

AMNESTY INTERNATIONAL PRESS RELEASE

AI Index: AMR 51/041/2003 (Public)
News Service No: 062
18 March 2003

USA: President Bush sanctions another killing

As he prepares his country for war in Iraq, President George Bush has maintained his support for state-sanctioned killing at home, Amnesty International said after former soldier Louis Jones was killed by federal executioners in Indiana earlier today.

"We deeply regret that the President has once again failed to offer human rights leadership on this fundamental issue," Amnesty International said. "His repeated assertions that the USA will stand firm for the 'non-negotiable demands of human dignity' were drained of meaning as Louis Jones was taken from his cell and injected with poison by government employees."

Louis Jones, a veteran of the 1990/91 Gulf War, was sentenced to death in 1995 for the murder of Tracie Joy McBride, a private in the US army. Jones's unsuccessful clemency petition to President Bush included evidence that this decorated soldier suffered from personality-altering brain damage related to "Gulf War Syndrome" as a result of his exposure to toxins during that conflict. Louis Jones always expressed his remorse for the murder and his responsibility for it. His clemency petition had asked for his death sentence to be commuted to life imprisonment without the possibility of release.

"We recall President Bush's promise, upon inauguration, to be a president who would speak for 'greater justice and compassion'," Amnesty International said. The organization acknowledged the suffering that the murder of Tracie McBride will have caused, but also noted that even the jurors at the 1995 trial held that Louis Jones's own daughter would be harmed by the emotional trauma of her father's execution.

Louis Jones was the first person to be sentenced to death under a 1994 law which greatly expanded the federal death penalty, and thereby contradicted international human rights standards which seek to progressively limit the scope of capital punishment.

"More than 100 countries have turned their backs on this cruel and irrevocable punishment," Amnesty International continued. "What the US Government has done today sets it apart from a clear majority of nations."

Louis Jones was sentenced to death by a jury of 11 whites and one black in a federal court in Texas. He was African American and Tracy McBride was white.

After the trial, two jurors came forward to say that the jury had been thrown into confusion by an erroneous sentencing instruction by the judge, which led them, wrongly, to believe that a lack of unanimity on either death or life imprisonment without parole would result in the court imposing a lesser

sentence. The sole African American juror was subsequently singled out for particular pressure by the majority in order to get her to change her vote from life to death. Four US Supreme Court Justices - one short of a majority - voted that Louis Jones should receive a new sentencing hearing because of the trial judge's error.

"Louis Jones's death sentence survived the appeals process despite the fact that every appellate judge who has reviewed his case has agreed that the trial court misstated the sentencing options available to his jury," Amnesty International said.

"We regret that President Bush appears to have failed to grasp that the power of executive clemency exists precisely to compensate for the rigidity of the judiciary."

Background

During George W. Bush's five-year governorship in Texas, there were 152 executions in that state. After taking office in the White House, he allowed federal executions to resume in 2001 after nearly four decades without them, despite the failure of his administration to explain widespread geographic and racial disparities in federal capital sentencing. It still has offered no such explanation. The killing of Louis Jones was the third such execution of the Bush presidency.

For information on Louis Jones's case, see: *Another planned killing by the US Government - The imminent federal execution of Louis Jones* - <http://web.amnesty.org/ai.nsf/Index/AMR510202003>

Public Document

For more information please call Amnesty International's press office in London, UK, on +44 20 7413 5566

Amnesty International, 1 Easton St., London WC1X 0DW. web: <http://www.amnesty.org>

For latest human rights news view <http://news.amnesty.org>