

Editorial: Stop torturing people to death and killing the innocent

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Fairness and human decency demand moral people oppose capital punishment.

Two developments in the past week push the case for ending the death penalty beyond reasonable doubt.

- **Gruesome Exhibit A**—the botched execution of Clayton Lockett April 29.



Editor Marv KnoxLockett, a convicted murderer and rapist, was the first Oklahoma inmate to be executed with a new three-drug cocktail. The 32 states that still conduct capital punishment have scrambled to obtain lethal drugs since European pharmaceutical companies banned U.S. prisons from administering their products in executions.

So, Oklahoma tried a new mix of drugs for the first time in Lockett's execution.

Lockett lived 43 minutes after the first drug entered his body, [according to CNN](#). Eyewitnesses reported he said, "man," "I'm not" and "something's wrong," and he lifted his head off the gurney before prison officials closed

window blinds to block witnesses' view.

Lockett's body "started to twitch" and then "the convulsing got worse," his attorney, Dean Sanderford, told CNN. "It looked like his whole upper body was trying to lift off the gurney. For a minute, there was chaos."

Lockett's vein ruptured, and the execution was called off, but he then died of a heart attack, [USA Today said](#).

Advocates build a compelling case

Advocates build a compelling case for capital punishment by noting the death penalty affirms the lives of people who were murdered and/or raped or otherwise violated cruelly. Some advocates also insist justice demands people who commit heinous crimes pay the ultimate price for their deeds.

Lockett received the death penalty for the grisly murder of a 19-year-old Oklahoma woman, Stephanie Neiman. During a botched robbery, he and two other men beat her, shot her, burned her and buried her alive in a shallow grave, where she died.

Who among us has not seethed with desire to avenge such savagery? Anguish over the suffering of innocents can make us want to volunteer to release the drugs or pull the switch ourselves. As a husband and father, accounts of inhumane depravity have made me feel I could take justice into my own hands if my wife or daughters were victims of similar horror.

But the way Clayton Lockett died should force us to confront a sobering question: If we condone practices that inflict odious death, to what degree is our society superior to murderers?

Now, you may counter: This was a rare occurrence. The states will resolve the current lethal-drug situation and restore non-cruel capital punishment.

That leads us to ...

- **Logical Exhibit B**—new research showing more than 4 percent of U.S. death-row inmates most likely are innocent.

The study, released in the [Proceedings of the National Academy of Sciences](#), revealed “if all death-sentenced defendants remained under sentence of death, at least 4.1 percent would be exonerated.”

“The great majority of innocent people who are sentenced to death are never identified and freed,” Samuel Gross, lead author of the study and a University of Michigan Law School professor, said [in the Huffington Post](#). “The purpose of our study is to account for the innocent defendants who are not exonerated.”

Professor Gross and fellow researchers said the 4.1 percent estimate is a conservative figure, and the percentage of innocent-yet-convicted inmates sentenced to death is even higher.

The latest available headcount reveals 3,088 U.S. prisoners, including 287 in Texas, have been condemned to execution.

Condemning the innocent

According to the new study, that means at least 126 condemned prisoners across the United States are innocent. At least 12 Texas death-row inmates did not commit the crimes for which they are scheduled to die.

To be sure, we never will agree whether people who commit horrendous crimes deserve to die, no matter how gruesome their executions. Fox News, for example, expressed no sympathy for Lockett and pointed out he showed no sympathy for Stephanie Neiman.

But evidence for the fallibility of our justice system continues to mount. Are we really willing to say we condone taking the life of at least four innocent people every time we execute 100 convicts?

Prison is punishment. We should get out of the business of torturing other human beings to death and killing innocent people.