

# Texas executes three men in one week

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Three men have been put to death in Texas this week. James Richardson, 32, died by lethal injection Tuesday for the 1986 holdup and murder of Gerald Abay. On Wednesday, Richard Donald Foster, 47, was executed for the 1984 murder of storeowner Gary Cox. James Clayton was put to death in the Huntsville, Texas execution chamber on Thursday for the murder of teacher Lori Michelle Barrett. Also on Thursday, Charles Adrian Foster, 51, died by lethal injection in Oklahoma for the 1983 murder of Claude Wiley, 74.

This year alone, 18 people have been put to death in Texas, including a 62-year-old woman, Betty Lou Beets, on February 24. There are 16 more executions scheduled in the state between now and August 31, including 7 in June alone. Texas Governor George W. Bush, the Republican presidential candidate, has presided over 130 executions since he took office in 1985. Since the death penalty was reinstated in 1976, Texas has executed 216 people, more than a third of the 635 people executed in the nation as a whole.

This legalized slaughter in Texas is taking place against a backdrop of growing unease in ruling circles over the death penalty in the United States, particularly in response to the growing public concern that innocent people are being sent to their deaths. In January, Illinois Governor George Ryan, a Republican and death penalty supporter, imposed a moratorium on the death penalty in his state after 13 men were released from death row having being exonerated of their crimes by new evidence since 1987. Ryan recently said that he will not sign any death warrants unless he can be given "a 100 percent guarantee" against mistaken convictions.

On May 18, the New Hampshire state legislature voted to repeal the state's capital punishment law. Governor Jeanne Shaheen, a Democrat and Clinton/Gore supporter, vetoed the bill, commenting, "There are some murders that are so brutal and heinous that the death penalty is the only appropriate penalty." Although no one has been executed in New Hampshire since capital punishment was reinstated, it would have made the state the first to repeal

the death penalty since the Supreme Court reinstituted capital punishment in 1976.

Nationally, 87 inmates have been exonerated and taken off death row since 1973, according to the Death Penalty Information Center. Many of those now calling for closer scrutiny of the administration of the death penalty are in fact supporters of the barbarous practice in principle, but fear that the blatantly unjust manner in which it is being administered threatens its credibility. Among those who have voiced concerns about the practice are right-wing TV evangelist Pat Robertson, conservative columnist George Will, former Senate candidate Lt. Col. Oliver North and William Sessions, the FBI director under Reagan and Bush.

President Bill Clinton, a consistent supporter of capital punishment, in February rejected a federal moratorium on the death penalty, although he did appoint a commission to investigate whether the administration of the death penalty is racially biased. In 1996 he signed the Antiterrorism and Effective Death Penalty Act, which severely restricts the ability of death row inmates to file writs of habeas corpus. Also under his administration in 1996 Congress eliminated funding for the twenty Death Penalty Resource Centers which provided legal services for poor defendants in capital cases.

Democratic presidential candidate Al Gore supports capital punishment, and has supported legislation to expand the federal death penalty to apply to 60 different felonies. Gore has commented that the possibility of executing an innocent person is the price one has to pay to uphold the practice.

George W. Bush, on the other hand, has consistently maintained that none of the 130 inmates executed during his term in office have been innocent. The state currently has 460 people on death row. The Texas state appeals court has reversed only eight death penalty cases in the last five years, the lowest rate in the country.

Bush has commuted only one death sentence as Texas governor. Under state law, the governor can only commute a death sentence on the recommendation of the

Texas Board of Pardons and Paroles. However, all the members of the pardon board are Bush appointees. In the one case where Bush did commute a sentence, that of Henry Lee Lucas, he had communicated his opinion to the board prior to their vote, and they voted accordingly. A majority of the 18-member board must vote to recommend commutation. Paddy Burwell, a member of the Texas pardon board, recently told the *New York Times*, "I worry that we may execute an innocent person. Any person would know that is a possibility. I think our system needs to be improved."

Last year Bush vetoed a bill that would have improved representation for poor defendants in capital cases by giving counties the authority to set up public defenders offices, now available in only a few areas. It would have also limited the power of judges to appoint their cronies and campaign contributors to represent indigent defendants.

Lawyers who represent defendants in Texas death penalty cases are severely restricted in funding for investigations. They have also been known to come to court drunk, and even to sleep during trial. However, Bush commented in February that every condemned inmate in Texas "has had full access to the courts."

Bush supports the execution of juveniles and the mentally ill. Paranoid schizophrenic Larry Keith Robison, 42, was put to death on January 21 despite international protests calling for Bush to halt the execution of the mentally ill man.

Texas death row inmate Gary Graham, 32, now known as Shaka Sankofa, is scheduled to be put to death on June 22. Graham was 17 years old when he was arrested almost two decades ago. His lawyers argue that he was convicted of rape and murder solely on the testimony of a single witness who was shown a photograph of Graham by police before picking him out of a lineup.



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