

22 April 1999

Further information on EXTRA 38/99 (AMR 51/44/99, 11 March 1999) - Death Penalty

**USA (Texas) Charles RECTOR
Jeff DOUGHTIE
Robert WHITE
David Earl GIBBS**

Charles Rector and Robert White were executed as scheduled on 25 March and 30 March respectively. Jeff Doughtie, who had given up his appeals and was scheduled to die on 25 March, changed his mind and was granted a stay of execution. David Earl Gibbs, scheduled for execution on 13 April, also received a stay.

Charles Rector was executed for the murder of Carolyn Kay Davis 17 years ago, a crime which he said he did not commit. In an interview shortly before he was executed, he reportedly said that he had turned down an offer to plead guilty before his trial in exchange for life imprisonment, but said, "I'm not sorry to have not taken the life sentence. I'd rather die than say I'm guilty. It's not my crime." In his final statement before the lethal injection was administered, he reportedly said "I want you to know I'm not guilty," then turned his head to look at the five members of Carolyn Kay Davis's family, saying, "And I'll say this to the family - I did not kill your daughter. Take it the way you want. I'm sorry for the pain." Charles Rector expressed love to members of his family, who were also present at his execution. One of them fainted and had to be helped out of the witness area.

Robert White, aged 61, was executed for the killing of a grocery store owner in 1974. He was one of the longest serving death row inmates in the USA.

The Texas Court of Criminal Appeals stayed David Gibbs's execution and sent his case back to the trial court for a hearing. The trial court will have to examine the issue of whether a juror who lied during the jury selection process when she denied having ever been the victim of a violent crime should have been allowed to sit as a juror. After the trial court enters findings of fact on this claim, the Court of Criminal Appeals will decide whether David Gibbs is entitled to a new trial. His lawyer has described the stay as "extremely lucky" and has sent a message of thanks to Amnesty International for its concern and support in this case.

Some UA participants have received replies from Hugo Paemen, European Union Ambassador to the USA, who was one of the participants at the EUROTEx meeting in Dallas on 15 and 16 April. Ambassador Paemen writes: "Thank you for your letter about the use of the death penalty in Texas. I have noted the deep concern that you and others have expressed on this very important issue. The European Union is committed to the universal abolition of the death penalty. On several occasions the EU has expressed concern about the rising number of executions taking place in the US and we have also engaged the US in a discussion on the respect for minimum standards for the application of capital punishment. Those standards including not applying the punishment for crimes committed by persons less than 18 years of age and a ban on the use of the penalty on persons who are mentally ill. We will continue to argue in support of these views at all appropriate meetings with representatives of the US government at the federal and state level."

Sir Leon Brittan, Vice President of the European Commission, pulled out of the EUROTEX conference.

Thirty-five prisoners have been executed in the USA during 1999, including nine in Texas. A total of 535 executions have been carried out nationwide since the USA resumed judicial killing in 1977, 173 of them in Texas. The most recent execution in the USA was that of Arthur Ray Jenkins in Virginia on 20 April 1999.

No further action is needed by the Urgent Action network. Many thanks to all who sent appeals.