

PUBLIC

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Death penalty / Legal concern

14 April 2000

USA (Arkansas) Christina Marie Riggs, aged 28, former nurse

Christina Riggs is scheduled to be lethally injected in Arkansas on 2 May 2000. She has waived her appeals and said that she wishes to be executed.

On the night of 4 November 1997, Christina Riggs killed her two children, Justin Dalton Thomas (age 5) and Shelby Alexis Riggs (almost 3). Having sedated them with an anti-depressant, she planned to inject them with potassium chloride (the chemical used to stop the heart in US lethal injections), which she had got from the hospital where she worked. She did not realize, however, that it should be diluted before use. When she injected Justin, therefore, he awoke in pain. She then gave him morphine and smothered him with a pillow. Not wanting to inject Shelby, she proceeded to smother her with a pillow also. She carried both children to her bed and lay them in it.

She wrote a suicide note to her mother explaining her actions: "I feel as if a dark cloud has hung over my life for many years...It seems that no matter how hard I try to better my life and the kids, I did nothing but make it worse... I hope that one day you will forgive me for taking my life and the life of my children, but I can't live like this any more and couldn't bear to leave my children behind to be a burden on you or to be separated and raised apart by their fathers and live knowing their mother killed herself". She then took a large quantity of anti-depressant pills and injected herself with potassium chloride concentrate. Not being diluted, however, it ate a hole in her arm, collapsing her vein and never reaching her heart. The pills, enough to kill someone on their own, rendered her unconscious.

She was discovered on the morning of 5 November and taken to hospital where she was stabilised in intensive care and kept under police guard. On the night of 5 November her family, who had still not been allowed to see her, hired a lawyer. Before he arrived, however, the police took an eight-minute taped confession from Christina Riggs early on the morning of 6 November. Much of her statement was inaudible as she was crying throughout, and towards the end appeared to be hallucinating.

Christina Riggs was charged with two counts of capital murder. A pre-trial motion to suppress her hospital statement was rejected, and her trial began on 23 June 1998. She pleaded "not guilty by reason of mental disease or defect", that is, that at the time of the killings she was unable to appreciate the wrongfulness of her conduct or to conform her conduct to the law. For the defence, a psychiatrist and a psychologist testified that her actions were the result of severe depression. They gave their opinion that, to her, the children's deaths were an act of love and an extension of her own suicide. The psychologist said: "The pathological suicidal depression that she was in... effectively precluded her from being able to do something more reasonable, something more appropriate. From the outside looking in, the death of two children like this is pretty horrible. From the inside looking out, it looks like an act of mercy."

For the state, a psychiatrist and a psychologist did not dispute that her suicide bid was genuine, but testified that they did not believe that she was sufficiently depressed to justify the defence of not guilty by reason of mental impairment. The jury agreed and convicted her of capital murder after less than an hour of deliberation. At the sentencing, Christina Riggs refused to have any evidence presented on her behalf and asked the jury for a death sentence: "I want to die. I want to be with my babes. I started this out seven months ago. And I want you to give me the death penalty. I don't want you to feel guilty." The jury voted for a death sentence.

Christina Riggs, who was sexually abused by a stepbrother between the ages of eight and 13, comes from a family with a history of mental illness and suicidal tendency. Reportedly, her mother, sister, and a cousin all

attempted suicide, and another cousin committed suicide. Her grandmother was twice committed to a mental institution, and her great-grandfather committed suicide in such an institution. Her mother and siblings have been treated for depression. Christina Riggs' own depression was reported to have been exacerbated by financial difficulties. She was a single mother working long shifts as a nurse.

BACKGROUND INFORMATION

In the past two years about 20 people have been executed in the USA after giving up their appeals. For some, the decision to consent to their execution appears to be as a result of mental illness, and some had already attempted suicide. For others, the reasons may stem from physical illness, remorse, pessimism about their appeal prospects, or a wish not to live under the harsh conditions of death row. Whatever the reason, it does not change the fact that the state is engaging in a human rights violation and deepening a culture of violence. The most recent "consensual" execution was that of 62-year-old James Hampton in Missouri on 22 March 2000. He had shot himself on arrest, and suffered from serious brain damage as a result.

Since the USA resumed executions in 1977, it has executed 626 prisoners, twenty-eight of them this year.

RECOMMENDED ACTION: Please send e-mails/faxes/express/airmail letters in your own words in English or your own language:

- expressing concern that the state of Arkansas is planning to execute Christina Riggs on 2 May 2000;
- noting the evidence that she was suffering from severe depression when she killed her two children, and the history of mental illness in her family;
- stating that the fact that a prisoner gives up their appeals does not absolve the state from its responsibility in this human rights violation;
- urging the Governor to stop the execution of Christina Riggs;
- urging the Governor to impose a moratorium in Arizona on this cruel and outdated punishment and to work towards abolition in line with the majority of the world's countries.

APPEALS TO:

The Honourable Mike Huckabee
Governor of Arkansas
205 State Capitol
Little Rock, AR 72201, USA

Faxes: + 1 501 682 1382

Emails: mike.huckabee@state.ar.us

Salutation: Dear Governor

COPIES TO: diplomatic representatives of USA accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY.