

PUBLIC

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Further Information on EXTRA 83/02 (AMR 51/165/2002, 5 November 2002) Death penalty / Legal concern

USA (North Carolina) Desmond Keith Carter (m), black, aged 35

Desmond Carter was executed in North Carolina in the early hours of 10 December. He was sentenced to death in 1993 for the murder of Helen Purdy, a 71-year-old white woman, in March 1992.

On 4 December a judge issued an oral order staying the execution and agreeing to hold a hearing in January 2003 on a number of concerns raised on appeal, including a claim of inadequate legal representation, and evidence of racial bias in North Carolina death sentencing. Studies in the USA, including in North Carolina, have consistently indicated that race, particularly the race of the murder victim, has an impact on whether a defendant receives a death sentence (see original EXTRA).

The prosecution appealed against the judge's decision, and on 6 December the North Carolina Supreme Court overturned the reprieve and said that the execution could proceed. The Supreme Court did not offer any explanation for its decision.

The North Carolina Governor denied clemency late on 9 December. In his statement, he said: "Having carefully reviewed the clemency petition, I conclude that there are no compelling reasons to invalidate the sentence recommended by the jury and affirmed by the courts."

In his final statement before being lethally injected, Desmond Carter reportedly said: "The only thing I would like to say is that I apologize to the victim's family of Ms. Purdy and I would like to apologize to my family for the disappointment and pain that I have caused them throughout my life".

Desmond Carter becomes the 65th person to be executed in the USA this year, and the 814th to be put to death nationwide since the USA resumed executions in 1977. Twenty-three of these executions have been carried out in North Carolina.

This was the second of a possible seven executions in the USA this week. See *USA: Need for reflection on Human Rights Day*, AMR 51/181/2002, 9 December 2002, available on Amnesty International's website (www.amnesty.org).

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