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Further information on EXTRA 51/01 (AMR 51/116/2201, 8 August 2001) - Death penalty / Legal concern

USA (Georgia) Marcus Rolondo Moore, black, aged 18

On 15 August in Richmond County Superior Court, Augusta, Georgia, a jury convicted Marcus Moore of the murder of two teenagers and the attempted murder of two others. The sentencing phase of the trial was due to begin on 16 August, after which the jury would have decided whether the sentence should be life imprisonment (with or without the possibility of parole) or the death penalty.

In the event, on the morning of 16 August, a plea agreement was reached under which Marcus Moore accepted the jury's verdict and a sentence of life imprisonment without the possibility of parole. Under the agreement, Marcus Moore has also given up his right to appeal this sentence.

Marcus Moore was 17 years old at the time of the 24 November 2000 shooting in Augusta which left Niteka Nicole Wesbey and Corey Andre McMillan dead and Larry Donnell Sanders injured. A fourth teenager, Monique Hicks was also shot at, but not wounded.

The prosecution's original intention to seek the death penalty violated international law, which prohibits the use of the death penalty against defendants who were under 18 at the time of the crime. One treaty which prohibits such use of the death penalty is the Convention on the Rights of the Child. The Convention also prohibits the punishment of life imprisonment without the possibility of release for those who were under 18 at the time of the crime. While 191 countries have ratified this treaty, the USA and Somalia have not. However, the USA has signed it, thereby binding itself not to do anything which undermines the object and purpose of the Convention.

Amnesty International is concerned that, once again, a prosecutor has been able to use the threat of the death penalty against a juvenile offender in obtaining a prison sentence that also violates international law when used against this age group.

No further action by the UA Network is requested. Many thanks to all who sent appeals.