

## DEATH PENALTY REPORT – JUNE-JULY 2018

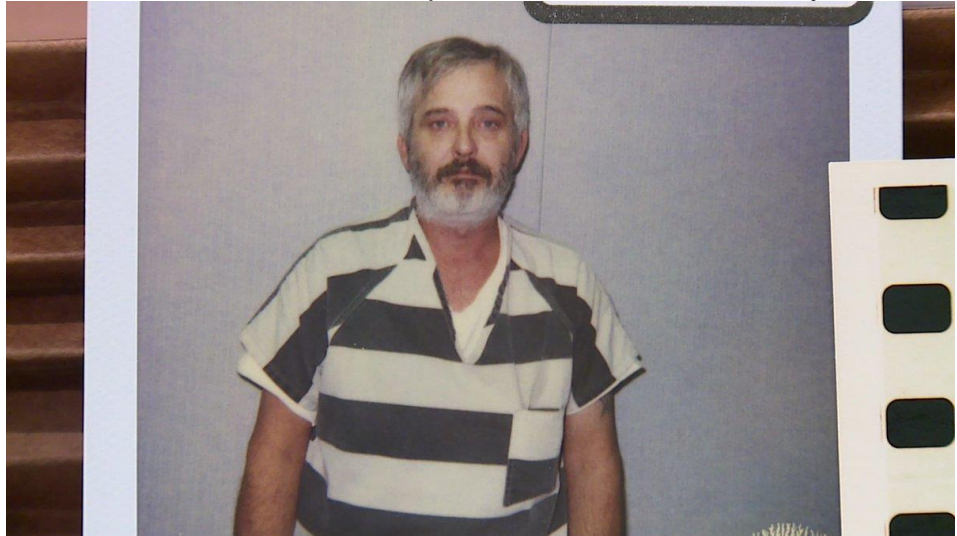
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### International Update (from 6.6.18 – 11.7.18)

- **Palestine –**
  - 6.6.18 – The Palestinian President Mahmoud Abbas signed the 1989 Second Optional Protocol to the ICCPR aiming at the abolition of the death penalty. (Source: The Palestinian Center for Human Rights.)
  - 18.6.18 – Ahmed Abu Halabiya, who represents Hamas on the Palestinian Legislative Council in Gaza, has rejected the protocol because he says it violates laws the PA had passed since it was founded. Hamas will continue to support the death penalty against those convicted of murder, drug trafficking or collusion with Israel. (Source: AL Monitor.)
- **USA**
  - 11.6.18 – *The Pew Research Center Survey*, conducted in April-May of this year, has shown that public support in the USA for the death penalty has increased from the 2016 figure of 49% to 54%. 39% are opposed. Whilst the share of Americans supporting capital punishment has risen, it does, however, remain considerably lower than in the 1990's or much of the 2000's. (Source: [The Pew Research Center](#))
  - [5 Facts about the Death Penalty](#) – 27.6.18 – A Pew Research Center Fact Tank Bulletin has listed 5 facts about the Death Penalty in the USA. Despite the recent increase in the number of Americans supporting capital punishment
    - The annual number of US executions has fallen sharply in the years since its peak in 1999.
    - For a second year in a row, in 2017 the USA was not among the world's top 5 countries carrying out executions.
    - Support for the death penalty in the USA is far lower than two decades ago.
    - There are racial, gender and political divides in opinions on the death penalty in the USA
    - Americans harbour doubts about the application of the death penalty and whether it deters serious crime.(Source: Pew Research Center)
  - *Texas –*
    - 11.6.18 – The Court of Criminal Appeals have issued a stay of execution for Clifton Williams, who was due to be executed on 21<sup>st</sup> June, so that there could be a hearing of the claim that he has an intellectual disability. (Source: AIUK.)

- 27.6.18 – The execution took place on 27<sup>th</sup> June of Danny Paul



Bible (pictured – pic: Twitter), convicted of rapes and murders. Fearing his veins would not sustain the infusion of lethal injection drugs, he had asked to be allowed to die with the use of gas or a firing squad, and the appeal had reached the High Court. His request was not granted. It was reported that he breathed heavily for 2 minutes and said 'burning' and 'hurts.' (Source: CNN.)

- *Washington* – 11.6.18 – Michael Furman, sentenced to death in 1990 as a juvenile, following his conviction of rape and murder, has been re-sentenced to 48 years in prison by the US Supreme Court. The death penalty for juveniles in 1993, and Mr Furman's sentence was then changed to life imprisonment. In 2012, however, the US Supreme Court made automatic sentencing to life imprisonment illegal, allowing the resentencing of Mr Forman and 30 other prisoners. (Source: US News.)
- *Nebraska* –
  - 19.6.18 – Officials are reported to be going ahead with plans to execute Carey Dean Moore, the State's longest-serving death row prisoner, without responding to the order of a Judge to disclose the source of the drugs obtained for the lethal injection. (Source: The Reporter.)
  - 7.7.18 – The Nebraska Supreme Court has set 14<sup>th</sup> August for the execution.
- *South Dakota* – 19.6.18 – The Supreme Court rejected the appeal against the death penalty imposed on Charles Rhines following his conviction of murder. Jurors involved in his trial have admitted he was given the death sentence because of prejudice and a belief that as a gay man he would enjoy prison. (Source: Metro.)

- *New Hampshire* – 21.6.18 – Governor Chris Sununu vetoed the bill that would have abolished the State’s death penalty, saying ‘the State has an obligation to support law enforcement and deliver justice for victims’. The death penalty applies to those found guilty of the killing of an on-duty law enforcement officer or judge, murder for hire, murder during a rape, certain drug offences and home invasion and murder by someone already serving a life sentence without parole. No executions have taken place in the State since 1939, and the repeal bill would not have applied retroactively to the one prisoner currently on death row. (Source: Valley News.)
- *Pennsylvania* – 25.6.18 – The [Joint State Government Commission report](#), commissioned seven years ago, has found cause for grave concern in the current state of the death penalty. It notes the high number of people with intellectual disability and mental health problems on death row, and that the imposition of the punishment had been affected by factors such as race and the county where the crime had been committed. The report outlines numerous possible reforms including a regular proportionality process and a Racial Justice Act. Note: 3 people have been executed in the past 56 years, but more than 466 death warrants have been signed since 1985. A moratorium has been in place for the past two years. (Source: The Inquirer.)
- *Arkansas* – 3.7.18 – A divided Federal Court of Appeal rejected Judge Wendell Griffen’s lawsuit in which he had accused the state’s Supreme Court justices of violating his constitutional rights by permanently banning him from presiding over death penalty cases. (Note: Judge Wendell Griffen participated in protests against the State’s plans to execute a high number of prisoners on death row in March 2017). (Source: Reuters.)
- *Nevada* –

- 11.7.18 – Today it is planned to carry out the first execution in the State for 12 years. Scott Dozier (pictured, pic: *Review Journal*), sentenced to death for two murders, is to be executed with the use of [Fentanyl](#), the drug at the centre of the US opioid epidemic. Amy Rose, Legal Director of the American Civil Liberties Union in Nevada, says it appears the drug was purchased by an arm of the prison authorities with the necessary licence, but that there is no such authority on the execution site. (Source: The Guardian)



- 11.7.18 – **Late Update** – It was announced that Mr Dozier’s execution is on hold for at least 60 days. District Judge Elizabeth Gonzalez ruled in favour of the Company Alvogen which had sued the State, saying it had illegally acquired the drug midazolam, part of the cocktail of drugs to be used in the lethal injection. The Company and the State are scheduled to return to Court on 10<sup>th</sup> September. (Source: CNN.)
  
- **Japan** –
  - 12.6.18 –It has been reported that Iwao Hakamada, freed in 2014 following 45 years on death row could be sent back to prison as a Court has overturned the decision to grant him a retrial. Amnesty campaigned on his behalf for many years., and the Salisbury Group have been active in the campaign. Sentenced to death for murder, he was freed and a retrial ordered because of concerns over fabricated evidence. He is now 82 and in poor mental health. (Source: The Guardian)
  
  - 6.7.18 – The execution took place of Shoko Asahara, who had been found guilty of planning the sarin attack on the Tokyo subway in 2005.
  
- **Belarus** – 15.6.18 – News has broken that the Supreme Court of Belarus, in an unprecedented move, has decided to suspend and review the death sentences of Ihar Hershankou and Siamion Berazhnoy while their appeals are under consideration. Marie Struthers, Director of Amnesty’s Eastern Europe and Central Asia Regional Office, said, “*This is a hugely significant and unprecedented decision for the only country in the region that has continued to execute people all these years. We are not aware of other cases where the Supreme Court of Belarus has suspended an execution. We continue to monitor the case closely, but it gives us hope that after years of discussion on the death penalty Belarus is ready to walk the talk’ and has urged the authorities to establish an immediate moratorium on executions and to commute all death sentences*”. (Source Amnesty International) *Urgent Action on behalf of both men has been taken previously by the DPLWG.*
  
- **Thailand** – 18.6.18 - The first execution in the Country for 9 years took place at Bang Kwang Central Prison. The prisoner, identified as Thirasak had been found guilty of murder. A number of on-line polls conducted immediately following the execution demonstrated strong support for capital punishment. (Source: The Nation.)
  
- **Philippines** – 19.6.18 – The House of Representatives has dropped the proposal to impose the death penalty for violations of the Country’s anti-terror law or the Human Security Act of 2007. The new bill has retained to the proposal to make violations of the Act punishable by life imprisonment. (Source: Inquirer.Net.)
  
- **Bangladesh** – 25.6.18 – Authorities are planning to introduce the death penalty for drug dealers and their patrons. The Prime Minister has said, ‘.... the masterminds of the drug trade escape easily’. Rights activists and church

officials have condemned the move, saying it will do nothing to stop the country's growing narcotics problem. (Source: UCA News.)

- **Sudan** – 26.6.18 – *The death penalty for 19-year-old Noura Hussein, sentenced for killing her husband following his attempted rape, has been repealed. Over 400,000 Amnesty supporters contributed to the world-wide action on her behalf, including the Salisbury Group. She now faces a 5-year jail sentence, which her lawyers will try to overturn. (Source: Amnesty International.)*
  
- **India** –
  - 2.7.18 – The Punjab Government has recommended to the Union Government that the death penalty should be available for drug dealers and smugglers. The Narcotic Drugs and Psychotropic Substances (NDPS) Act allows for the imposition of the death penalty for *repeat* drug offenders, but the call has now been made for the extension of the punishment to be made available for drug offenses in general. (Source: The Economic Times.)
  
  - 9.7.18 – The highest Court in India has upheld the death penalty for the three men who had appealed their sentence on being found guilty of the gang rape and murder of a young woman in 2012. (Source: Sky News.)
  
- **Sri Lanka** – 11.7.18 – The Cabinet of Ministers have agreed to implement the death penalty on those found guilty of drug trafficking, including prisoners who have already been sentenced to death. The Cabinet say this is justified because of the recent rise in drug-related murders and imports planned by those already in custody. A draft bill is now to be prepared. Note: Although capital punishment is a legal penalty in Sri Lanka, no executions have been carried out since 1976

### Death Penalty Urgent Actions

- **Saudi Arabia** – An email was received from Reprieve with a petition to be sent to the Crown Prince, calling on him to stop all executions of protesters, including juveniles. (*Circulated to DPLWG 13.6.18 and posted on the Salisbury website, Facebook and Twitter.*)
  
- **Egypt** – The date for the issuing of the verdict against Shawkan, and the 738 defendants in the Rabaa dispersal case has now been delayed until 28<sup>th</sup> July. An updated UA has been issued with advice on contacting the authorities. (*Circulated to DPLWG 2.7.18*). Note: *Shawkan was the subject of the June DP Group Action.*
  
- **USA – Ohio** – The Ohio Parole Board has recommended against clemency for Raymond Tibbetts, found guilty of murder, despite the statement by a juror that, had the jury heard the mitigation evidence revealed since the trial, he would have voted for life. The Governor could, however, still grant clemency.

*(Circulated to DPLWG 2.7.18.)* **This month's Group Death Penalty Urgent Action.**

- **USA – Texas** – Christopher Young, sentenced to death for a murder committed at the age of 21, is due to be executed on 17<sup>th</sup> July. The Jury recommending the death penalty judged him likely to commit future acts of criminal violence – the so-called 'future dangerousness finding'. *(Circulated to DPLWG 10.7.18.)* [See this article](#)

### **Campaigning**

- As we continue to await any information on the Anti-Death Penalty Project, an email has been sent to Mike Quinn requesting an update and information on any planned national action to mark World Day Against the Death Penalty on 10<sup>th</sup> October.

*12 July 2018*