

URGENT ACTION

TEXAS AGAIN SET TO EXECUTE FOR CRIME AT AGE 18

Robert Campbell, aged 41, is due to be executed on 13 May. He has been on death row for 22 years, over half of his life. This would be the third Texas execution in three months of a prisoner who was 18 years and three months old at the time of the crime.

Alexandra Rendon went missing after leaving work at a bank in Houston on 3 January 1991. Her body was found 12 days later, with cause of death found to be a gunshot wound to her back. Eighteen-year-old **Robert Campbell** was arrested the next day at his mother's house. He was convicted of capital murder and sentenced to death in May 1992. Leroy Lewis, also 18 at the time of the crime, pleaded guilty and was sentenced to 35 years in prison.

In 2005, when it belatedly ended the execution of those who were under 18 at the time of the crime, the US Supreme Court noted that "the qualities that distinguish juveniles from adults do not disappear when an individual turns 18". Scientific research has continued to show that development of the brain and psychological and emotional maturation continues well beyond the late teenage years. The Court has long noted, including in a 1993 decision on a Texas prisoner who was 19 years old at the time of the crime, that: "youth is more than a chronological fact. It is a time and condition of life when a person may be most susceptible to influence and psychological damage." In 1989, arguing even then for an end to the execution of under-18-year-old offenders, four Justices noted research indicating that "adolescents on death row appear typically to have a battery of psychological, emotional, and other problems going to their likely capacity for judgment and level of blameworthiness".

Robert Campbell left home when he was 13 years old to escape the physical and emotional abuse he experienced, principally at the hands of his father. He lived on the streets until he was taken in by a woman at about the age of 16. In a sworn statement in 2000, the woman said "Robert finally left [his family] house for good because he saw his dad hit his mother in the face with a phone and knocked all her teeth out". She recalled that "the entire time Robert lived with me, he was very disturbed", and that "Robert could have been a good kid if his family was good. I think Robert doesn't know right from wrong because he was never taught. Robert basically raised himself. He learned everything he knew on the streets". The Sunnyside area of Houston where he grew up was recently ranked as the sixth most dangerousness neighborhood in the USA in a study using FBI crime data.

Please write immediately in English or your own language (please cite inmate number 999-032):

- Calling for clemency for Robert Campbell and for his death sentence to be commuted;
- Noting that he was aged only 18 at the time of the crime, emerging from a childhood of severe deprivation and abuse, and that if he had been only a few weeks younger at the time of the crime, he could not be executed;
- Expressing your understanding of the seriousness of the crime and its consequences.

PLEASE SEND APPEALS BEFORE 13 MAY 2014 TO:

**Clemency Section, Board of Pardons
and Paroles**

8610 Shoal Creek Blvd.
Austin, Texas 78757-6814, USA

Fax: 011 1 512 467 0945

Email: bpp-pio@tdcj.state.tx.us

Salutation: Dear Board members

Governor Rick Perry

Office of the Governor
PO Box 12428

Austin, Texas, USA

Fax: 011 1 512 463 1849

Salutation: Dear Governor

And copies to:

Governor's Press office

Fax: 011 1 512 463 1847

Office of the General Counsel

Fax: 011 1 512 463 1932

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ADDITIONAL INFORMATION

The death penalty in the USA, according to its Supreme Court, “must be limited to those offenders who commit a narrow category of the most serious crimes and whose extreme culpability makes them the most deserving of execution.” Young people clearly can commit very serious crimes with consequences for victims that are just as serious as in the case of crimes committed by fully mature offenders. Youth has nevertheless long been recognized as a mitigating factor.

The jury convicted Robert Campbell of the murder of Alexandra Rendon in the course of a kidnapping or aggravated sexual assault. The jury heard some information about his background, but less than was available from a variety of witnesses. A number of relatives and others signed affidavits in 2000 attesting to Robert Campbell’s childhood of deprivation and abuse, and saying that they had either not been contacted by Robert Campbell’s trial lawyer or if they had, that they had not been asked for the details they later shared in these affidavits. One of these statements recalled that Robert Campbell’s father “was always drunk and would beat up on their mom when he came home...also used to beat on the kids something terrible...He used to hit them on the head or wherever he felt like it. He would throw bricks, irons, and boards at them as well...Those kids had a terrible life...To this day Richard [Robert’s brother] still cries about what his dad did, and tells me ‘you just don’t know, it’s really bad.’ Whatever he did to them made them all turn to alcohol and drugs”. Robert Campbell’s older brother Wilbert recalled that “when dad was home, it was a nightmare. He was always yelling or hitting someone. As we got older dad started whipping us.” Their mother recalled how “a couple of times [her husband] cut me so bad I had to go [to] the hospital for stiches in my face and once in [the] back of my head. The kids wanted to break up the fights, but I would not let them because they would get hurt. This type of stuff went on for years...If the kids did not do exactly what he wanted, when he wanted, they were beaten bad”. Robert’s older sister recalls her father beating her with an “air-conditioning cord. I had whelps [sic] all over”. She said that “when Robert was little, he used to pretend he was leaving for school but he didn’t go. He would go hang out with kids from the apartment projects where we lived. Neither mom nor dad did anything to make sure Robert went to school.”

Between 1982 and 2003, Texas executed 13 individuals who were under 18 at the time of the crime, 60 per cent of the national total of such executions until 2005 when the US Supreme Court put a stop to this practice. The ruling recognized attributes of youth such as immaturity, impulsivity, lack of foresight, and vulnerability to peer pressure. Today, Texas leads in the execution of those who were 18 or 19 at the time of the crime. It has executed more than 70 such individuals since 1985, more than half of them in the past decade alone. Racial and geographic disparities mark this aspect of the death penalty. Robert Campbell is African American. Eight of the 13 individuals executed for crimes committed when under 18 at the time of the crime were African American. Two prisoners were executed in Texas in March 2014 for crimes committed when they, like Robert Campbell, were 18 years and three months old. Both were African American (see <http://www.amnesty.org/en/library/info/AMR51/015/2014/en> and <http://www.amnesty.org/en/library/info/AMR51/016/2014/en>). Of the at least 71 individuals who have been put to death in Texas since 1982 for crimes committed when they were 18 or 19 years old, 45 were African Americans. There are at least 36 inmates on death row there for crimes committed when they were 18 or 19 years old. Nineteen of these 36 prisoners are black.

Robert Campbell was tried and sentenced to death in Harris County. A quarter of the prisoners executed in Texas since 1977 for crimes committed when they were 17, 18 or 19 were prosecuted in Harris County (20 of 84). Sixteen of the 36 prisoners currently on death row in Texas for crimes committed when they were 18 or 19 were sentenced to death in Harris County.

Texas accounts for 514 of the 1,375 executions carried out in the USA since judicial killing resumed there in 1977 under revised capital laws. There have been 16 executions so far in 2014, six of them in Texas. Amnesty International opposes the death penalty in all cases, unconditionally. Some 140 countries have abolished the death penalty in law or practice.

Name: Robert Campbell (m)

Issue: Death Penalty

UA: 90/14

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