

PUBLIC

AI Index: AMR 51/019/2002

25 January 2002

Further information on UA 08/02 (AMR 51/001/2002, 8 January 2002) - Death penalty / Legal concern

USA (Texas)Melvin Edison Hale, white, aged 74

On 23 January, Melvin Hale, aged 74, accepted a plea bargain under which he was sentenced to life imprisonment in return for a guilty plea. He will not be eligible for parole until he has served 40 years.

Melvin Hale was facing trial for the murder of State Trooper Randall Vetter, who was shot on a highway near San Marcos in Hays County in August 2000, and died five days later. Hale, a 72-year-old rancher, was arrested and charged with Trooper Vetter's murder.

The District Attorney intended to seek the death penalty against Melvin Hale, but on 23 January offered a plea bargain in the early stages of jury selection. He said he did so when it became apparent to him, from the answers that the prospective jurors were giving on their questionnaires, that no jury selected would return a death sentence. Reportedly, about two thirds of the prospective jurors who had filled out the questionnaires indicated that they believed that a life sentence was appropriate for a person of Melvin Hale's age because he would likely die in prison.

The prosecutor was quoted as saying: "If it were up to me, Mr Hale is on death row [sic]. Unfortunately, they don't put 12 District Attorneys in the jury box. It became immediately apparent to me that the jury in Hays County that would hear this case was not going to return a death sentence".

Last week, a jury found Melvin Hale competent to stand trial. They had heard evidence that the 74-year-old suffers from mental health problems and brain damage.

If the trial had gone ahead, the defence would have entered a plea of not guilty by reason of insanity. If a jury had accepted this, the defendant would have been sent to a psychiatric hospital.

No further action by the UA Network is requested. Many thanks to all who sent appeals. Melvin Hale's lawyer has asked for his thanks to be passed on to all who sent appeals, which he believes contributed to the District Attorney's decision to drop his pursuit of the death penalty.