



Office of Governor Brad Henry  
State of Oklahoma

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State Capitol - Oklahoma City OK 73105  
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## Gov. Henry Grants Clemency to Death Row Inmate Torres

*May 13, 2004*

Oklahoma City – Gov. Brad Henry today commuted the death sentence of Osbaldo Torres to a sentence of life without the possibility of parole. The decision comes after the state Pardon and Parole Board voted May 7 to recommend clemency for Torres, a 29-year-old Mexican national.

Torres had been convicted and sentenced to death for the 1993 murders of an Oklahoma City couple, Francisco Morales and Maria Yanez. Torres' co-defendant, George Ochoa, was identified by an eyewitness as the actual gunman. Ochoa also received a death sentence.

"My heart goes out to the family of Mr. Morales and Ms. Yanez. This was difficult decision, but I believe clemency is warranted by a number of issues involved in this case," Gov. Henry said.

He made his decision after a thorough review of the case that included meetings with prosecutors in the state Attorney General's office, Torres' appellate defense attorneys and relatives of the murder victims.

"It is important to remember that the actual shooter in these horrific murders was also sentenced to death and faces execution," Gov. Henry said.

"Osbaldo Torres will spend the rest of his life behind bars for his role in this deplorable crime."

The Governor also noted that Torres had not been notified of his right to contact the consulate of his native Mexico to seek legal representation. Such rights are ensured under the 1963 Vienna Convention on Consular Relations. Signed by the U.S. in 1969, that treaty is also important in protecting the rights of American citizens abroad.

The International Court of Justice ruled on March 31 that Torres' rights were violated because he had not been told about his rights guaranteed by the 1963 Vienna Convention. Under agreements entered into by the United States, the ruling of the ICJ is binding on U.S. courts.

"I took into account the fact that the U.S. signed the 1963 Vienna Convention and is part of that treaty," the Governor said.

"In addition, the U.S. State Department contacted my office and urged us to give 'careful consideration' to that fact."

Earlier today, Torres was granted a temporary stay of execution by the Oklahoma Court of Criminal Appeals.

"Despite that stay, I felt it was important to announce the decision that I had made upon a careful and

thorough review of the entire case," Gov. Henry said.

The Governor has denied the three other clemency recommendations he has received since taking office in January, 2003. Under state law, the Governor can only consider clemency if it is recommended by the Oklahoma Pardon and Parole Board.



Home | About | News and Info | Appointments | Issues & Initiatives | Site Map | FAQ | Contact | Links | Search Site

- [News and Info](#)
- News**
- [Speeches](#)
- [Our Oklahoma](#)
- [Meeting/Event Request Form](#)
- [Message to the Governor](#)
- [Suggestions to Improve Government](#)
- [Appointment Recommendation](#)
- [Register for Governor's E-Letter](#)
- [Internships](#)
- [Media Center](#)
- [Photo Gallery](#)
- [Kid's Page](#)
- [Legislative Bill Tracking](#)

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