Texas executes Mexican citizen who killed police officer

*Edgar Tamayo Arias is executed for the 1994 killing of a Houston police officer. Mexican officials and U.S. Secretary of State John F. Kerry had asked that the case be reviewed.*

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HOUSTON — Texas executed a Mexican citizen late Wednesday despite objections from Mexico, a former Texas governor and U.S. Secretary of State John F. Kerry.

Edgar Tamayo Arias, 46, was put to death at 9:32 p.m. Central time for killing a Houston police officer in 1994, according to Jason Clark, a spokesman for the Texas Department of Criminal Justice. Tamayo made no last statement, Clark said.



Tamayo's attorneys fought until the last minute to save his life, appealing to the U.S. Supreme Court for a stay of execution. It was denied. They argued that Tamayo had been deprived of his rights because, as a foreign citizen, he should have been informed of his right to diplomatic assistance under an international treaty known as the Vienna Convention on Consular Relations.

Tamayo's lawyers turned to the high court after the U.S. 5th Circuit Court of Appeals rejected their appeal that Tamayo was developmentally disabled, mentally ill and ineligible for execution.

"If he had had the assistance of the Mexican Consulate at the time of trial, Mr. Tamayo would never have been sentenced to death," his attorneys, Sandra Babcock and Maurie Levin, said in a statement after the Supreme Court refused to grant a stay. "This case was not just about one Mexican national on death row in Texas. The execution of Mr. Tamayo violates the United States' treaty commitments, threatens the nation's foreign policy interests, and undermines the safety of all Americans abroad."

Earlier this week, the state parole board denied Tamayo's request for clemency.

Tamayo was put to death for shooting Officer Guy Gaddis, 24, who had been with the department for two years. His wife was expecting their first child.

Senior Houston Police Officer Ray Hunt, president of the Houston Police Officers' Union, was outside the death chamber in Huntsville on Wednesday with about 20 other officers, some in uniform. Several knew Gaddis, he said.

As Gaddis' mother, two brothers, sister-in-law and uncle entered to witness the execution, they shook the officers' hands and thanked them, Hunt said.

Clark said Gaddis' mother thanked the officers again after the execution.

"We believe that Mr. Tamayo got every right guaranteed to him as any person who was here legally," Hunt said, adding that the execution was "as much justice as the family can get."

Mexican officials had petitioned the U.S. government on Tamayo's behalf, including Foreign Secretary Jose Antonio Meade and Ambassador to the U.S. Eduardo Medina Mora.

Former Texas governor and attorney general Mark White, a Democrat, also backed a review of Tamayo's case.

Kerry wrote to Texas officials last fall urging a reconsideration of Tamayo's execution.

"I have no reason to doubt the facts of Mr. Tamayo's conviction, and as a former prosecutor, I have no sympathy for anyone who would murder a police officer," Kerry wrote. But he added that he was concerned the state's handling of the case could affect the way Americans are treated overseas.

The controversy dates back at least 10 years, when the United Nations' International Court of Justice, also known as the World Court, ordered the United States to reconsider the convictions of 51 Mexicans, including Tamayo, who had been sent to death row without being informed of their consular rights.

Counting Tamayo, three of the 51 have since been executed, all in Texas. Tamayo's execution was the first in Texas this year.

The 32 states with capital punishment have executed 28 foreign nationals since the death penalty was reinstated in 1976, according to the Washington-based Death Penalty Information Center.

Texas has executed 509 prisoners since it started using lethal injection in 1982, more than any other state. Twenty other foreign nationals remain on Texas death row, including 11 Mexicans.

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