

**EXTERNAL**

**AI Index: AMR 51/157/95**

**EXTRA 156/95**

**Death penalty / Legal concern**

**7 December 1995**

**USA (Texas)**

**James M Briddle**

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James Briddle, white, is scheduled to be executed in Texas on 12 December 1995. He was sentenced to death in 1982 for the murder of Robert Banks.

The attorney currently representing Briddle has appealed on the grounds that he received ineffective legal representation at the original trial. According to the appeal, the trial attorney failed to object to inadmissible evidence. The attorney also failed to offer details of Briddle's childhood during the sentencing phase of the trial. Therefore the jury was unaware that Briddle was dyslexic; that his mother was given a drug, which was subsequently determined to cause neurological problems, while she was pregnant with Briddle; that Briddle's father subjected the family to violence during his childhood. It was later discovered that the father suffered from a chemical imbalance which caused aggressive behaviour (it is possible that this condition is hereditary); that, while in the custody of California's juvenile authorities, Briddle was given massive amounts of the psychotropic drugs Thorazine and Prolixia. If he refused the drugs he was beaten, strapped down and forcibly injected. To prevent his refusal the authorities withheld other medication which he needed to prevent the side effects of the psychotropic drugs (convulsions and choking).

The trial attorney has acknowledged that, had he reviewed Briddle's Department of Correction records in California, he would have requested a complete psychiatric examination of his client before the trial. The records would have been available to him had he requested them.

During the initial stages of the appeal process, Briddle was represented by a volunteer attorney from Ohio who had no experience of criminal law and was not familiar with the criminal law and procedure of Texas.

Amnesty International opposes the death penalty in all cases as a violation of the right to life and the right not to be subjected to cruel or degrading punishment, as proclaimed in the Universal Declaration of Human Rights.

#### **BACKGROUND INFORMATION**

Amnesty International is deeply concerned at the number of executions being carried out in the USA in general, and in Texas in particular. Of the 308 executions carried out in the USA since the death penalty was resumed in the mid 1970s, 100 have been carried out in Texas. The method of execution is lethal injection.

In Texas the governor may commute a sentence of death only if he receives a favourable recommendation from the Board of Pardons and Paroles. The Board consistently refuses to hold full clemency hearings in death penalty cases, and apart from a number of commutations granted in the 1980s as the result of two key court rulings, the Board has never recommended clemency in any death penalty case in recent years.

As of 31 August 1995 there were 401 prisoners under sentence of death in Texas. The most recent person to be executed in Texas was Harold Joe Lane on 4 October 1995.

**RECOMMENDED ACTION: Please telephone or send telegrams, faxes in English if possible:**

- expressing deep concern that James Briddle is scheduled to be executed in Texas on 12 December;
- acknowledging the seriousness of the crime for which James Briddle was convicted but expressing concern that the jury which sentenced him to death was unaware of the circumstances of his childhood;
- urging the Board to recommend that Governor Bush grant clemency to James Briddle;
- expressing concern and sympathy for the families and friends of the victims of violent crime;
- expressing opposition to the death penalty in all cases.

**APPEALS TO:**

Texas Board of Pardons and Paroles  
Executive Clemency Unit  
Texas Department of Criminal Justice  
Pardons and Paroles Division  
PO Box 13401  
Austin, TX 78711, USA  
**Faxes: + 1 512 467 0945**  
**Telephone: +1 512 406 5852**  
**Telegrams: Pardons and Paroles Board, Austin, Texas**  
**Salutation: Dear Board Members**

**COPIES TO:**

The Honourable George W. Bush  
Governor of Texas  
Office of the Governor  
PO Box 12428, Capitol Station  
Austin, TX 78711, USA  
**Faxes: +1 512 463 1849**

The Letters Editor  
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Austin, TX 78767, USA  
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and to diplomatic representatives of the USA accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.**