

PUBLIC

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Further information on UA 211/04 (AMR 51/106/2004, 25 June 2004) – Death penalty / imminent execution / Legal concern

USA (Georgia) Robert Karl Hicks (m), white, aged 47

Robert Hicks was executed in Georgia on 1 July 2004. He had been convicted on 16 January 1986 of the murder of a 28-year-old woman, Toni Strickland Rivers, on 13 July 1985.

Robert Hicks had been scheduled to be executed on 30 June, but the Georgia Supreme Court delayed the execution for a day in order to consider whether to take a last-minute appeal or not. It decided not to, and after the US Supreme Court also dismissed the case, Robert Hicks was put to death around 5pm local time on 1 July. In his final statement, he said: "I would like to apologize for everything I did. I'm sorry. God forgive me." Relatives of the murder victim watched the execution.

The Georgia parole board had rejected clemency on 28 June. As part of their clemency appeal, Robert Hicks's lawyers raised questions about the role that religion had played at the trial, including in the prosecutor's challenge to mental health evidence raised at the sentencing. Hicks's defence at trial had been one of insanity (see original UA), and when the jury rejected that, the question of his mental condition was raised at the sentencing in mitigation against the death penalty. At the clemency hearing, his lawyers said that the prosecutor had told the jurors that the Ten Commandments made no exception for mental illness: "Does it say, 'Thou shalt not kill, and be held accountable only if you know what you're doing?' No, it doesn't say that". The jurors reportedly then spent the early part of their deliberations in group prayer before sentencing Robert Hicks to death.

Robert Hicks becomes the 32nd person to be put to death in the USA this year, and the 917th since executions resumed in the country in 1977. Georgia accounts for 35 of these executions.

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