

EXTERNAL

AI Index: AMR 51/57/97

18 September 1997

Further information on EXTRA 111/97 (AMR 51/50/97, 12 August 1997) - Death Penalty / Legal concern

USA (VIRGINIA) Mario B Murphy, Mexican national

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Amnesty International very much regrets that Mario B Murphy was executed as scheduled in Virginia on 17 September 1997.

Murphy's final words were: "Today is a good day to die. I forgive all of you. I hope God does too." Murphy's mother, who met with him for 30 minutes prior to his death described her son as "pretty calm".

Despite pleas from the Mexican authorities, Governor Allen refused to commute Murphy's death sentence. In a statement Allen said: "In the absence of compelling evidence that the sentence imposed on Murphy was the result of a miscarriage of justice that the courts were unable to rectify, I as Governor should not substitute my judgement retroactively for the judgements in this case rendered by the courts. Mario Murphy committed a coldly premeditated, brutal murder. It was not an act of momentary passion or the influence of alcohol or drugs. It was done for money."

According to press reports, Allen failed to address the issue of why Murphy was the only one of the six people involved in the murder not offered a plea bargain or why he did not receive the opportunity to seek legal assistance from the Mexican embassy.

On 10 September 1997, the Mexican authorities wrote to Governor Allen expressing their concerns about Murphy's treatment stating that they had been "unable to discover a satisfactory reason why our citizen should have been singled out among his codefendants for the especially harsh penalty of death. Our experience in such matters also leads us to believe that if our consul had been involved in Mr Murphy's defense in a timely way...he would not have received the death penalty."

The US State Department told the press "There is no evidence that the required notification was given to Murphy before his sentence. We will be communicating with the government of Mexico to offer our formal apologies." However, it appears the State Department took no action to support Murphy; none of the press reports detailed the State Department raising their concern with the Virginian authorities.

Thank you to all those who sent appeals on behalf of Mario Murphy. No further action is required by the Urgent Action Network.