

URGENT ACTION

CLEMENCY DENIED, TEXAS EXECUTES AGAIN

Forty-one-year-old Ramiro Gonzales was executed in Texas on 26 June 2024. He was sentenced to death in 2006 for a murder committed in 2001 when he was 18 and emerging from a childhood of abuse and neglect. The courts refused to stop the execution despite inaccurate and effectively recanted trial testimony of the state's expert witness in support of a jury determination that Ramiro Gonzales would commit acts of criminal violence if allowed to live, the prerequisite for a death sentence in Texas. Ramiro Gonzales's prison record had been one of non-violence and self-development.

NO FURTHER ACTION IS REQUESTED. MANY THANKS TO ALL WHO SENT APPEALS.

On 24 June 2024, the Texas Board of Pardons and Paroles voted against clemency, by seven votes to nil. In their final appeals, Ramiro Gonzales's lawyers sought to have the US Supreme Court revisit the "future dangerousness" question in the Texas capital statute. The petition noted that Ramiro Gonzales was sentenced to death in 2006 "after a jury predicted that, even if incarcerated, he would 'commit criminal acts of violence' that 'would constitute a continuing threat to society'. But that prediction has not come to pass. In the 18 years that Mr Gonzales has been on death row, he has committed no acts of criminal violence and, indeed, no criminal acts whatsoever... Because there is no longer any risk, let alone a 'probability', that Mr Gonzales would commit any 'criminal act of violence that would constitute a continuing threat to society' – a requisite finding for death-eligibility under Texas law – he is ineligible for execution under state law. But Texas refuses to provide an avenue to review Mr Gonzales's claim". The Texas Court of Criminal Appeals had held that the determination of future dangerousness is "made at the time of trial and is not properly reevaluated on habeas [corpus review]". On 26 June 2024, the US Supreme Court declined to intervene.

In an interview a week before his death, Ramiro Gonzales said: "When I got to death row, being stigmatized as a menace to society made me want to change, to help others and myself... I think ultimately the state is afraid to acknowledge the fact that we can be rehabilitated and be a contribution to society from prison – because it goes against how they prosecuted us, how they labelled us in court as menaces to society".

Ramiro Gonzales was executed by lethal injection and pronounced dead at 6.50pm. In his final statement he apologized to the victim's family, saying "I can't put into words the pain I have caused y'all, the hurt, what I took away that I cannot give back".

His lawyer said: "Without the tools, support, or guidance that many of us take for granted, in the face of abuse and neglect most will never know, Ramiro floundered as a lonely and directionless child and teenager. He made poor choices. He sought escape through drugs. And he caused irrevocable harms... But the Ramiro who the State of Texas killed tonight was not the Ramiro who committed these crimes twenty years ago. The Ramiro who left this world was, by all accounts, a deeply spiritual, generous, patient, and intentional person, full of remorse, someone whose driving force was love. He sought to spread and embody love in all aspects of his life, even in the deprivation and physical isolation of death row where he lived for the past 18 years".

There have been two executions in Texas this year, of eight nationwide. There have been 1,590 executions in the USA since 1976, 588 of which have been in Texas. Since 2014, Texas has executed 10 people for crimes committed when they were 18.

Article 10(3) of the International Covenant on Civil and Political Rights (ICCPR) states that "The penitentiary system shall comprise treatment of prisoners the essential aim of which shall be their reformation and social rehabilitation". The UN Human Rights Committee, the expert body established under the ICCPR to oversee its implementation, has said: "Article 6(6) reaffirms the position that States parties that have not yet totally abolitionist should be on an irrevocable path towards complete eradication of the death penalty, de facto and de jure, in the foreseeable future". The USA ratified the ICCPR in 1992.

Amnesty International opposes the death penalty in all case, unconditionally.

NAME AND PRONOUN: Ramiro Gonzales (He, him)

THIS IS THE SECOND AND FINAL OUTPUT FOR UA 52/24

LINK TO PREVIOUS UA: <https://www.amnesty.org/en/documents/amr51/8102/2024/en/>

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