

URGENT ACTION

FIRST OHIO EXECUTION IN THREE AND A HALF YEARS

Ronald Phillips was executed in Ohio on the morning of 26 July for a murder committed in 1993 when he was 19 years old. This was the first execution in Ohio since January 2014.

Ronald Phillips was convicted in August 1993 of the rape and murder seven months earlier of the three-year-old daughter of his girlfriend. In 2010, a federal judge concluded that at his sentencing, the defence lawyer failed to provide the jury with compelling mitigating details of Ronald Phillips' severely violent and abusive childhood that had marked his entire life to the time of the crime. The judge argued that there was a reasonable probability that at least one juror hearing such evidence would have voted for a life sentence. However, his two colleagues disagreed and upheld the death sentence. In December 2016, the Ohio parole board voted 10-2 against clemency. Having indicated at that time that he agreed with the board's vote, Governor John Kasich did not change his mind as the execution approached seven months later. In addition to appeals from the Urgent Action Network and elsewhere, Amnesty International and other organizations presented the Governor with a petition signed by almost 100,000 people urging him not to allow executions to resume.

The US Supreme Court denied final requests for a stay of execution – including in an appeal focused on Ronald Phillips' young age and immaturity at the time of the crime, and another on Ohio's lethal injection protocol and its use of midazolam as one of the three drugs. On the latter issue, two Justices dissented against the Court's refusal to stop the execution. They pointed out that a US District Court judge had imposed an injunction on executions going forward in Ohio after holding a five-day evidentiary hearing and issuing a 119-page opinion on the questions surrounding the use of midazolam. They noted that although the US Court of Appeals for the Sixth Circuit had overturned the injunction, it did so "over the dissent of six of its [14] members". The eight in the majority, the two Justices argued, "failed to afford the District Court due deference" and they also denounced the Supreme Court's "failure to step in when significant issues of life and death are present."

The execution went ahead on the morning of 26 July and Ronald Phillips was pronounced dead at 10.43am, about 10 minutes after the lethal injection began. Before being killed, he made a final statement in which he apologized for his crime.

There have been 15 executions in the USA this year, bringing the total nationwide to 1,457 since 1976, when the US Supreme Court approved new capital statutes. Ohio has carried out 54 executions since resuming judicial killing in 1999. Today, 141 countries are abolitionist in law or practice. Abolition of the death penalty is a goal under international law and the UN General Assembly has passed repeated resolutions calling for a moratorium on executions pending abolition. This execution in Ohio has occurred at a time when the USA itself is showing signs of moving against the death penalty. The annual numbers of executions and death sentences are at historic lows, and a number of states have abolished the death penalty or imposed moratoriums on executions in recent years.

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

This is the first update of UA 175/17. Further information: www.amnesty.org/en/documents/amr51/6759/2017/en/

Name: Ronald Phillips
Gender m/f: m

Further information on UA: 175/17 Index: AMR 51/6827/2017 Issue Date 26 July 2017

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