

PUBLIC

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Further information on EXTRA 67/98 (AMR 51/65/98, 21 September 1998) - Death penalty / Legal concern

USA (Washington State) Jeremy Vargas Sagastegui, aged 27

Jeremy Sagastegui was executed by lethal injection shortly after midnight on 13 October 1998, in Walla Walla state prison. He was pronounced dead at 12.43am local time, nine minutes after the execution commenced.

Jeremy Sagastegui was sentenced to death in 1996 after pleading guilty to triple murder, which he later said he committed in order to receive the death penalty.

At his trial, at which he represented himself, he refused to allow any mitigating evidence to be presented on his behalf, and demanded that the jury sentence him to death. After this wish was fulfilled, he then waived his right to appeal. He was reported to have suffered from serious mental illness and suicidal tendencies.

On 8 October, the state clemency board gave a split decision to Governor Locke on the case. Two board members said that Jeremy Sagastegui should be executed as he had been given adequate opportunity to present mitigating evidence at his trial. The two other board members said that the sentencing court in 1996 should have been told of a psychiatric report by prison doctors that said Jeremy Sagastegui suffered from serious mental problems. They recommended life in prison or, at least, new competency hearings. The fifth board member was absent due to illness.

On 11 October, the US Ninth Circuit Court of Appeals issued a stay of execution, saying that Jeremy Sagastegui's mother had presented sufficient evidence about her son's mental state to warrant a hearing. However, on 12 October, the US Supreme Court lifted the stay without comment.

Governor Locke denied clemency, rejecting the view that the state was assisting in a suicide or that this should be a reason to halt the execution. The Governor said that "We should not expect cold-blooded murderers to hold the same sanctity for life, including their own, that we do. There is nothing extraordinary in this case to merit leniency."

Amnesty International believes that, without exception, the execution of a human being is a cold-blooded and calculated denial of the right to life and the right not to be subjected to cruel, inhuman or degrading punishment, as proclaimed in the Universal Declaration of Human Rights. The US authorities have repeatedly stated their commitment to the Declaration during events to mark its 50th anniversary year. Their words ring increasingly hollow, however, against the mounting toll of judicial death in their country. Jeremy Sagastegui was the 52nd prisoner to be executed in the USA this year, and the 484th to be put to death since 1977 when executions resumed.

Letters expressing regret at the execution may be sent to Governor Locke. No further action by the UA Network is requested. Many thanks to all who sent appeals.