

Virginia to execute juvenile offender

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In violation of international law, the state of Virginia was scheduled Wednesday to put to death a man who was only seventeen years old at the time of his alleged crime. Douglas Christopher Thomas was convicted of murdering his girlfriend's parents in 1990.

Opponents of the death penalty called on Governor James Gilmore to grant clemency to Thomas on humanitarian grounds. They also expressed concern that the death row inmate's case was transferred out of the juvenile courts without a full and impartial hearing and that the jury that imposed the death sentence never took into account Thomas's developmental immaturity and other important mitigating circumstances.

The US is one of only a handful of nations worldwide that permits the execution of juvenile offenders. Since 1990 only five other countries—Iran, Nigeria, Pakistan, Saudi Arabia and Yemen—are known to have imposed the death penalty in such circumstances.

According to the Death Penalty Information Center, there are currently 74 death row inmates in the US who allegedly committed their crimes as juveniles, 2 percent of the death row total. Thirty-seven percent of these juveniles are in Texas. Thirteen men have been put to death since 1976 in the US for youthful crimes. Over three-quarters of the 74 currently on death row are 17 year olds and two-thirds of them are minority offenders. “The paradigm case of the juvenile offender on death row,” notes the DPIC, “is that of the 17 year-old African-American or Hispanic male whose victim is a white adult.”

The US Supreme Court recently asked the Clinton administration for its views on the execution of juvenile offenders in light of an international treaty that bans such a practice. The US has signed and ratified the International Covenant on Civil and Political Rights, but filed an exception so that states could continue to execute juvenile offenders.

Two other executions were scheduled for Wednesday.

Missouri is set to execute Bruce Kilgore; his codefendant, whom recent witnesses accuse of the actual slaying, received a life sentence. The state of Arizona will execute Michael Poland, who has been sitting on death row for 20 years. On Thursday Texas plans to execute Stanley Faulder, a Canadian citizen who was not afforded his rights under the Vienna Convention. Secretary of State Madeleine Albright has asked Texas to stop the execution.

Meanwhile Clarence Richard Dexter, Jr. was released in Missouri June 7, becoming the eightieth individual since 1973 to escape death row after evidence indicated his innocence. Dexter is the sixth person to be released from death row this year. He was convicted in 1991, defended by an attorney who failed to adequately investigate the evidence against him. Much of the evidence pointed to a botched robbery. The conviction was overturned in 1998. After blood experts refuted much of the state's case, the prosecution decided to let Dexter return home.

A recent piece in the *Economist* (“The cruel and ever more unusual punishment”) notes that 80 percent of the executions in the world in 1998 were carried out in China (1,067), Congo (100), the US (68) and Iran (66). The US total may reach 100 this year. One hundred and five nations have now ended capital punishment in law or in practice.

The journal also notes that, contrary to popular wisdom, capital punishment cannot be viewed as a vestige of America's frontier past: “In the late 18th century, American states began restricting the use of the death penalty to first-degree murder while most European countries were still hanging people for a wide variety of crimes. And the state of Michigan, closely followed by Rhode Island and Wisconsin, led the way in completely abolishing the death penalty in 1846, almost 20 years before Portugal became the first European state to do so. Yet though pressure for

abolition built up in America before the Civil War—and again briefly after the second world war—it has dropped sharply since.”



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