

PUBLIC

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Further information on EXTRA 70/98 (AMR 51/34/98, 1 October 1998) - Death penalty / Legal concern

USA (Virginia) Dwayne Allen WRIGHT, black, aged 26

On the evening of 14 October 1998, Dwayne Allen Wright was executed in Greensville Correctional Center, Virginia, for a crime committed when he was 17 years old. In allowing this execution to go ahead, the USA has once again shown its contempt for international human rights standards.

Dwayne Wright's execution violated international law, which forbids the use of the death penalty against those aged under 18 at the time of the crime. Only six countries are known to have carried out executions of juvenile offenders since 1990, killing a total of 18 such prisoners. Half of these prisoners were put to death in the USA. Dwayne Wright was the third juvenile offender to be executed in the USA during 1998 - the only such executions known to have been carried out worldwide so far this year.

After the US Supreme Court had rejected a final appeal on behalf of Dwayne Wright, Governor Gilmore denied him clemency, saying "there has never been any question as to Wright's guilt". He ignored the many appeals directed to him from home and abroad, including appeals from the American Civil Liberties Union, the Reverend Jesse Jackson and US Senator Edward Kennedy, as well as Amnesty International. The American Bar Association (ABA) also called for clemency, saying that the scheduled execution of Dwayne Wright "demeans our system of justice". In a letter to Governor Gilmore, the ABA President reportedly wrote: "A borderline mentally retarded child simply cannot be held to the same degree of culpability and accountability for their actions to which we would hold an adult."

Dwayne Wright's lawyers had recently obtained affidavits from two jurors in his 1991 capital trial, stating that they would not have sentenced him to death had they known that Dwayne Wright suffered brain damage at birth which left him prone to violent outbursts. One of them reportedly stated: "Had I been told the truth about Dwayne during his trial, I never would have voted to impose a death sentence". According to the ABA letter to Governor Gilmore, doctors had stated that Dwayne Wright had psychotic episodes which could be controlled with appropriate medication and counselling. It noted that such treatment had not occurred.

Dwayne Allen Wright is the 53rd prisoner to be executed in the USA in 1998 (the 10th in Virginia) and the 485th overall (56th in Virginia) since the USA resumed executions in 1977. Twelve of these 485 prisoners have been juvenile offenders.

No further action is requested. You may, however, send a letter to Governor Gilmore and Attorney General Reno expressing deep regret at the execution. In appeals to Janet Reno, you may also express concern that the US authorities have once again decided to violate international standards, and urge that the federal authorities withdraw their reservation to Article 6(5) of the International Covenant on Civil and Political Rights and to ratify without reservations the Convention on the Rights of the Child (see original EXTRA).

APPEALS TO:

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James S. Gilmore III,
Governor of Virginia
State Capitol
Richmond, VA 23219, USA

Salutation: Dear Governor

The Honourable Janet Reno
Attorney General
Department of Justice
950 Pennsylvania Ave. N. W., Room 440
Washington, DC 20530-0001

Salutation: Dear Attorney General