

Texas executes man for crime committed at 17

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30 May 2002

Napoleon Beazley died by lethal injection just after 6 pm on Tuesday evening in Huntsville, Texas for a crime committed when he was 17 years old. The young black man, who was 25 at the time of his execution, had no final words as he was strapped to the gurney before the poisonous chemicals were pumped into his body. He was pronounced dead nine minutes later.

In a one-page typewritten statement released after his execution, Beazley apologized for the 1994 crime in which he shot and killed John Luttig, 63, during a carjacking attempt. At the same time, he spoke out against his impending execution. "Tonight we tell the world that there are no second chances in the eyes of justice," he wrote. "Tonight, we tell our children that in some instances, in some cases, killing is right." He added: "The act I committed to put me here was not just heinous, it was senseless. But the person that committed that act is no longer here—I am.... No one wins tonight. No one gets closure. No one walks away victorious."

The drive by the state of Texas to send Napoleon Beazley to his death was met with protests and condemnation, both in the US and internationally. The European Union (EU), the American Bar Association, Amnesty International and other human rights groups opposed the execution. In an appeal to Texas Governor Rick Perry, the EU wrote that the execution of juvenile offenders under the age of 18 violates a number of human rights treaties that the United States has signed, and that Beazley's execution would "be contrary to generally accepted human rights norms."

Amnesty International wrote in a statement: "In Texas, under-18s are considered too young to vote, drink or serve on a jury, yet the state has no qualms in sentencing them to death." South African Archbishop Desmond Tutu wrote to the Texas Board of Pardons and Paroles: "I am astounded that Texas and a few other states in the United States take children from their families and execute them."

Last minute appeals by Napoleon Beazley's defense team failed to stop the execution. The Texas Board of

Pardons and Paroles voted 10-7 on Tuesday against commuting his sentence to life in prison and 13-4 against granting him a reprieve. Governor Perry, who has the power to grant 30-day stays of execution, refused, commenting: "To delay his punishment would be to delay justice." About 100 protesters demonstrated outside the governor's mansion as the execution approached.

The US Supreme Court refused to hear an appeal in Beazley's case, which argued that his death sentence constituted a violation of the US Constitution's ban on "cruel and unusual punishment" due to his age at the time of the crime. The young man's defense team also challenged the makeup of the all-white jury that convicted their client. Since the trial, blatant racial bias on the part of several jurors had been exposed, and the attorneys argued that Beazley could not have received a fair trial.

Last August, the high court voted to allow the execution to proceed after three justices—Antonin Scalia, Clarence Thomas and David Souter—disqualified themselves because of professional and personal ties to the son of the murder victim, J. Michael Luttig, a prominent and conservative federal appeals judge in Virginia. Only a highly unusual, last-minute stay of execution issued by the Texas Criminal Court of Appeals stopped his execution at the time, which had been scheduled for August 15, 2001.

No such last-minute reprieve was granted this Tuesday by the Texas authorities, who were intent on carrying through with Napoleon Beazley's execution. Smith County District Attorney Jack Skeen Jr., a prosecutor in the case, not to be swayed by international protests and attention in the case, commented, "This has been almost eight years to the day since the capital murder of John Luttig in front on his wife, and it is time for justice to be carried out in this case."

Maria, Napoleon Beazley's sister, spoke to the *Guardian* newspaper about her brother's case the day before the execution. "He's remorseful, he's been rehabilitated, and killing him serves no purpose other than whatever small satisfaction it could possibly give the

victim's family," she said, "And I don't think it's going to give them real closure. Our hearts go out to them, but it won't fill a void there. It's just creating one for us."

She also felt race had influenced the outcome at trial, saying, "Had it been in LA or New York somebody would have made some noise [about the jury's bias], but in this small town we're so accustomed to situations like this that it didn't raise any flags."

As Tuesday's execution approached, a small group of protesters gathered outside the brick building that houses the Texas death chamber, chanting and carrying placards. Eleven more lethal injections are planned at the Huntsville prison through mid-September, including the execution of Stanley Baker this evening, May 30. Included among those with scheduled dates are two sentenced to death for crimes committed as juveniles—T.J. Jones and Toronto Patterson.

In fact, 22 of the 38 US states that continue to practice capital punishment sanction the death penalty for those convicted of crimes committed when they were under the age of 18. Texas currently has 26 of the 74 juvenile offenders currently on death row in the US, and it leads the nation—and indeed most of the world—in the execution of these young inmates.

Since reinstatement of the death penalty in 1976, Texas has sent to their deaths 10 inmates convicted for crimes committed when they were younger than 18. When Napoleon Beazley died by lethal injection Tuesday evening he became the 270th prisoner executed in Texas during this same time period. George W. Bush, during his five years as Texas governor before being installed in the White House, presided over 152 of these state killings—more than any other governor.



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