

EXTERNAL (for general distribution)

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*Please bring this to the attention of the campaign coordinator and/or those responsible for the death penalty action on juveniles in the USA.*

Further information on UA 444/91 (AMR 51/69/91, 17 December 1991) and follow-ups AMR 51/04/92, 8 January 1992 and AMR 51/07/92, 10 January 1992 - Imminent Execution of Juvenile Offender

USA (Texas)

Johnny Frank GARRETT

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Amnesty International has just received news that the Texas Board of Pardons and Paroles has recommended that the Governor deny clemency to Johnny Frank Garrett. This now clears the way for his execution, which is scheduled for 11 February 1992, to take place.

Johnny Garrett has a long history of mental illness and childhood abuse, but this information was not made available to the jury at his trial in 1982. According to three medical experts who examined him between 1986 and 1992, Johnny Garrett is extremely mentally impaired, chronically psychotic and brain-damaged. He reportedly suffers from paranoid delusions, including a belief that the lethal injection used to execute prisoners in Texas will not kill him.

Safeguards guaranteeing protection of the rights of those facing the death penalty, adopted by the United Nations (UN) Economic and Social Council in 1984 (ECOSOC Resolution 1984/50), prohibit the execution of offenders aged under 18 at the time of the crime (Safeguard 3), and further provide that "Capital punishment may only be carried out ... after legal process which gives all possible safeguards to ensure a fair trial..." (Safeguard 5). In May 1989, the Economic and Social Council adopted a resolution calling upon states to implement the safeguards and strengthen further the protection of the rights of those facing the death penalty including, inter alia: "Eliminating the death penalty for persons suffering from mental retardation or extremely limited mental competence, whether at the stage of sentence or execution". These safeguards have not been met in Johnny Garrett's case.

**RECOMMENDED ACTION: Telephone calls/telegrams/faxes:**

Appeals to the Texas Board of Pardons and Paroles:

- expressing regret at the Board's decision to deny clemency to Johnny Garrett despite reports that he is severely mentally impaired and that he was subjected to physical and sexual abuse when he was a child;

- referring to the Safeguards adopted by the UN Economic and Social Council and stating that if the execution of Johnny Garrett is carried out, this would be in clear contravention of these safeguards;

- urging that the Board reconsider its decision and recommend that Governor Richards grant clemency to Johnny Garrett by commuting his death sentence.

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Appeals to the Governor:

- expressing regret at the Board's recommendation to her to deny clemency to Johnny Garrett and urging her to use her influence to do whatever she can to prevent the execution from taking place;

- referring to the UN ECOSOC safeguards and stating that the execution of Johnny Garrett would be in clear contravention of these safeguards.

**APPEALS TO**

Texas Board of Pardons and Paroles  
8610 Shoal Creek Boulevard, PO Box 13401  
Capitol Station,  
Austin, TX 78758-6887  
USA

**Dear Board Members**

**Telegrams: Texas Board Pardons/Paroles, Austin, TX 78758-6887, USA**  
**Telephone: + 1 512 459 2782**  
**Faxes: + 1 512 459 2790**

Mr Jack D Kyle  
Chairman  
Texas Board of Pardons and Paroles  
2503 Lake Road, Ste 9  
Huntsville, TX 77340-5737  
USA

**Dear Mr Kyle**

**Telegrams: Mr Kyle, Huntsville, TX 77340-5737, USA**  
**Telephone: + 1 409 291 2161**  
**Faxes: + 1 409 291 6852**

The Honourable Ann Richards  
Governor of Texas  
Office of the Governor  
PO Box 12428, Capitol Station  
Austin, TX 78711

**Dear Governor**

**Telegrams: Governor Richards, Austin, Texas 78711, USA**  
**Telephone: + 1 512 463 1780 ('hotline')**  
**+ 1 512 463 2000**  
**Faxes: + 1 512 463 1849**

**COPIES OF YOUR APPEALS TO:**

Newspaper:

Austin American-Statesman  
Cox Newspapers  
Box 670, Austin TX 78767  
USA  
**Faxes: + 1 512 445 3679**

and to diplomatic representatives of the USA in your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat,  
or your section office, if sending appeals after 11 February 1992.