

PUBLIC

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Further information on UA 46/03 (AMR 51/025/2003, 18 February 2003) - Death penalty / Legal concern

USA (Oklahoma)

Scott Allen Hain (m), white, aged 32

Scott Hain was executed in Oklahoma on 3 April for a double murder committed when he was 17 years old. International law, respected in almost every country in the world, prohibits the use of the death penalty against people who were under 18 at the time of the crime.

On 31 March the Pardon and Parole Board voted 5-0 to reject clemency. After last-minute appeals to the courts, a three-judge panel of the US Court of Appeals for the 10th Circuit granted a stay of execution. The state appealed to the full court, but the 10th Circuit voted by seven votes to two to keep the stay in place. The state then appealed to the US Supreme Court, which lifted the stay by five votes to four. Two hours later, at about 8.30pm local time, Scott Hain was put to death by lethal injection.

Among those appealing to Governor Henry to stop the execution was Nobel Peace laureate Archbishop Desmond Tutu.

Scott Hain becomes the 23rd prisoner to be put to death in the USA this year, and the 843rd executed nationwide since the USA resumed judicial killing in 1977. Oklahoma accounts for 60 of these executions.

In the same period, the USA has executed 22 prisoners who were under 18 at the time of the crime. The USA accounts for 13 of the 18 executions of child offenders known in the world since January 1998 (see *USA: More double standards as another child offender set to be executed*, AMR 51/052/2003, 2 April).

No further action is requested. Many thanks to all who sent appeals.