

URGENT ACTION

ANOTHER TEXAS EXECUTION FOR CRIME AT 18

For the second time this month, Texas carried out an execution of a prisoner for a crime committed when he was 18 years old. Anthony Doyle was put to death by lethal injection on the evening of 27 March.

Anthony Doyle was sentenced to death in 2004. If he had been 93 days younger at the time of the crime – the murder in 2003 of Hyun Mi Cho – he would not have been executed. In *Roper v. Simmons* in 2005, the US Supreme Court outlawed the death penalty against defendants who were under 18 at the time of the crime, recognizing the immaturity, impulsiveness, poor judgment, underdeveloped sense of responsibility and vulnerability to peer pressure often associated with youth, as well as the potential for young people to mature and change. The *Roper* ruling noted that the “qualities that distinguish juveniles from adults do not disappear when an individual turns 18”. Scientific research has continued to show that development of the brain and psychological and emotional maturation continues well beyond the late teenage years.

On 21 March 2014, the Texas Court of Criminal Appeals dismissed Anthony Doyle’s attempt to get back into court to raise for judicial review the claim that the state had unknowingly presented false evidence to the trial jury about the defendant’s failure to be rehabilitated while in a juvenile detention facility. The Court of Criminal Appeals ruled that it was not considering the merits of the claim as the petition did not meet the requirements under Texas law for a subsequent application for habeas corpus, a difficult burden to meet.

About two hours before the execution was due to go ahead on 27 March, the US Supreme Court refused to grant a stay. The Texas Board of Pardons and Paroles had already denied clemency, and Governor Rick Perry did not intervene. Anthony Doyle made no final statement before being killed by lethal injection. He was pronounced dead at 6:49 pm, about 25 minutes after the lethal injection began.

Between 1982 and 2003, Texas executed 13 individuals who were under 18 at the time of the crime, 60 per cent of the national total (eight of these 13 individuals were African American). Texas continues to lead the USA in the execution of those who were 18 or 19 years old at the time of the crime. The state has executed at least 64 such individuals since 1987 (35 of whom were African American, as was Anthony Doyle). In other words, since judicial killing resumed in the USA in 1977, Texas has executed more prisoners who were teenagers at the time of the crime than 46 of the 50 states have executed prisoners of any category or age. This was the second time this month that Texas has executed a prisoner for a crime at the age of 18 (see also UA 45/14, <http://www.amnesty.org/en/library/info/AMR51/017/2014/en>).

There have been 14 executions in the USA this year, four of them in Texas. Nationwide there have been 1,373 executions since judicial killing resumed in the USA in 1977 under revised capital statutes. Texas accounts for 512 of these.

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

This is the second update of UA 48/14. Further information: www.amnesty.org/en/library/info/AMR51/018/2014/en

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Gender m/f: m

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