismissed.

The opposition

Cardinal Angelini stated in a recent interview with the Italian paper *Avvenire*: “Among the individuals and groups against legalized abortion in the United States, there are some who support the continuation of capital punishment. This is an inconsistency and an unacceptable fact.” The cardinal stated that in previous eras, “Catholic theologians accepted the death penalty. But today, it is no longer admissible. There is a motive of civility: to condemn someone to death is barbaric . . . absolutely, one cannot kill, as is done now, 14 or 16 years after a crime . . . [one cannot commit] a homicide in cold blood like that which occurred a few days ago,” he said, referring to the execution of Robert Alton Harris and Billy White. “Not everything sanctioned by the law is moral,” the cardinal emphasized. “That is valid for both abortion and the death penalty.”

The official Vatican daily *Osservatore Romano* in a recent front-page editorial called the death penalty “a terribly desperate tool” of a society that seems to show “a primitive instinct for revenge.” The California execution of Robert Alton Harris, with its last-minute court decisions, should have turned Americans against the death penalty, but instead, the paper said, the United States “seemed to return to an abnormal normality.”

The death penalty issue also arose in the Democratic Party Platform Committee's hearings in Cleveland during the week of May 18. The U.S. Catholic Bishops gave pro-life testimony which included the demand that the death penalty be abolished. Testimony submitted by Democratic presidential candidate Lyndon LaRouche also included the demand that the party renounce the barbaric death penalty. Meanwhile, putative Democratic front-runner Bill Clinton has declared that he intends to execute Barry Lee Fairchild in Arkansas, a borderline retarded black man who he knows to be innocent.

Interview: Roger Keith Coleman

‘A barbaric practice’

Virginia death row inmate Roger Keith Coleman, interviewed on the ABC News program “Nightline” on May 18, two days before he was executed, said: “I hope that some day we'll wake up and abandon the death penalty. Maybe I'll die. I hope that my death won't be in vain. I hope that my innocence will be proven and that because of it, other innocent people will not have to die.”

Mr. Coleman spoke with EIR's Anita Gallagher on May

18, and gave the following statement.

EIR: Your case has attracted a great deal of international attention. Would you like to make a statement on the issue of the death penalty?

Coleman: The reason my case has garnered not only national attention, but international attention, from the European Community in particular, I believe, is that they are more socially mature than we are. That's why they have done away with the death penalty, and that's why my case has outraged them so much. They see the possibility that an innocent man may die, and they are outraged by that.

In America, I think we are very socially immature, and that's why we still have the death penalty. It is a sign of our immaturity that we still keep this barbaric practice, along with Iran, Libya, China, and other such less-civilized countries.

It has nothing to do with justice. It has nothing to do with deterrence. It's revenge, and when you have the possibility of murdering someone who may be innocent, that does not justify keeping around the ultimate punishment, because our justice system is not perfect. Until it is perfect, and until we can prove that it is a deterrent, I could never support the death penalty, nor do I think any right-thinking person could.

Our Founding Fathers founded a judicial system based on justice. Our system today is more geared toward petty, procedural technicalities. There were a number of technicalities in my case that are barring my new evidence from being heard by courts.

I think the Founding Fathers are spinning in their graves right now. When they drew up the Constitution 200 years ago, I do not think this is what they had in mind: not these petty, procedural technicalities that could cause someone who is innocent to lose his life. Those are just not the principles on which this country was built.

EIR: Should the Democratic Party change its platform to renounce the death penalty?

Coleman: I think that it should be done, but, because of politics, I doubt if it ever will be. It's all a political game, in my opinion, in which the minorities, the poor, and the innocent suffer.

EIR: What are you asking people to do?

Coleman: We are specifically asking people with information to come forward, because we have been getting calls today from people with information, from people who thought, "Well, I don't need to come forward with what I have, because he's got a great case and he's going to win." Now, with the governor issuing his decision, people are seeing that they were mistaken, and that the information they possess may be critical. Some have come forward, and we are in the process of investigating a few new leads. I hope that Governor Wilder has not completely closed the door to hearing anything new.

Reed case exposes into Oliver North's

by Jeffrey Steinberg

Question: What do Gov. Bill Clinton, *Time* magazine correspondent Richard Behar, ex-CIA agent-turned-"investigative reporter" Frank Snapp, Felix Rodriguez, and Oliver North all have in common?

Answer: They have all gone way out on a limb, in some cases knowingly telling baldfaced lies, to discredit a former Air Force sergeant named Terry Reed.

If the media-led smearing of Reed succeeds, the two biggest beneficiaries will be Arkansas governor and Democratic Party presidential front-runner Bill Clinton and President George Bush. Both men are deeply implicated in some of the most overtly criminal aspects of the so-called Iran-Contra scandal, including a host of illegal secret operations run out of western Arkansas near the towns of Mena and Nella. Their mutual complicity in illegal drug- and gun-running ought to be a major issue in this year's presidential election—and Terry Reed could provide the American voters with an earful.

John Cummings, an author and newsman who first began probing the Reed-Mena story several years ago, refers to Clinton and Bush as two "Manchurian candidates." In his view, Arkansas was the logical spot to stage U.S. government secret operations. "Arkansas is 'America's banana republic,'" he said in a recent discussion. "It's a state with less than 3 million people, run top-down with a tight grip by Governor Clinton and his entourage. In the Mena area of western Arkansas where the Contra training program was being run, there aren't even any major highways!"

Governor Clinton is painfully aware of his exposure in the Terry Reed scandal. Confronted at a campaign appearance in Pittsburgh, Pennsylvania in April by a reporter probing Reed's allegations about illegal Contra operations in Mena, and the role of Clinton's chief of security in its coverup, Clinton flew off the handle, shouting, "That's bull! That fantasy was discredited by *Time* magazine!"

Indeed, *Time* magazine's Richard Behar did publish a scathing attack against Terry Reed in the magazine's April 20 issue. Frank Snapp published an only slightly less nasty snipe at Reed in the April 14 *Village Voice*. Behar's article was long on venom and short on facts, despite the author's