

URGENT ACTION

MENTAL HEALTH EXPERTS SUPPORT CLEMENCY

Ricky Gray is scheduled to be executed in Virginia on 18 January. More than 50 mental health professionals have written to the state governor in support of clemency in view of the prisoner's childhood of severe sexual and physical abuse and its impact on him.

Kathryn and Bryan Harvey and their two young daughters were murdered during a burglary of their home in Richmond, Virginia on 1 January 2006. **Ricky Gray** was sentenced to death for the murder of the children and to life imprisonment for the murder of their parents. His co-defendant was sentenced to life imprisonment.

In a letter dated 10 January 2017, more than 50 professionals working in the fields of mental health, the treatment of and advocacy for victims of violence and sexual abuse, and the prevention and treatment of substance abuse and addiction, urge Governor Terry McAuliffe to "recognize the impact these factors had in Mr Gray's life" and to commute his death sentence. The crimes "were horrible", the letter continues, but "it also is beyond dispute that Ricky Gray was the victim of horrific sexual and physical abuse – starting at a very young age and continuing throughout his childhood, which led to drug abuse, crippling addiction, and ultimately criminal behaviour".

In 2016, a clinical psychologist described the "pervasive abuse, neglect and chaos" of Ricky Gray's childhood. In addition to the "punching, whipping and beating" to which his father subjected him, he was subjected to repeated rapes by his half-brother which "were so pervasive – so frequent and over such a long period of time – that they can only be described as sexual slavery". His exposure to alcohol and drugs from an early age led to substance abuse becoming his "only way to deal with overwhelming, traumatic experiences that marked his childhood".

Ricky Gray began using alcohol at the age of nine, and marijuana from the age of 11. From the age of 11 or 12, his "favorite drug quickly became PCP (Phencyclidine), because it had the miraculous effect of making him feel immune to the chronic fear that otherwise gripped him". In 2013, a neuropharmacologist has stated that "it is my opinion that Mr Gray was under the influence of PCP at the time of these crimes and that the use of PCP had a very significant impact on his behaviour at the time". This expert elaborated that, among other things, "PCP causes psychotic symptoms which mimic paranoid schizophrenia."

The experts' clemency letter to the governor concludes that "Mr Gray is an important example of someone who needed an advocate to intervene while he was a small child and subjected to terrifying abuse at the hands of his family members, or when he was a young boy and desperately turned to drugs in an attempt to numb the painful impact of this abuse. But now we must all face the stark truth that no one did intervene". Among the signatories are two recent Commissioners of the Virginia Department of Behavioral Health & Developmental Services.

Please write immediately in English or your own language:

- Calling for Ricky Gray to be granted clemency and for his death sentence to be commuted;
- Noting his childhood of physical and sexual abuse and his use of alcohol and drugs from an early age;
- Noting that dozens of mental health professionals have called for clemency for Ricky Gray;
- Explaining that you are not seeking to excuse violent crime or to downplay the suffering caused.

PLEASE SEND APPEALS BEFORE 18 JANUARY 2017 TO:

Governor Terry McAuliffe

Common Ground for Virginia

PO Box 1475, Richmond, VA 23218, USA

Fax: +1 804-371-6531

Email (via website): <https://governor.virginia.gov/constituent-services/communicating-with-the-governors-office/>

Salutation: **Dear Governor**

Also send copies to diplomatic representatives accredited to your country. HIS EXCELLENCY THE HONOURABLE MATTHEW BARZUN
American Embassy, 24 Grosvenor Square, London W1A 6AE, tel: 020 7499 9000. Salutation: Your Excellency

Please check with your section office if sending appeals after the above date.

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ADDITIONAL INFORMATION

According to his lawyers, Ricky Gray has “been an exemplary prisoner” on death row, and has long been remorseful for the suffering he caused. They quote him as saying that “Remorse is not a deep enough word for how I feel. I know my words can’t bring anything back, but I continuously feel horrible for the circumstances I put [the victims] through”.

The letter to Governor McAuliffe from the more than 50 experts notes that the “abuse and trauma” suffered by Ricky Gray “were left unaddressed and predictably led to profound despair and other serious trauma symptoms, drug addiction, and the drug use that resulted in the tragic crimes”. In his 2016 report, the clinical psychologist cited above noted that Ricky Gray “survived a hellish childhood..., but not intact... His childhood alcohol and drug abuse became an addiction that derailed his development, systematically blocked any avenue of escape from his tormented life, and eventually led to the tragic crimes for which he has been punished”. The psychologist asserted that Ricky Gray “exhibits many symptoms of Post-Traumatic Stress Disorder. He suffers such severe symptoms, decades after the vicious sexual and physical abuse that consumed his childhood, because he never received any type of treatment for these traumas”.

The clinical psychologist suggested that the execution of Ricky Gray would send “an implicit but unmistakable message” that “Ricky Gray and Ricky Gray alone is responsible for the terrible crimes that he committed”. That, he continued, would be a “false message”, one that “implicitly conveys that a child who is utterly unprotected by his family and community and by his larger society and its institutions, who is horrifically abused, that such a child is solely responsible for the terrible outcome that lies at the heart of this case. I fear that in executing Ricky Gray, we collectively absolve ourselves of any responsibility, and I believe that is a morally dangerous act”.

In a 2006 report (<https://www.amnesty.org/en/documents/AMR51/003/2006/en/>), Amnesty International wrote that: “The death penalty represents a refusal by society to accept even minimal responsibility in the crime which resulted in a punishment that assumes 100 per cent culpability on the part of the defendant. In some cases involving mentally impaired defendants, there are indications that individuals within wider society failed to heed warnings that could have averted a tragedy. This is not to suggest that crimes committed by mentally impaired people are to be condoned or excused. It is, however, to ask whether society could devote its energies and resources more constructively”. In relation to those subjected to childhood abuse and other traumas, the organization wrote that “Undoubtedly, the links between trauma suffered by individuals during childhood or later in life and their own propensity to violence are complex and variable. Abolitionists are not seeking to excuse criminal violence, but to end a sanction that is blind to this complexity and diverts resources from efforts to explain past violence and prevent its recurrence. The death penalty is a simplistic solution that denies any causation and is itself a part of a cycle of violence that does not move our understanding of the roots of violence forward one iota.”

There were 20 executions in the USA in 2016 and there has been one there so far this year. There have been 1,443 executions nationwide since the US Supreme Court approved revised capital statutes in 1976. Virginia accounts for 111 of these executions, the most recent of which was carried out on 1 October 2015. Amnesty International opposes the death penalty in all cases, unconditionally. Today more than 140 countries are abolitionist in law or practice.

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