

AMNESTY INTERNATIONAL PRESS RELEASE

AI Index AMR 51/007/2002 - News Service Nr. 7

Embargoed for : 17/01/2002 00:01 GMT

USA: Arbitrary, discriminatory, cruel, futile -- 25 years of judicial killing

A quarter of a century of executions in the USA has offered no constructive contribution to the country's efforts to combat violent crime and has caused serious damage to its international reputation, Amnesty International said today as it issued a new report to mark the 25th anniversary of the resumption of executions in the United States.

The report, "Arbitrary, discriminatory, and cruel: An aide-mémoire to 25 years of judicial killing", recalls some 200 illustrative cases of the men and women put to death since Gary Gilmore was shot by a Utah firing squad on the morning of 17 January 1977 -- the first execution after the US Supreme Court lifted the moratorium it had imposed on the death penalty in 1972.

"The USA likes to see itself as a champion of human rights," Amnesty International said. "However, its relentless pursuit of the death penalty in an increasingly abolitionist world starkly gives the lie to that claim."

"In a period that has seen more than 60 countries legislate against the death penalty, the USA has shot, gassed, electrocuted, hanged or poisoned more than 750 prisoners, 600 of them since 1990," the organization continued. "What is more, it has frequently violated internationally-agreed safeguards in getting the individual to the execution chamber."

"We urge US politicians to answer the question -- what measurable benefit to society have these killings achieved?," stated Amnesty International, whose report provides cases to illustrate the cruelty, futility and brutalizing effect of capital punishment as well as its rejection of the possibility of rehabilitation.

The report gives examples of the arbitrary way in which the death penalty is applied in the USA, its politicized nature, and the fact that this is a punishment that diverts attention and resources from constructive responses to violent crime.

The report points to numerous cases of people put to death since 1977, including:

- 18 prisoners executed, in violation of international law, for crimes committed when they were children;*
- scores of individuals with mental retardation or histories of mental illness;*
- dozens of African Americans convicted by all-white juries in cases which show a pattern of prosecutors removing prospective black jurors during jury selection;*
- more than 25 individuals whose guilt remained in doubt to the end;*
- numerous defendants denied their right to adequate defence representation, including those sentenced to death by juries presented with little or none of the available mitigating evidence;*
- 17 foreign nationals who were denied their right to consular assistance after arrest.*

"The USA should finally end its relationship with the executioner," Amnesty International said. "The past 25 years of judicial killing has provided ample evidence that no amount of tinkering with the machinery of death can rid this cruel, brutalizing and irrevocable punishment of its fundamental flaws."

"It is time for the USA to finally join the modern world by abolishing the death penalty," the organization concluded.

Background

In 1972, the US Supreme Court overturned the country's capital laws because of the arbitrary way in which death sentences were being handed out. Four years later it gave the green light for executions to resume after ruling that newly-enacted capital statutes would cure the system of its capricious tendencies. The execution of Gary Gilmore went ahead six months later after he fought every attempt to stop it. He was the first of more than 90 prisoners who have dropped their appeals and "consented" to their execution.

Racial and geographic bias remains widespread. Eighty per cent of the more than 750 prisoners executed since 1977 were convicted of killing whites, even though blacks and whites are the victims of murder in almost equal numbers. Eighty per cent were executed in the southern US states, a third in Texas alone. More than 60 were prosecuted in a single Texas jurisdiction, Harris County.

The US capital justice system is error-prone. Since Gary Gilmore was shot, more than 90 prisoners have been released from death rows after evidence of their innocence emerged. Many had spent years on death row and some had come close to execution. Factors contributing to their wrongful convictions include inadequate legal representation, prosecutorial misconduct and false confessions given under duress.

\ENDS

public document

For more information please call Amnesty International's press office in London, UK, on +44 20 7413 5566

Amnesty International, 1 Easton St., London WC1X 0DW web : <http://www.amnesty.org>