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£USA - @JUVENILE OFFENDERS STILL SENTENCED TO DEATH

More juvenile offenders have been executed in the United States of America than in any other country apart from Iraq and Iran, Amnesty International said today.

In the last decade only six other countries have allowed young people to be executed for crimes committed when they were under 18 -- Iraq, Iran, Nigeria, Pakistan, Bangladesh and Barbados, which has since raised the minimum age to 18.

"The USA is flouting international standards by sentencing juvenile offenders to death," said Amnesty International. "It is sentencing and killing more juvenile offenders than almost any other country."

International human rights agreements, signed but not ratified by the USA, outlaw the execution of juvenile offenders. Even so, the US Supreme Court in 1989 ruled that it was permissible -- "a retrograde step for human rights", said Amnesty International, in the light of the international trend towards abolishing the death penalty for adults.

Today the USA has more juvenile offenders on death row than any other country known to Amnesty International. "We oppose the death penalty in all cases," said the organization. "Executing adults is cruel and inhuman and has to stop. Executing juvenile offenders in particular should no longer be tolerated."

In a report released today, the human rights organization says that more than 90 juveniles aged between 15 and 17 at the time of the crime have been sentenced to death in the USA since the 1970s. As of 1 July 1991, 31 juvenile offenders were on death row.

Amnesty International said that most of the juvenile offenders sentenced to death in the USA come from seriously deprived backgrounds; many slipped through the net of legal safeguards designed to keep all but the most heinous criminals off death row.

"One of the most shocking things about it is that the most common ground for sending young people to the adult courts to be tried - and to face the death sentence - is not just the seriousness of their crimes, but also the lack of facilities for long-term teenage offenders."

The most recent execution of a juvenile offender was in May 1990, when Dalton Prejean went to the electric chair in Louisiana. He was borderline mentally retarded and schizophrenic and had been released from an institution against the recommendations of a medical expert, because there was no more money for his care. Six months later he killed a police officer for which he was sentenced to death.

Dalton Prejean was the ninth juvenile offender to be executed in Louisiana this century: all were black, all were convicted of the murder of white victims and all were sentenced to death by all-white juries.

In some cases important evidence was not given to trial juries by the defence. Although 14 of the defendants whose cases are examined in the Amnesty International report are now known to have been mentally ill or suffering from brain damage, time and time again the juries were not told about the defendant's mental capacity. In some cases, the defendant's age itself was not presented as a mitigating factor.

"The death penalty is completely unacceptable in all cases," said Amnesty International, "but in the USA it is being handed out to juveniles, without even the benefit of a decent defence."

In several cases, defence lawyers were unable to obtain an independent psychiatric evaluation of the defendant due to lack of funds.

In one case of a 17-year-old offender with a mental age of 12, defence requests for funds were repeatedly denied by the court -- and yet the prosecution was able to present a psychologist, who testified that the girl was a "sexual sadist", although he had not examined her in person.

Despite a Supreme Court ruling that age is a major mitigating factor, in several cases the defendant's youth was not given any weight. In one case, the judge rejected as mitigation the fact that the defendant was only 16 at the time of the crime: in another, the jury was told to decide for itself whether age was important.

The personal histories of the 23 defendants detailed in the report show that the overwhelming majority come from extremely deprived backgrounds. Half of them were seriously physically or sexually abused as children; 10 had a history of drug or alcohol abuse from an early age.

Joseph John Cannon, for example, was severely sexually abused by his step-father and regularly sexually assaulted by his grandfather. He had learning difficulties and a speech impediment, was illiterate and received little education. He sniffed glue and solvents, drank and sniffed gasoline, and by the age of 10 was suffering from organic brain damage because of his solvent abuse.

And yet, Joseph Cannon was not beyond the reach of rehabilitation. In his nine years on death row in Texas, he has learned to read and write and has taken Bible classes by correspondence course, despite the fact that no facilities for rehabilitation are provided for prisoners sentenced to death.

As one psychologist commented, such was the "depravity and oppressiveness" of his upbringing that Cannon has thrived on death row compared to his home environment.

Sentencing children to death is in clear breach of several major international standards, and even within the USA fewer than half the states allow courts to sentence juveniles to death.

"Obviously we are not saying that juvenile offenders should not be punished," said Amnesty International. "We are saying that they should not be killed."

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