

URGENT ACTION

IMMINENT EXECUTION BASED ON FAULTY THEORY

Quintin Jones' execution is scheduled for 19 May. He is on death row in Texas, USA in connection with the 1999 murder of his 83-year-old great aunt when he was just 20 years old. The sentencing jury was presented with a since discredited theory regarding his "future dangerousness", which proved to be a key factor leading to his death sentence. His first postconviction attorney filed both the state habeas application and federal habeas petition late, which prevented meaningful review of his case. The victim's sister and great-nephew have called for clemency for Jones. We urge Governor Abbott to grant clemency.

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

Texas Board of Pardons and Paroles
8610 Shoal Creek Blvd.
Austin, Texas 78757
Fax: (512) 467-0945
Email: bpp_clemency@tdcj.texas.gov

Dear Texas Board of Pardons and Paroles,

Quintin Jones (TDCJ #999379, DOB 7/15/1979) faces execution on 19 May 2021 for a 1999 murder committed when he was barely 20 years old.

The sentencing jury largely relied upon testimony from a doctor for the State who diagnosed Jones as a "psychopath" and such a future danger that he should be sentenced to death. This testimony was based upon a psychological checklist that has been demonstrated to be unreliable and misleading with respect to "future dangerousness". In addition, scientific research now shows that development of the brain and psychological and emotional maturation continues into a person's mid-20s. His first postconviction attorney filed both the state habeas application and the federal habeas petition late, which prevented meaningful review of this case.

Both the victim's sister and great-nephew have asked the Texas Board of Pardons and Parole to spare Jones' life. Quintin Jones has matured into a remorseful, compassionate person.

I urge you to grant him clemency.

Sincerely,

ADDITIONAL INFORMATION

Quintin Phillippe Jones faces execution on 19 May 2021. He was convicted and sentenced to death in 2001 for the 1999 murder of an 83-year-old woman, his great aunt, Berthena Bryant, in Tarrant County, Texas. The death occurred during a botched robbery attempt when his great aunt refused to continue lending him money to support his drug use.

In the sentencing phase of his trial, the State largely relied on the testimony of a psychologist who diagnosed Jones as a “psychopath” and equated “psychopathy” to a propensity for future dangerousness to the jury. His diagnosis was based on the Hare Psychopathy Checklist (PCL-R), a 20-item checklist/rating scale that was intended to be used by trained professionals to measure the personality disorder of psychopathy. Since his trial in 2001, research on psychological assessments and the prediction of human behavior has found that the PCL-R checklist is unreliable, unscientific, and misleading in capital cases because the PCL-R/Hare Checklist cannot reliably predict future behavior in prison, and this has been recognized by at least one U.S. District Court in Massachusetts.

In its 2005 ruling prohibiting the death penalty against anyone who was under 18 at the time of the crime, the U.S. 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. Since then, scientific research has continued to show that brains do not fully mature until an individual reaches their early-to-mid-twenties, making it impossible to predict whether a barely 20-year-old will be dangerous in the future.

Ineffective assistance of counsel prevented the timely filing of appeals leading to a substantive review of issues related to his conviction. Quintin Jones’ first postconviction attorney failed to submit a state application by the deadline. The Texas Court of Criminal Appeals (TCCA) appointed a second attorney and extended the deadline to file the application. However, that attorney also failed to file a timely application, submitting the paperwork more than a month late. The application was ultimately denied by the TCCA, which deemed that the grounds should have been either brought up on direct appeal, were procedurally barred, or lacked sufficient evidence to support relief. The same attorney was appointed to handle the federal habeas application, over Quintin Jones’ objections and filed the federal petition nearly five months late. The State filed a motion to dismiss on the basis that the petition was untimely, which the federal court granted having received no reply from Quintin Jones’ attorney. The federal court appointed new attorneys for Quintin Jones. However, they were unable to secure meaningful appellate review of the case or funding for the investigation that the prior attorneys failed to perform.

Quintin Jones has accepted full responsibility for his crime and is filled with deep remorse. In fact, Berthena Bryant’s lone surviving sibling, also Quintin Jones’ great aunt, provided a declaration for Quintin’s appeal for clemency. She attests to his remorse and changed demeanour and pleads with the Texas Board of Pardons and Paroles to allow him to spend the rest of his life in prison. Quintin’s twin brother has provided a similar declaration, spelling out their troubled childhood, attesting to Quintin’s transformation in prison and pleading for clemency to prevent further revictimization of the family by executing his brother.

Amnesty International opposes the death penalty in all circumstances as a violation of human rights. As of 2021, 108 countries have abolished the death penalty for all crimes, and more than two-thirds are abolitionist in law or practice. The US has executed 1532 people since 1976, and the State of Texas has accounted for 576 of those executions.

PREFERRED LANGUAGE TO ADDRESS TARGET: English.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 19 May 2021

NAME AND PREFERRED PRONOUN: Quintin Jones (He, him, his)

LINK TO PREVIOUS UA: N/A