

URGENT ACTION

TEXAS COURT BLOCKS EXECUTION

On 19 August, the Texas Court of Criminal Appeals granted a stay of execution to Jeffery Wood, who was scheduled to be executed in Texas on 24 August. He was sentenced to death in 1998 for a murder committed during a robbery of a convenience store in 1996. He was sitting in a truck outside the store when the murder took place.

Kriss Keeran was shot dead in a Texaco store in Kerrville on 2 January 1996. Daniel Reneau, aged 20, and 21-year-old **Jeffery Wood**, who lived in a trailer nearby, were arrested. It is undisputed that Daniel Reneau committed the murder while Jeffery Wood waited outside the store. Daniel Reneau was tried in 1997 and executed in 2002.

A prerequisite for a death sentence in Texas is a jury finding of the defendant's "future dangerousness". At Jeffery Wood's sentencing, the prosecution called Dr James Grigson, a discredited psychiatrist dubbed "Dr Death" who regularly testified at Texas capital sentencings as to his certainty that the defendant would commit future acts of violence, a form of testimony for which by 1998 he had already been expelled from the American Psychiatric Association. The prosecution nevertheless presented such testimony at Jeffery Wood's trial, without informing the jury of his expulsion. In their appeal to the Texas Court of Criminal Appeals, Jeffery Wood's lawyers claimed that the death sentence was based on false testimony given by Dr Grigson and was obtained in violation of Jeffery Wood's right to due process because it was based on false scientific evidence.

On 19 August 2016, the Court of Criminal Appeals granted a stay of execution and remanded Jeffery Wood's case to the trial court for resolution of these claims. One of the judges, Judge Elsa Alcalá, said that she would also have remanded the case on other claims raised by the appeal lawyers, namely that Jeffery Wood's "participation in the offense and his moral culpability are too minimal to warrant the death penalty, that evolving standards of decency now prohibit the execution of a person who was convicted as a party to a capital offense, and, more generally, that Texas's death-penalty scheme should be declared unconstitutional because it is arbitrary and fails to target the worst of the worst offenders."

No further action is requested at this stage. Many thanks to all who sent appeals.

This is the first update of UA 160/16. Further information: www.amnesty.org/en/documents/amr51/4654/2016/en/

Further information on UA: 160/16 Index: AMR 51/4701/2016 Issue Date 22 August 2016

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