

# URGENT ACTION

## EXECUTED AFTER THREE DECADES ON DEATH ROW

**Robert Waterhouse was executed in Florida in the evening of 15 February. Aged 65, he had been on death row for half his life, for a murder committed in January 1980.**

In September 1980, 33-year-old **Robert Waterhouse** was sentenced to death for the first-degree murder of Deborah Kammerer, whose body had been found eight months earlier. In 1988, the Florida Supreme Court ordered a new sentencing hearing. Robert Waterhouse was re-sentenced to death in 1990.

In 2005, it was established that evidence from the crime scene had been destroyed and that there was nothing left that could be subjected to DNA analysis. In a motion filed in state court, Robert Waterhouse's lawyers argued that it would be unconstitutional to execute a prisoner who had "consistently and continuously maintained his innocence", who in support of this claim had sought DNA testing unavailable at the time of his trial, and where all relevant evidence had been destroyed as a result of official recklessness or negligence. The lawyers also presented a sworn statement from a witness who had come forward with his recollections from the night of the crime that appeared to call into question the credibility of a key prosecution witness against Robert Waterhouse. On 8 February 2012, the Florida Supreme Court upheld a lower court's dismissal of the claims.

The execution was originally scheduled for 6pm on 15 February, but was delayed while the US Supreme Court considered a last-minute appeal. When this was rejected, the execution went ahead. Robert Waterhouse was pronounced dead at 8.22pm. He maintained his innocence before being put to death by lethal injection.

This is the first execution in Florida this year, and the 72<sup>nd</sup> in the state since the USA resumed judicial killing in 1977. Four prisoners have been put to death in the USA this year, bringing to 1,281 the total number of executions nationwide since 1977.

**No further action by the UA Network is requested. Many thanks to all who sent appeals.**

This is the first update of UA 36/12. Further information: <http://www.amnesty.org/en/library/info/AMR51/009/012/en>

Name: Robert Waterhouse

Gender m/f: male

Further information on UA: 36/12 Index: AMR 51/014/2012 Issue Date: 16 February 2012

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