

# URGENT ACTION

## THIRTEEN FEDERAL EXECUTIONS IN SIX MONTHS

Three people, including one woman, were executed in the last week of the Trump administration, bringing the total number of federal executions carried out in the last six months to 13. The cases of those executed were tainted by arbitrariness, ineffective legal representation, racial bias, and involved people with severe mental and intellectual disabilities, in violation of international law and standards.

**NO FURTHER ACTION IS REQUESTED. MANY THANKS TO ALL WHO SENT APPEALS.**

The USA federal government pursued the execution of three people in a week, requesting the USA Supreme Court to lift temporary stays put in place by lower courts to consider critical questions in the cases, as well as whether recent Covid-19 diagnoses for two prisoners would make their executions “cruel and unusual punishment” under the country’s Constitution. After the Court quickly sanctioned them, the executions went ahead – hours after the set execution time – at the Federal Correctional Centre in Terre Haute, Indiana, in violation of restrictions to the use of the death penalty established under international human rights law and standards. Lisa Montgomery was pronounced dead at 1.31am on 13 January. She was the only woman on the US federal death row and the first to be put to death in the USA in 67 years. Her lawyers sought to halt her execution including as she had a severe mental disability and brain damage. Corey Johnson, a Black man, was declared dead at 11.34pm on 14 January. His lawyers highlighted that he had an intellectual disability which was not considered at sentencing and that his trial was tainted by racial stereotypes and disparities. Dustin Higgs was pronounced dead at 1.23 am on 16 January. His lawyers drew attention to the fact that the authorities withdrew evidence about a key state witness which they consider could have resulted in a lesser sentence. In all three cases, the defence teams denounced that the trial juries were not presented with key mitigating evidence of traumatic childhoods, neglect, abuse and violence, including because of ineffective legal counsel and procedural reasons.

The conduct of the USA Supreme Court in authorizing the executions was harshly criticized, including by some of its own Justices. Justice Sotomayor wrote in her dissenting opinion in *United States v. Dustin John Higgs*: “**Throughout this expedited spree of executions, this Court has consistently rejected inmates' credible claims for relief.[...] The Court made these weighty decisions in response to emergency applications, with little opportunity for proper briefing and consideration, often in just a few short days or even hours. Very few of these decisions offered any public explanation for their rationale. This is not justice.**”

Amnesty International opposes the death penalty unconditionally in all circumstances. As of January 2021, 106 countries have abolished the death penalty for all crimes, and more than two-thirds are abolitionist in law or practice. Figures from US-based Death Penalty Information Center indicate that 1,532 people have been executed in the USA since 1977, including 16 convicted under US federal law; and 174 people have been exonerated from US death rows since 1973.

**NAME AND PRONOUN:** People at risk of USA federal executions (they, them, theirs)

**THIS IS THE SEVENTH AND FINAL OUTPUT FOR UA 026/20**

**LINK TO PREVIOUS UA:** <https://www.amnesty.org/en/documents/amr51/3495/2021/en/>