Executions on the rise in California

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Since the reinstatement of the death penalty in the US in 1977, the State of California has executed four men. This summer California was scheduled to execute three individuals within the space of six weeks.

Thomas Martin Thompson, 43, died by lethal injection just after midnight July 14. Horace Kelly was scheduled to die July 8, but the federal court of appeals scheduled a hearing on his case for July 23. Prosecutors say they still expect him to receive an execution date later this year. Bill Bradford, who is not challenging his execution, will die August 18.

Texas executed 37 inmates last year, and 11 so far this year. California, with 508 men and women on death row, the largest number in the US, could soon catch up to the Texas rate. The state is now scheduling 30 to 40 executions a year. 1962 was the last time California executions reached double digits (11). The record was set at the height of the Depression in 1935 and 1936 (17 in each year).

The federal Anti-Terrorism and Effective Death Penalty Act of 1996 is credited by Lance Lindsey, executive director of Death Penalty Focus, with providing 'an incentive on the part of states to create their own little death mills' to speed up executions. The act ends after one year a prisoner's opportunity to file an appeal with a federal district court judge.

The California Supreme Court now only rarely reverses a death sentence, and the United State Supreme Court is evermore impatient with execution delays.

That is what happened in Thompson's case. An 11-judge panel of the Ninth Circuit Court of Appeals halted Thompson's August 1997 execution, stating it had grave doubts about his guilt. The US Supreme Court reversed that ruling in a terse and scathing order.

Thompson in fact insisted on his innocence right up to the moment of death. He was convicted of the 1981 rape and murder of Ginger Fleischli. Thompson consistently maintained that he and Fleischli had consensual sex, and that he passed out while she was still alive, from a combination of heavy drinking and smoking hashish.

Whether Thompson, as opposed to Fleischli's male roommate, killed her was in substantial doubt. The live-in boyfriend had threatened Fleischli a short time before the murder, and fibers and other physical evidence tied him to the car trunk in which her body was found.

See Also:
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[4 February 1998]

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