

PUBLIC

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**Further information on UA 20/00 (AMR 51/14/00, 27 January 2000) - Death penalty / Legal concern**

**USA (Texas) Odell Barnes Jr., black, aged 31**

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Odell Barnes was executed by lethal injection in Huntsville, Texas, on 1 March 2000. He maintained his innocence to the end.

He was sentenced to death in 1991 for the 1989 murder of Helen Bass in Wichita Falls. According to recent investigations by his lawyers, the physical evidence against him has been exposed as unreliable and key prosecution witnesses have been implicated in the crime.

The Texas Board of Pardons and Paroles denied clemency by 18 votes to nil on 28 February. Neither Governor George W. Bush, who was away campaigning to become Republican candidate for US President, nor Texas Lt. Governor Rick Perry, who was standing in for him, used their power to grant a 30 day reprieve.

According to reports, when asked what he wanted for his final meal, Odell Barnes replied: "Justice, equality and world peace." In his final statement before being executed he thanked those who had worked on his behalf: "I thank you for proving my innocence, although it has not been acknowledged by the courts. May you continue in the struggle and may you change all that's being done here today and in the past."

Among those that appealed to Governor Bush to stop the execution was Pope John Paul II, who urged "compassion" for Odell Barnes. Governor Bush's bid for the presidency has been run under the banner of "compassionate conservatism".

As well as appeals from the Urgent Action Network, Amnesty International sent a letter from the International Secretariat urging Governor Bush to intervene. The letter noted "your repeated insistence in the past and during current presidential campaigning that you will not allow someone whose guilt there are serious doubts to go to their deaths in the Texas lethal injection chamber. We urge you to stay true to these words in this case."

Odell Barnes's case has attracted huge attention in France. In late February, French President Jacques Chirac spoke with former US President George Bush, father of the Texas governor, about the case. According to the newspaper *Le Monde* of 1 March, Prime Minister Lionel Jospin wrote to Governor Bush on 28 February to appeal for clemency in the spirit of shared human values: "France and the United States have common values of justice and respect for human dignity and human rights." Earlier Jack Lang, Chairman of the French National Assembly's Foreign Affairs Committee (*Président de la Commission des affaires des étrangères de l'Assemblée nationale*), visited Texas and met with Odell Barnes. According to *Reuters*, in a statement issued after the execution, Jack Lang said (translation): "I'm disgusted and indignant. The execution of Odell Barnes is murder. How can Governor Bush seek to be president of the United States after committing such a crime? Who would listen to the demands for respect of human rights throughout the world from the author of such a barbarous act?" *Agence France Presse* reported that the statement continued (translation): "Odell Barnes gave us an extraordinary lesson in humanity and courage which contrasts with the savagery of the Huntsville killing factory which executes humans on an assembly line. In his name and to perpetuate his memory, we will continue the fight against the legal assassination of innocents, minors and the handicapped, and in a more general manner against the death penalty."

Odell Barnes becomes the 10<sup>th</sup> person to be executed in Texas this year, and the 209<sup>th</sup> since the state resumed executions in 1982.

This was the 19<sup>th</sup> execution in the USA this year and the 617<sup>th</sup> overall since the USA resumed judicial killing in 1977.

**No further action is requested. Many thanks to those who sent appeals.**