

URGENT ACTION

SALVADORAN MAN EXECUTED IN VIRGINIA

Alfredo Prieto, a Salvadoran man, was executed in Virginia on 1 October. He was convicted in 2008 of two capital murders committed in 1988. The execution went ahead despite evidence that he had intellectual disability.

Alfredo Prieto, a Salvadoran national, was convicted in 2008 of the murders of Rachael Raver and Warren Fulton in 1988. The question of Alfredo Prieto's intellectual functioning was an issue throughout the case, and his lawyers argued that his execution would violate the US Supreme Court 2002 ban on the death penalty against individuals who have intellectual disability (previously known as "mental retardation"), and its ruling in *Hall v. Florida* in 2014 that states cannot use a fixed IQ score as the measure of whether an inmate can be put to death.

On 29 September Governor Terry McAuliffe issued a statement, saying that he would not intervene in the case. "Mr. Prieto was convicted in a fair and impartial trial, and a jury sentenced him to death in accordance with Virginia law. Federal and state appellate courts have extensively reviewed his case and denied his requested relief. It is the Governor's responsibility to ensure that the laws of the Commonwealth are properly carried out unless circumstances merit a stay or commutation of the sentence. After extensive review and deliberation, I have found no such circumstances, and have thus decided that this execution will move forward. I will continue to pray for all of the individuals and families affected by these tragic and horrible crimes."

On 29 September the Inter-American Commission on Human Rights called for the execution not to go forward to give it time to review the petition that had been presented to it, finding that the requirements of "urgency", "gravity" and "irreparability" for the Commission's issuance of "precautionary measures" had been met. Alfredo Prieto was nevertheless put to death by lethal injection on the evening of 1 October after final appeals to the US courts were unsuccessful. He was pronounced dead at 9:17pm.

There have been 22 executions in the USA this year – and 1,416 since the US Supreme Court upheld revised capital statutes in 1976. Virginia accounts for 111 of these executions.

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

This is the first update of UA: 198/15. Further information: www.amnesty.org/en/documents/amr51/2513/2015/en/

Name: Alfredo Prieto

Gender m/f: m

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