

PUBLIC

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Further information on UA 222/04 (AMR 51/114/2004, 15 July 2004) - Death penalty/Legal concern

USA (Texas) Robert Aaron Acuña (m), Latino, aged 18

On 11 August 2004, a Harris County jury in Texas voted that Robert Acuña should be put to death. The same jury had convicted him on 6 August of the murder of Joyce and James Carroll, committed on 12 November 2003.

Robert Acuña was 17 years old at the time of the shooting of the elderly couple in their home in Baytown, near Houston. His death sentence violates a fundamental principle of international law recognized by almost every government in the world, that the death penalty must not be used against anyone who was under 18 years old at the time of the crime.

An appeal against Robert Acuña conviction and death sentence will automatically be submitted to the Texas Court of Criminal Appeals. He will then have the right to pursue further appeals at state and federal level. These appeals will take several years.

Meanwhile, later this year, the US Supreme Court will revisit its 1989 decision allowing the execution of people who were 16 or 17 at the time of the crime. Amnesty International is among the many organizations and individuals to have filed *amicus curiae* (friend of the court) briefs in the Supreme Court urging it to outlaw this use of the death penalty in line with international law. If it decides to do so, the death sentences of all child offenders on death row in the USA (approximately 70) will be overturned.

No further action is requested from the Urgent Action network at present. Many thanks to all who sent appeals.