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CONTACT: Kristin Houlié, Executive Director
512-552-5948 (cell)
khoule@tcadp.org
www.tcadp.org * Twitter: @TCADPdotORG #TXDP2019

Comunicado de prensa en español:

<https://tcadp.org/wp-content/uploads/2019/12/2019-Comunicado-de-prensa-en-español.pdf>

Report finds Texas death sentences remain at historic lows in 2019 as jurors reject the death penalty in 50% of cases

Cases scheduled for execution in 2019 rife with errors, discrimination, and compelling innocence claims

(Austin, Texas) -- The number of new death sentences and executions declined in 2019, according to a new report from the Texas Coalition to Abolish the Death Penalty (TCADP). Texas juries rejected the death penalty in 50% of the cases presented to them this year. Four capital murder trials in which prosecutors sought the death penalty resulted in sentences of life in prison without the possibility of parole, while four other capital trials ended with new death sentences.

"It is clear that prosecutors and jurors are turning away from the death penalty," said Kristin Houlié, TCADP Executive Director and author of *Texas Death Penalty Developments in 2019: The Year in Review*. "Over the past five years, 40% of trials involving death-qualified juries have resulted in sentences other than the death penalty. This year, the rejection rate was 50%. This raises serious questions about the cost and efficacy of pursuing capital punishment when an alternative exists."

As use of the death penalty declines, its application remains geographically isolated. More than one-third of all death sentences imposed by juries in Texas in the last five years came from just four counties. No Texas county has sentenced more than two people to death in that timeframe, however.

The State of Texas put 9 people to death this year, compared with 13 executions in 2018. Nine other individuals scheduled to be executed this year received reprieves from state or federal courts; in three cases (Dexter Johnson, Ruben Gutierrez, and Patrick Murphy), the inmates received multiple reprieves.

Despite declining use, the cases that were scheduled for execution this year underscored persistent concerns about the fairness and accuracy of Texas's death penalty system. Attorneys for the inmates facing execution challenged their convictions and/or death sentences on such issues as the use of false testimony, discriminatory legal proceedings, evidence of intellectual disability, and actual innocence claims, among others. Some of these claims were successful and resulted in stays, while other similar challenges failed to receive consideration by the courts.

Former Texas Court of Criminal Appeals Judge Elsa Alcala argues, “The fact that some death penalty cases were stayed and others proceeded to execution despite similar errors and concerns demonstrates an uneven and arbitrary application of justice.”

On November 15, 2019 – five days before he was scheduled to be put to death – the Texas Court of Criminal Appeals stayed the execution of Rodney Reed and ordered the case back to the trial court to consider his actual innocence claim, among other issues. Millions of people worldwide spoke against Reed’s execution. The case also drew bipartisan concern from dozens of elected officials who publicly asked Texas Governor Greg Abbott to grant a reprieve.

In contrast, Larry Swearingen was executed on August 21, 2019, despite a compelling innocence claim and substantial doubts about the circumstantial and faulty scientific evidence used to convict him. He had faced five previous serious execution dates.

Three individuals – Billie Wayne Coble, Robert Sparks, and Travis Runnels – were executed despite the fact that a state’s witness, A.P. Merillat, provided false testimony related to the issue of future dangerousness in all three cases. Over the years, Merillat offered similar testimony in at least fifteen other death penalty trials. In two of those cases, the Texas Court of Criminal Appeals ordered new punishment hearings; both of those individuals eventually were removed from death row.

Two longstanding cases from Harris County were resolved with sentences other than the death penalty this year. Marlin Nelson and Bobby Moore received reduced sentences and were removed from death row. After two trips to the U.S. Supreme Court in the past two years, Moore’s sentence was commuted to life in prison due to his intellectual disability. Nelson’s death sentence was overturned due to faulty jury instructions. A third individual, Ignacio Gomez, died in custody this year. Collectively, the three men spent nearly 90 years on death row.

Since 2015, a total of 25 individuals have been removed from death row in Texas for reasons other than execution, including sentence reductions (17), deaths in custody (7), or exonerations (1). More than half of these cases originated in Harris County. During this same timeframe, the State executed 49 people.

“The death penalty landscape in Texas has changed significantly over the past 20 years, but it is still rife with error, arbitrariness, and bias,” said Houlié. “At this critical moment in our state’s experience with the death penalty, it is imperative for concerned citizens and elected officials to examine the realities of this irreversible and costly punishment and embrace alternative means of achieving justice.”

TCADP is a statewide grassroots advocacy organization based in Austin.

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Texas Death Penalty Developments in 2019: The Year in Review is available online at <https://tcadp.org/wp-content/uploads/2019/12/Texas-Death-Penalty-Developments-in-2019.pdf>.

Previous year-end reports are available here: <https://tcadp.org/get-informed/reports/>.

A new report from the Death Penalty Information Center regarding national developments - "The Death Penalty in 2019: Year End Report" - is available at <https://deathpenaltyinfo.org/facts-and-research/dpic-reports/dpic-year-end-reports/the-death-penalty-in-2019-year-end-report>.