

PUBLIC

AI Index: AMR 51/014/2003

5 February 2003

Further information on EXTRA 02/03 (AMR 51/003/2003, 10 January 2003) - Death penalty / Legal concern

USA (Texas) John "Jackie" Elliott (m), aged 42, British national

Dual US/UK national John "Jackie" Elliott was executed in Texas on the evening of 4 February 2003. He was sentenced to death in 1987 for the murder of a 19-year-old woman, Joyce Munguia, in Austin, Texas, on 13 June 1986. Jackie Elliott had consistently maintained that he did not kill Joyce Munguia.

Jackie Elliott and his lawyers had been calling for DNA testing of evidence from the crime, including blood found on the shoes of one of the men present on the night of the killing. DNA techniques have advanced since 1986 so that such evidence would have now been testable. The courts rejected their appeals.

Given Jackie Elliott's British nationality, and the UK Government's opposition to the death penalty, the UK Foreign Secretary Jack Straw was among those who appealed for clemency. However, on 4 February, the Board of Pardons and Paroles voted 18-0 against a stay of execution or commutation of the death sentence. Governor Rick Perry did not use his power to issue a reprieve.

There have been nine executions in the USA this year, bringing to 829 the number of executions carried out nationwide since the USA resumed judicial killing in 1977. Texas accounts for 296 of these executions (for further information see the report *Texas – In a world of its own as 300th execution looms*, AMR 51/010/2003, 23 January 2003, available on www.amnesty.org).

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