

9 August 2002

Further information on EXTRA 55/02 (AMR 51/119/2002, 18 July 2002) - Death penalty / Legal concern**USA (Texas) T.J. Jones (m), black, aged 25**

T.J. Jones was executed in Texas on 8 August for a murder committed when he was 17 years old. International law, respected in almost every country of the world except the USA, prohibits the death penalty against child offenders: people who were under 18 at the time of the crime.

T.J. Jones was convicted in October 1994 of the car jacking murder of Willard Lewis Davis in February 1994. In his final statement before being killed, T.J. Jones apologized to the victim's family, adding "I hope you can move on after this".

Among those appealing for the execution to be stopped was the United Nations High Commissioner for Human Rights, Mary Robinson. In a statement on 1 August she expressed her "deep concern" about the impending execution of T.J. Jones and another child offender, Toronto Patterson, scheduled to be executed on 28 August in Texas (see EXTRA 58/02, AMR 51/124/2002, 31 July 2002). The High Commissioner said: "The Convention on the Rights of the Child clearly stipulates that capital punishment shall not be imposed for offences committed by persons below eighteen years of age. All States, but the United States and Somalia have ratified the Convention. The overwhelming international consensus that the death penalty should not apply to juvenile offenders stems from the recognition that young persons, because of their immaturity, may not fully comprehend the consequences of their actions and should therefore benefit from less severe sanctions than adults. More importantly, it reflects the firm belief that young persons are more susceptible to change, and thus have a greater potential for rehabilitation than adults. I hope the Texas Governor and Board of Pardons and Paroles will take these factors into account and grant T.J. Jones and Toronto Patterson relief from the death penalty".

A member of the Texas House of Representatives, Lon Burnam, appealed to Governor Perry to use his power of reprieve to stop the execution and to use his influence to bring about a moratorium on the execution of child offenders in Texas. In his letter, Representative Burnam wrote that his proposals were "not intended to in any fashion lessen the gravity of the crimes or to diminish the grief of the victims, whose losses are real. Willard Davis lost his life. His family will never get him back... T.J. Jones' actions cannot be undone. But, neither can the actions of the state of Texas be reversed when the sanction is death. The execution of juvenile offenders is a grave miscarriage of justice".

T.J. Jones becomes the 40th person to be put to death in the USA this year, and the 789th since judicial killing resumed there in 1977. Texas accounts for 276 of these executions.

Twenty of the USA's executed prisoners were under 18 at the time of the crime for which they were killed. Texas is responsible for 12 of these executions.

Amnesty International has documented 16 executions of child offenders worldwide in the past five years. Eleven of these executions took place in the USA. The others occurred in Democratic Republic of Congo (DRC) (1), Iran (3) and Pakistan (1). Pakistan has now abolished the death penalty for the crimes of under-18-year-olds, and last month announced that it had taken 74 child offenders off its death row. In 2001, DRC commuted the death sentences of five child offenders.

At the UN General Assembly Special Session on Children in May 2002, the USA described itself as "the global leader in child protection".

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