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Victims' Organizations Representing Survivors of Sexual Abuse Join Call for Stay of Execution for Humberto Leal Garcia

Clemency Letter Filed Today Cites Need For Prosecution of Priest Who Allegedly Abused Leal and Other Children

(Austin, TX; June 10, 2011) Victims' organizations who represent survivors of sexual abuse in Texas and nationwide today called on the Texas Board of Pardons and Paroles and Governor Rick Perry to stay the execution of Humberto Garcia Leal. In a letter delivered today (attached), the victims' organizations cite new information uncovered by post-conviction counsel that Mr. Leal was the victim of ongoing sexual abuse by a priest who allegedly abused numerous boys in his San Antonio parish. Mr. Leal is scheduled to be executed on July 7.

The victims' organizations, which include Survivors Network of Those Abused by Priests, Bishop Accountability, National Survivors Advocates Coalition, and Male Survivor, are calling for a reprieve for Mr. Leal out of a "share[d] commitment to the welfare of sexual abuse survivors and to the prosecution of sexual offenders." They also are calling for Texas officials to launch a full investigation into the criminal actions of the priest, who is reportedly currently working in a boys' dormitory in another country.

"We believe it is critical to preserve the life of Mr. Leal as both a victim and a witness," the letter, which is attached, states. "That Mr. Leal chose to disclose his sexual abuse history may prompt other victims to come forward, and his testimony would serve to corroborate their allegations."

The priest has never been successfully prosecuted for sexual abuse. In 1988, he agreed to plead guilty to indecency after two boys accused him of assault. The judge rejected the plea agreement and prosecutors were forced to drop the charges since the child victims did not want to endure the trauma of testifying. The church later agreed to settle a civil lawsuit.

The Provincial Minister of the Franciscan Friars of the Sacred Heart Province, which represents several states including Texas, also delivered a letter urging clemency.

The victims' organizations and church leader join numerous bipartisan groups also calling for clemency, including former U.S. diplomats, retired military leaders, former judges and prosecutors, and organizations representing Americans abroad, due to the violation of Mr. Leal's consular rights under the Vienna Convention on Consular Relations, which allows individuals facing prosecution in a foreign country to have early and ongoing contact with their consular representatives.

In their letters, these diverse groups express concern that if Mr. Leal is executed despite

the Vienna Convention violations, other nations will be emboldened to violate the consular rights of U.S. citizens arrested in foreign countries.

Mr. Leal was not provided consular assistance at any point during his trial, conviction or sentencing. The court-appointed trial lawyers Mr. Leal received were inexperienced and ineffective. One of them was suspended from the practice of law twice for failing to adequately represent clients and publicly reprimanded on two other occasions.

Mr. Leal's history of childhood sexual abuse was only uncovered after the Mexican consulate was informed of Mr. Leal's conviction and sentence and initiated an investigation.

"If Mr. Leal had been provided consular assistance, he would have had competent lawyers who would have discovered and presented to the jury powerful mitigating evidence about the horrific sexual abuse Mr. Leal endured as a fourth grader at the hands of his parish priest – a man he revered," said Sandra L. Babcock, Clinical Professor of Law at Northwestern University School of Law and attorney for Mr. Leal.

The victims' organizations conclude in their letter: "To ensure that justice is served and that a repeat sexual offender is no longer permitted to work closely with children, we urge [Governor Perry] to grant a reprieve to Mr. Leal until a criminal investigation of [the priest] has been completed, and he has been prosecuted to the full extent of the law."

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To speak with Mr. Leal's attorney, Professor Sandra L. Babcock, or one of the prominent supporters, please contact Laura Burstein at (202) 626-6868 or lburstein@ssd.com. Please visit www.HumbertoLeal.org for copies of the letters of support and additional documents and information.