

PUBLIC

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Further information on UA 120/04 (AMR 51/053/2004, 22 March 2004) - Death penalty / Legal concern

**USA (Texas) Kelsey Patterson (m), black, aged 50**

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Kelsey Patterson was executed in Texas on the evening of 18 May 2004 after Governor Rick Perry rejected a rare recommendation for clemency from the Board of Pardons and Paroles.

Kelsey Patterson had long suffered from paranoid schizophrenia, a serious mental illness whose symptoms can include hallucinations, delusions, confused thinking, and altered senses, emotions or behaviour. He was first diagnosed with this brain disorder in 1981. He was sentenced to death in 1993 for a double murder committed in 1992.

There was compelling evidence that Kelsey Patterson's crime was a result of his mental illness, that he had not been competent to stand trial, and that he was legally insane at the time of his execution. Since receiving his execution date, he had repeatedly referred to the stay of execution and "amnesty" that he believed he had been granted. As his execution approached, a spokesperson for the Texas Department of Criminal Justice said: "Mr Patterson seemed even tempered although he kept insisting to the warden that he had amnesty".

On 17 May, the Texas Board of Pardons and Paroles voted 5-1 to recommend that Kelsey Patterson's death sentence be commuted. At a minimum, the Board suggested, Kelsey Patterson should be granted a 120-day reprieve.

On 18 May, Governor Perry announced that he was rejecting the Board's recommendation. In his statement, he said: "This defendant is a very violent individual. Texas has no life without parole sentencing option, and no one can guarantee this defendant would never be freed to commit other crimes were his sentence commuted. In the interests of justice and public safety, I am denying the defendant's request for clemency and a stay."

Kelsey Patterson becomes the 25<sup>th</sup> person to be put to death in the USA this year, and the 910<sup>th</sup> since executions resumed in 1977. Texas accounts for 322 of these executions, nine of which have been carried out this year.

**Kelsey Patterson's lawyer has asked for his thanks to all who sent appeals. No further action is requested.**