



## **United States Mission to the OSCE**

# **Response to the European Union's Statement on the Death Penalty**

As delivered by Chargé d'Affaires Kyle Scott  
to the Permanent Council, Vienna  
May 14, 2009

Madam Chairwoman.

We want to thank the European Union for its expression of concern regarding the death penalty in the United States.

The use of the death penalty in the United States is a decision of democratically elected governments at the federal and individual state levels and is not prohibited by international law, nor does capital punishment violate any OSCE commitments. The people of the United States, acting through their freely elected representatives, have chosen, in most states, not to abolish the death penalty.

In terms of the specific case noted, in 1996 Dennis Skillcorn was convicted of the kidnap, robbery and murder of Richard Drummond, who, seeing that that Skillcorn's car was broken down, had stopped to offer assistance to Skillcorn and his associates. Following that murder, Skillcorn and his associates murdered Joseph Babcock and his wife Charlene in Arizona. Skillcorn had previously served 14 years in prison for the 1978 murder of an 81 year old man.

The U.S. judicial system provides exhaustive protections to ensure that the death penalty is not applied in an extra-judicial, summary or arbitrary manner. The U.S. Supreme Court has repeatedly held that capital punishment itself does not violate the U.S. Constitution. However, capital punishment may only be carried out subject to the extensive due process and equal protection requirements, and after exhaustive appeals.

Madam Chairwoman, the issue of the imposition of the death penalty continues to be the subject of vigorous and open discussion among the American people.

Thank you, Madam Chairwoman.