

PUBLIC

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Further information on UA 29/00 (AMR 51/21/00, 8 February 2000) and follow-ups (AMR 51/55/00, 11 April 2000; AMR 51/64/00, 3 May 2000) - Death penalty / Legal concern

USA (Arizona) James Edward DAVOLT, aged 18

On 6 October 2000, James Edward Davolt was sentenced to death for a double murder committed when he was 16 years old. His death sentence is a violation of international law, which forbids the use of the death penalty against defendants who were under 18 at the time of the crime.

James Davolt was sentenced to death for the murder of Nicholas Zimmer, 84, and Eleanor Zimmer, 85. The couple were found dead in their home in Lake Havasu City, Mohave County, Arizona, on 26 November 1998.

A few days before the sentencing hearing in front of Mohave County Judge Steven Conn, James Davolt dismissed his lawyers and, despite his young age and the seriousness of his situation, was allowed to represent himself. He presented no mitigating evidence. The lawyers had been investigating and preparing such evidence when the teenager fired them.

At an earlier hearing in June, Judge Conn said: "I think if there is not substantial mitigation, it would be hard not to impose the death penalty." He also said: "This is placing us in the company of nations which I don't even want to be associated with who impose capital punishment on children". This was in reference to the hundreds of appeals from Amnesty International activists sent to the prosecutor and the local media, which had pointed out the USA's virtual isolation in such use of the death penalty.

To Amnesty International's knowledge, James Davolt becomes the 83rd child offender on death row in the USA. The USA accounts for eight of the 10 executions of child offenders documented worldwide in the past three years. The other two were in Iran and Democratic Republic of Congo.

Amnesty International's action has led to repeated coverage of James Davolt's case in local printed media and radio. The defence lawyer has again asked for his thanks to be passed on to all those who have sent appeals, without which this important issue would have not become known to a wider public in this part of Arizona.

No further action is required by the UA Network. Thank you to all who sent appeals.