

EXTERNAL

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EXTRA 63/97

Death Penalty / Legal concern

1 May 1997

USA (Arizona)

Ramon MARTINEZ-VILLAREAL

Ramon Martinez-Villareal, of Mexican origin, is scheduled to be executed in Arizona on 21 May 1997. He was sentenced to death in 1983 for the murder of two farm workers, James Thomas McGrew and Fernando Estrada-Babichi.

Martinez-Villareal was originally scheduled to be executed on 16 April 1997, but his execution was stayed by the Arizona Supreme Court to allow defence attorneys more time to prepare appeals based on Martinez-Villareal's mental retardation. His intelligence quotient (IQ) is measured at 64, putting him in the category of significantly mentally deficient.

According to information received by Amnesty International, Martinez-Villareal speaks only his native Spanish. It is not known whether he was provided with adequate translation services during the legal proceedings against him.

Amnesty International opposes the death penalty unconditionally as the ultimate form of cruel, inhuman and degrading punishment, and as a violation of the right to life as enshrined in the Universal Declaration of Human Rights. Furthermore, the organization believes that the execution of Ramon Martinez-Villareal would be in contravention of United Nations Economic and Social Council (ECOSOC) resolution 1989/64, adopted in May 1989, which recommends "eliminating the death penalty for persons suffering from mental retardation or extremely limited mental competence."

BACKGROUND INFORMATION

As of 31 July 1996, there were 122 prisoners under sentence of death in Arizona. The most recent person to be executed in the state was Randy Greenawalt, on 23 January 1997. The method of execution in Arizona is lethal injection. Prisoners who were under sentence of death before the state's method of execution was changed from gas chamber to lethal injection in November 1992 may choose between lethal injection or the gas chamber. In Arizona the Governor may grant clemency or reprieves only on recommendation of the state Board of Executive Clemency.

RECOMMENDED ACTION: Please telephone, or send telegrams/faxes/express/airmail letters in English or your own language:

To the Arizona Board of Pardons and Paroles:

- urging the Arizona Board of Executive Clemency to recommend that Governor Symington grant clemency to Ramon Martinez-Villareal by commuting his sentence of death;

To Governor Symington:

- urging that clemency be granted to Ramon Martinez-Villareal, and his death sentence be commuted;

To both:

- expressing sympathy for the victims of violent crimes and their families;
- stating that the execution of Ramon Martinez-Villareal would be in contravention of United Nations Economic and Social Council (ECOSOC) resolution 1989/64, adopted in May 1989, which recommends "eliminating the death penalty for persons suffering from mental retardation or extremely limited mental competence".

Appeals from Mexican nationals living in countries outside Mexico to relevant Mexican officials/embassies in those countries would be particularly welcome.

APPEALS TO

Chairperson

Arizona Board of Executive Clemency

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Telegrams: Arizona Board Executive Clemency, Phoenix, USA

Salutation: Dear Chairperson and Board Members

The Honorable Fife Symington

Governor of Arizona

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Salutation: Dear Governor

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and to diplomatic representatives of the USA accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY.