

Texas executes Mexican national in disregard of international law

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The state of Texas executed Mexican citizen Ruben Ramirez Cárdenas, 47, late Wednesday night via lethal injection after a last-minute appeal by his attorneys to the US Supreme Court to halt his scheduled execution was rejected. The execution had been denounced in advance by the Mexican government and by international human rights advocates.

Cárdenas had been convicted and sentenced to death in 1998 for the abduction and murder of his 16-year-old cousin, Mayra Laguna, the previous year. Cárdenas insisted that his confession to police had been coerced and maintained his innocence even as he was ushered into the death chamber in Huntsville, Texas.

“I will not and cannot apologize for someone else’s crime, but, I will be back for justice. You can count on that!” Cárdenas declared in his final written statement.

According to his legal team, the evidence used against Cárdenas was faulty and the confession used in his trial was forced under pressure from the police. His attorneys had also argued that state officials violated his rights by not allowing new-found evidence to undergo DNA testing.

Notably Cárdenas was not given an attorney until 11 days after his arrest, during which time he was interrogated freely by police. Furthermore, Cárdenas was never given the chance to speak to Mexico’s consulate after he was arrested, in violation of international law.

Cárdenas’ attorney, Maurie Levin, argued that evidence used against Cárdenas is now obsolete. This includes DNA tests conducted over 20 years ago—a time when the accuracy and methods of forensic testing were in question—and an eyewitness who could not identify Cárdenas in a lineup but identified him at trial.

The central evidence used in Cárdenas’ conviction were his various confessions. His story varied during

the interrogation over the week and a half he had no attorney.

Levin argued that Cárdenas’ confessions are “false and extremely unreliable,” citing inconsistencies between his confessions and the facts of the crime including lack of evidence of sexual activity even though Cárdenas said that he raped his cousin, and his statement that he killed her in the back of a car despite only two drops of blood being found there.

Under the 1963 Vienna Convention on Consular Relations, all persons arrested from a foreign nation must be informed that they are able to contact their nation’s consulate and receive regular consultation from the consulate during their detention. In 2004, the International Court of Justice ruled that the US violated this treaty with more than fifty Mexican citizens on death row. The court ruled that all the cases were to be reviewed before any executions were carried out.

In a news release, U.N. Human Rights experts Agnes Callamard and Elina Steinerte stated, “If the scheduled execution of Mr. Cárdenas goes ahead, the US Government will have implemented a death penalty without complying with international human rights standards.”

However, in 2008 the US Supreme Court ruled that the treaty was only binding to the federal government, and had no jurisdiction over the states. “[International Court of Justice] decisions do not become domestic law absent a Congressional enactment,” the high court ruled.

According to a Reuters report, the Mexican government still claims Texas’ actions to be illegal.

Cárdenas is the seventh person put to death in Texas this year, a state which is infamous for carrying out more executions than any other.

On Wednesday, the state of Florida executed Patrick

Hannon, 53, for the murders of Brandon Snider and Robert Carter in 1991.

Hannon was killed via lethal injection in the Florida State Prison's death chamber in Starke and pronounced dead at 8:50 p.m. local time. Hannon's death marks the third execution in the state since August.

According to official records, Hannon and his friend Jim Acker went to Snider's apartment in 1991 in response to Snider vandalizing Acker's sister's apartment. Acker initially attacked Snider with a knife, nearly severing his head. Robert Carter, Snider's roommate, was also at home and attempted to flee, but was shot six times by Hannon.

During his trial, Hannon's jury initially recommended the death penalty after finding him guilty of both murders. Hannon had asked for another sentencing phase, based on recent changes to Florida's death sentencing process, but was denied.

Earlier in the year, the state of Florida revised its death penalty sentencing law, requiring a unanimous jury vote for a death sentence. The Supreme Court found that Florida's prior law, which did not require a unanimous vote, to be unconstitutional. However, the Florida Supreme Court decided that cases decided before 2002 are not affected by the new law and thus denied Hannon's request to halt his execution.

According to the *Orlando Sentinel*, Florida Supreme Court Justice Barbara Pariente argued that Hannon's jury was not given enough information or evidence to make an informed decision during the sentencing phase of the trial. Pariente dissented from the rest of the Supreme Court in denying Hannon's request.

"Hannon's jury never heard the substantial mitigation that could have been presented if his counsel had performed a reasonable investigation," Pariente wrote.



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