

11 January 1999

Further information on EXTRA 96/98 (AMR 51/104/98, 7 December 1998) - Death Penalty / Legal Concern**USA (Texas) Shaka Sankofa, formerly Gary Graham, black, aged 35**

Shaka Sankofa, formerly Gary Graham, received a stay of execution on 10 January 1999. He was scheduled for execution on 11 January for a murder committed when he was 17. International law bans the death penalty for crimes committed by people under 18.

The 5th US Circuit Court of Appeals issued the stay of execution, saying it needed more time to "evaluate the issues of this complex case". His lawyer, welcoming the decision, said that he would push for a hearing on evidence which he claims proves Shaka Sankofa's innocence of the crime for which he was sentenced to die (see original EXTRA).

The American Bar Association wrote to Governor Bush on 7 January protesting the imminent execution of Shaka Sankofa, saying: "In our view, the execution of people for crimes they committed while children is unacceptable in a civilized society, irrespective of guilt or innocence... As citizens, persons under the age of 18 cannot vote, serve on juries, make medical decisions for themselves or enter into contracts. We do not permit children to conduct these activities because we generally believe that they lack a full appreciation for the consequences of their actions. It is deeply troubling that we, as a society, truncate the political rights of this group because they need protection, but pass laws in order to execute them."

No further action on behalf of Shaka Sankofa is requested at present. Many thanks to all who sent appeals.

Further information on juvenile offenders

On 8 January 1999, Louisiana state prosecutors dropped charges against Shareef Cousin for a crime committed when he was 16. He had been found guilty of murder in 1996, primarily on the basis of evidence given by a single eyewitness.

He was sentenced to death but granted a new trial last year. He has always protested his innocence of the murder.

Sean Sellers is scheduled for execution in Oklahoma on 4 February 1999, for crimes committed when he was 16. He would be the first US prisoner killed for a crime committed at 16 since 1959 (see UA 305/98, AMR 51/101/98, 3 December 1998).

For further information on juvenile offenders and the death penalty in the USA, including the case of Shareef Cousin, see *On the Wrong Side of History: Children and the Death Penalty in the USA* (AMR 51/58/98, October 1998); and *Killing Hope: The imminent execution of Sean Sellers* (AMR 51/108/98, December 1998).