

# Texas executes Mexican national

## Governor Bush refuses to grant reprieve

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**11 November 2000**

The impasse in the presidential elections has not stopped the pace of executions in the US, with three death row inmates having been put to death since election day, bringing the year's total to seventy-five.

Texas Governor George W. Bush, the Republican presidential candidate, refused to stop the execution of Mexican national Miguel Flores, despite international protests from Mexico and human rights organizations. Flores, 31, was pronounced dead at 6:22 p.m. Thursday following the administration of lethal chemicals at the Walls Unit in Huntsville, Texas.

The Mexican government had filed protests with Governor Bush and the US State Department, calling for a stay of execution in Flores' case on the grounds that he was sentenced to death in violation of the Vienna Convention on Consular Relations. At the time of his arrest, Flores was not notified by Texas authorities of his right to contact the Mexican consulate. The Mexican government did not learn of his case until a year after his death sentence. The state of Texas contends that since the US federal government, and not Texas, signed the treaty on consular relations, the state is not bound by it.

Flores was convicted of the 1989 rape and murder of college student Angela Tyson in Borger, Texas. Although the Mexican government did not question his guilt, they contended that had he received consular assistance he would have been given better legal counsel and might have avoided the death penalty. They also argued that prosecutors misused testimony by a psychiatrist, who never met with Flores, who argued that Flores would pose a threat to society if allowed to live.

The Texas Board of Pardons and Paroles denied Flores' clemency petition, and the US Supreme Court ruled 5-4 on Thursday to deny a stay of execution in his case. Flores' last chance at a reprieve was Governor Bush, who could have granted a 30-day stay of execution, something the Texas governor has only done once during his term in office. Since Bush took office in January 1995 he has

presided over 147 executions.

Mike Jones, a Bush spokesman, commented that Miguel Flores had received "full and fair access to the courts" and that "the issues raised in [his] case had been reviewed by the courts, including the US Supreme Court, and all the courts have upheld his conviction and sentence."

There are 23 foreign nationals, including 19 Mexicans, among the 446 people on death row in Texas. Three Mexican nationals have been executed since the state resumed executions following the 1976 ruling by the Supreme Court reinstituting the death penalty. The Death Penalty Information Center reports that as of November 2 there were 89 foreign nationals on death row nationwide from 31 different countries, including 44 from Mexico, 5 from Cuba and 3 each from Jamaica, Colombia and Germany.

Also put to death on Thursday was Michael Earl Sexton, 34, who died by lethal injection at 2:30 a.m. in a Raleigh, North Carolina state prison. Sexton was convicted of the 1990 rape and slaying of Kimberly Crews.

Sexton was the first person executed in North Carolina this year, bring to 16 the number executed in the state since 1977 when the death penalty was reinstated. With 232 people on death row, North Carolina has the fifth largest population of condemned inmates in the nation.

There are growing calls for a moratorium on capital punishment in North Carolina amid increasing evidence that the death penalty is administered with a racial bias. Seven city councils have passed resolutions supporting a moratorium and the state has set up a commission to investigate the issue. Michael Sexton was put to death only hours after Democratic Governor Jim Hunt refused to issue a stay despite calls from members of the state commission to halt the execution.

In another North Carolina case, the attorney for death row inmate Russell Tucker recently admitted that he purposely sabotaged his client's defense so that he would receive the death penalty. David Smith, the lawyer,

reportedly met the defendant in prison and concluded that “Mr. Tucker should be executed for his crimes,” adding, “I decided that Mr. Tucker deserved to die, and I would not do anything to prevent his execution.” Smith missed an appeal deadline and Russell Tucker is scheduled to be executed December 7.

Donald Miller, 37, was put to death on Wednesday afternoon at the Arizona State Prison complex southeast of Phoenix. He had been convicted for the 1992 murder of Jennifer Ann Geuder. Miller professed his innocence until his execution.

Miller was the third person put to death in Arizona this year and the twenty-second since the state reinstated the death penalty. Miller had fired his attorneys and refused to file appeals, stating that he would rather die than spend his life in prison. He had been on death row for nearly seven years.

Contending that Miller was incompetent, an anti-death penalty group won a stay of execution from the US Court of Appeals in San Francisco on Tuesday. On Thursday, the US Supreme Court overruled the appeals court decision only hours before Miller's scheduled execution, allowing it to proceed.

In Pennsylvania, another death row inmate, Daniel Saranchak, was scheduled to die Wednesday night for the 1993 murder of his grandmother and uncle. A so-called “volunteer” for execution, Saranchak has waved his appeals, saying he wants to be put to death.

However lawyers representing both Saranchak and his stepfather argued that Saranchak is not competent to represent himself and were granted a stay of his execution. They are asking that they be granted legal status to represent Saranchak in future appeals.



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