

URGENT ACTION

WOMAN PUT TO DEATH IN VIRGINIA

Teresa Lewis, a woman assessed as having "borderline mental retardation", was executed by lethal injection in Virginia, USA, on the evening of 23 September for the murder of her husband and stepson in October 2002.

The US Supreme Court rejected Teresa Lewis's final appeal for a stay of execution on 19 September. Two members of the Court, Justice Ruth Ginsburg and Justice Sonia Sotomayor, voted to grant the stay of execution.

Governor Bob McDonnell of Virginia denied clemency, also on 19 September. In a statement, he said that "after numerous evaluations, no medical professional has concluded that Teresa Lewis meets the medical or statutory definition of mentally retarded." The execution of individuals assessed as "mentally retarded" is prohibited in the USA under a 2002 US Supreme Court ruling. Governor McDonnell continued: "Having carefully reviewed the petition for clemency, the judicial opinions in this case, and other relevant materials, I find no compelling reason to set aside the sentence that was imposed by the Circuit Court and affirmed by all reviewing courts. Accordingly, I decline to intervene and have notified the appropriate counsel and family of my decision." The governor is reported to have received around 7,300 appeals for clemency.

Teresa Lewis was brought into the state's execution chamber at 8.55 pm on 23 September. She was pronounced dead at 9.13pm.

Matthew Shallenberger and Rodney Fuller shot and killed Julian Lewis and his adult son Charles Lewis in their home in the early hours of 30 October 2002. On 15 May 2003, Teresa Lewis pleaded guilty to capital murder for her role in the killings. Prosecutors claimed that she had lured Matthew Shallenberger and Rodney Fuller with sex, gifts, and a promise to share life insurance proceeds to commit the murders. The judge found that Teresa Lewis was "the mastermind" behind the murders and sentenced her to death. Both Rodney Fuller and Matthew Shallenberger were sentenced to life imprisonment.

A psychologist tested Teresa Lewis prior to her plea and found that she had an IQ (intelligence quotient) of 72, indicating that her intellectual function was in the "borderline mental retardation" range. Post-conviction investigations raised additional evidence of her mental disabilities. A second psychologist, selected by the state, assessed her IQ at 70. Medical experts have diagnosed her with Dependent Personality Disorder and an addiction to painkillers before the crimes, calling into further question the "mastermind" label attached to her.

Teresa Lewis becomes the third person to be executed in Virginia, and the 39th nationwide, this year. There have now been 1,227 executions in the USA – of 1,215 men and 12 women – since the country resumed judicial killing in 1977. Virginia accounts for 108 of these executions.

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

This is the first update of UA 181/10 (AMR 51/074/2010). Further information: www.amnesty.org/en/library/info/AMR51/074/2010/en

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