

29 August 2002

Further information on EXTRA 58/02 (AMR 51/124/2002, 31 July 2002) - Death penalty/Legal concern**USA (Texas) Toronto Markkey Patterson (m), black, aged 24**

In violation of international law, which prohibits the use of the death penalty against people who were under 18 at the time of the crime, Toronto Patterson was executed in Texas on 28 August for a murder committed when he was aged 17.

Toronto Patterson was convicted of killing three-year-old Ollie Brown, whose body was found in her home in Dallas on 6 June 1995 along with that of her six-year-old sister Jennifer Brewer and their mother Kimberly Brewer. All three, who were cousins of Toronto Patterson, had been shot.

In his final statement, Toronto Patterson expressed his remorse, but continued to maintain his innocence of the murders: "I am sorry for the pain, sorry for what I caused my friends, family and loved ones. I feel a great deal of responsibility and guilt for what happened. I should be punished for the crime, but I do not think I should die for a crime I did not commit."

After his arrest in 1995, Toronto Patterson gave police a statement without a lawyer being present, in which he admitted to being at the scene of the crime with two Jamaican drug dealers, but did not admit to the murders themselves. After being held incommunicado for over four hours, and subjected to aggressive interrogation, Toronto Patterson confessed to the shootings. He maintained at his trial and during his time on death row that this confession had been coerced.

On 26 August, the Texas Board of Pardons and Paroles voted 16-1 against clemency. About two hours before the execution, the US Supreme Court refused by six votes to three to issue a stay and review the constitutionality of executing prisoners for crimes committed when they were under 18 years old. One of the three Justices in the minority wrote: "Given the apparent consensus that exists among the States and in the international community against the execution of a capital sentence imposed on a juvenile offender, I think it would be appropriate for the court to revisit the issue at the earliest opportunity".

Toronto Patterson becomes the 46th person to be executed in the USA this year, and the 795th since the United States resumed judicial killing in 1977. Texas accounts for 279 of these executions.

Since 1990, the USA has executed 18 people for crimes committed when they were under 18, compared to 14 such executions reported in the rest of the world combined. Twelve of the USA's executions of child offenders have taken place since 1998, compared to five documented in the rest of the world during that period. Toronto Patterson becomes the third child offender to be executed in the USA this year. Amnesty International knows of no other such executions in 2002 anywhere else in the world.

Texas accounts for 13 of the 21 executions of child offenders in the USA carried out since executions resumed in 1977.

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