

PUBLIC

AI Index: AMR 51/125/00

10 August 2000

Further information on EXTRA 62/00 (AMR 51/113/00, 24 July 2000) - Death Penalty / Legal concern

USA (Texas) Brian Keith Roberson, black, aged 36

Brian Roberson was executed in Texas on 9 August for the 1986 murder of his elderly neighbors.

Brian Roberson was black. The murdered couple were white. At jury selection for Roberson's 1987 trial in Dallas County, the prosecutor used his peremptory strikes (the right to remove a prospective juror without giving a reason) to remove all but one of the blacks in the jury pool, indicating that they were not educated enough to sit on a jury.

The prosecutor in question had been trained at a time when such training in Dallas County routinely used a manual encouraging new prosecutors to remove "minority races", "Jews", and people with "physical afflictions" during jury selection because they "almost always empathize with the defendant". A 1986 study found that in the 15 capital murder cases tried in the county between 1980 and 1986, 91 per cent of African American jurors were removed.

Brian Roberson was the 57th person to be executed in the USA this year. Less than an hour after he was killed, the 58th, Oliver Cruz, was put to death in the same lethal injection chamber. Texas accounts for 28 of these 58 executions, and for 227 of the 656 men and women put to death in the USA since executions resumed in 1977. Since Governor George W Bush took office in 1995, 140 prisoners have been put to death in Texas.

The Secretary General of the Council of Europe was among those who appealed against the executions: "I write to you to express my deepest concern and abhorrence about the imminent executions of Oliver Cruz and Brian Roberson, and would ask you to stay these executions. The Council of Europe and its member states are unequivocally opposed to the death penalty, considering it has no place in a civilized democracy."

No further action is requested. Many thanks to all who sent appeals.