

# URGENT ACTION

## MAN FACES EXECUTION FOR CRIME WHEN AGED 18

Billy Wardlow's execution is scheduled for 8 July 2020. He is on death row in Texas, USA in connection with the 1993 murder of an 82-year-old man when he was just 18 years old. The jury that sentenced Billy Wardlow was never presented mitigating evidence. Since 2005, it's unconstitutional to impose a death sentence on anyone younger than 18 when the crime occurred. Scientific research shows that development of the brain and psychological and emotional maturation continues into a person's 20s. Two jurors now believe that he should serve a life sentence instead. We urge Governor Abbott to grant clemency.

**TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER**

**Greg Abbott**

**Governor of Texas**

Office of the Governor, P.O. Box 12428

Austin, Texas 78711

Email: via [opinion page](#)

(International UA-takers use AIUSA's address:

Amnesty International USA Headquarters,

5 Penn Plaza, 16th Floor, New York, NY 10001)

Twitter: @GregAbbott\_TX, @GovAbbott

*Dear Governor Abbott and the Board of Pardons and Paroles,*

*Billy Wardlow (TDCJ #999137, DOB 11/25/1974) faces execution on 8 July for a 1993 murder committed when he was just 18 years old. The jury never heard mitigating information about his troubled childhood and sentenced him based on his supposed "future dangerousness".*

*The US Supreme Court ruled it unconstitutional to impose a death sentence on individuals under the age of 18 at the time of the offense and noted, "qualities that distinguish juveniles from adults do not disappear when an individual turns 18". Scientific research shows that brain development and psychological and emotional maturation continues well into a person's 20s. The sentencing jury in Wardlow's case never heard this information. Two jurors now believe that he should serve a life sentence instead.*

*The death penalty is the ultimate denial of human rights. I urge you to grant him clemency.*

*Sincerely,*

## ADDITIONAL INFORMATION

Billy Joe Wardlow faces execution on 8 July. He was convicted and sentenced to death in 1995 for the murder of an 82-year-old man in rural Morris County, Texas. The death occurred during a botched attempt with his girlfriend to steal the victim's truck in order to flee their abusive homes in Cason, Texas and start a new life in Montana. Billy Wardlow, who had no prior history of violence, has repeatedly expressed regret for his actions.

After approximately nine months following his arrest, the local sheriff who Billy Wardlow had known since childhood, counselled Billy Wardlow that he would often write out what was bothering him, helping him to "get right with God." Billy Wardlow trusted the sheriff and wrote out a "confession", taking sole responsibility for the murder and describing his intent to kill the victim. He later recanted that "confession" and stated that their intention was to rob and steal the truck, and to tie the victim up to prevent him from calling the police. However, during the robbery, a struggle ensued and his gun fired, killing the victim. His girlfriend testified to the same during her own sentencing.

Based primarily on his since recanted confession, the jury convicted him of capital murder. In the penalty phase of the trial, the jury relied on the testimony of an expert for the prosecution who stated that Wardlow, despite his young age, would constitute a continuing threat to prison officials and society if they spared him the death penalty. The sentencing jury never heard information refuting that premise, his remorse for the crime nor that, during his childhood, Billy Wardlow was subjected to physical and psychological abuse from his mother. He, himself attempted suicide three separate times between the ages of 15-18, including just weeks before the murder.

In its 2005 ruling prohibiting the death penalty against anyone who was under 18 at the time of the crime, the US Supreme Court in *Roper v. Simmons* recognized the immaturity, impulsiveness, and poor judgment associated with youth, as well as the susceptibility of young people to "outside pressures, including peer pressure". The Court also acknowledged that "the qualities that distinguish juveniles from adults do not disappear when an individual turns 18". Indeed, since that time, scientific research has continued to show that brains do not fully mature until an individual reaches their early-to-mid-twenties. Therefore, no one can predict whether an 18-year-old will be dangerous in the future. This information was not available to the jury that sentenced Wardlow to death in 1995, and two jurors now believe that he should serve a life sentence in prison instead.

Billy Wardlow is seeking a commutation of his death sentence from the Texas Board of Pardons and Paroles or, if not, a reprieve until the Texas Legislature has an opportunity to consider the issue of whether 18- to 20-year-old defendants should be sentenced to death or executed under Texas' current death penalty statute.

In 2019 Kentucky's Supreme Court delved into a case to consider raising the age of eligibility for the death penalty to 21, based on a 2017 decision in Fayette County Circuit Court. In February 2018, the American Bar Association's House of Delegates passed a resolution calling upon states in the USA to prohibit the imposition of the death penalty against anyone for crimes committed when they were 21 years old or younger.

The death penalty is the ultimate denial of human rights and Amnesty International opposes the sentence in all circumstances. As of 2020, 106 countries have abolished the death penalty for all crimes and more than two-thirds are abolitionist in law or practice. The US has executed 1518 people since 1976, and the State of Texas has accounted for 569 of those executions

**PREFERRED LANGUAGE TO ADDRESS TARGET:** English

**PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL:** 9 July 2020

**NAME AND PREFERRED PRONOUN:** Billy Joe Wardlow (He, him, his)

**LINK TO PREVIOUS UA:** N/A