

US election may be on hold, but Texas execution machine grinds on

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Things may be on hold in the US as far as the presidential election is concerned, but executions are going full steam ahead. It is looking like a particularly good week for Texas Governor George W. Bush, the Republican presidential candidate, who will preside over three executions in the Lone Star state if things proceed as scheduled.

Stacey Lawton, 31, died by lethal injection at the Walls Unit in Huntsville, Texas after 6 p.m. Tuesday evening. The execution of Tony Chambers, 32, is scheduled for 6 p.m. tonight. The third man scheduled to be put to death this week is Johnny Paul Penry, 44, who will be put to death Thursday evening, barring an unlikely intervention by Governor Bush. These 3 executions would bring the year's total to 38, the most by any state since US authorities began keeping records in 1930.

Every state killing is a violation of basic rights and an affront to human decency, but the plan to execute Johnny Penry—a retarded man with the mental capacity of a six-year-old—is particularly cruel and vindictive. Johnny Penry has spent the last two decades on death row. His IQ has been measured by Texas authorities at 56, well below the threshold for mental competency. He cannot read or write, and spends his days in prison coloring and looking through comic books.

A recent interview Penry gave to the *New York Times* indicates that he is incapable of understanding what exactly will happen to him in the execution chamber Thursday night: “The only thing what I know is that they will have a needle in my arm, just like an IV, that's going to put me to sleep. I think it's a cruel thing to do, to put me to sleep.”

Penry raped and murdered 22-year-old Pamela Mosley Carpenter in 1979, although his confession to the crime made clear that he was incapable of fully

comprehending his actions. He told police: “I told her that I loved her and hated to kill her, but I had to so she wouldn't squeal on me.”

Johnny Paul Penry's life leading up to that tragic night in October 1979 can only be described as an American horror story. Penry's mother, only 18 years old when he was born, was placed in a mental institution in Oklahoma for nearly a year after his birth. According to Sally Belinda Potts Gonzales, one of Penry's three siblings, the children were subject to constant abuse following their mother's release from the psychiatric facility. “We were all abused, but he was abused the worst,” Gonzales told the *Times*. “She would threaten to gouge his eyeballs out with her long fingernails. She would threaten to cut off his private parts with a butcher knife.”

Johnny Penry's mother reportedly locked the child in his room for long periods of time without food or water. According to Ms. Gonzales, he was told by his mother to drink his urine out of the toilet when he got thirsty and was forced to eat his own feces.

Penry was institutionalized at the Mexia State School for the Mentally Retarded at age 12. Staff members there recounted that they discovered numerous small scars on the boy's head, which Penry told them came from a large belt buckle that his mother had used to whip him. A reading test at the school found him incapable of correctly matching simple words, such as door and hat, with corresponding drawings.

Penry is clearly unable to differentiate between reality and fantasy. He still believes in Santa Clause, telling the *Times*: “They keep talking about Santa Claus being down in the North Pole. Some people say it's not true. I got to where I do believe there's a Santa Claus.”

But despite overwhelming evidence of Penry's severe mental deficiency, Texas prosecutors have sought to

portray him as a sociopath who is trying to manipulate the system by pretending he is retarded. William Lee Hon, one of the prosecutors in Penry's case, contends that he was sent to schools for the mentally retarded because he was "an uncontrollable child." In any event, as far as Hon is concerned, mental deficiency should not protect anyone from the death chamber. He testified last year against a bill before the Texas legislature that would have barred the execution of the mentally retarded. The bill failed.

Amnesty International and other human rights groups have protested Penry's impending execution, which would fly in the face of international treaties which proscribe the execution of the mentally impaired. But Texas has executed such individuals in the past, and it is unlikely that Bush will intervene to stop Penry's lethal injection Thursday night.

According to a Bush spokesperson: "Governor Bush believes Texas law has numerous protections to prevent mentally incompetent offenders from being wrongly executed." It should be noted as well that the campaign of Democratic presidential candidate Al Gore, a death penalty supporter, had chosen not to comment on this week's execution spree in Texas.

George W. Bush has presided over 147 executions since he assumed the office of Texas governor in January 1995. Included among these individuals have been the mentally retarded, foreign nationals, juvenile offenders as well as two of the four women put to death in the US since the reinstitution of capital punishment in 1976. The overwhelming majority of those executed are poor, with a disproportionate number of African-Americans and Hispanics sent to their deaths. A large proportion of these condemned individuals have been represented by inadequate, incompetent or corrupt counsel, as documented in numerous studies.

Last week Texas put to death Mexican national Miguel Flores, despite international protests that he had not been advised of his rights to contact the Mexican consulate on his arrest, in violation of the Vienna Convention on Consular Relations. It is unlikely that protests over the impending execution of Penry will influence Governor Bush to issue a stay in his case. As Johnny Paul Penry is strapped to the gurney Thursday night and lethal chemicals are injected into his veins, his execution will serve as perhaps the most gruesome and telling illustration of just what George W. Bush's

"compassionate conservatism" is all about.

A relevant footnote: Florida Governor Jeb Bush, George W's brother, has recused himself from any public role in the vote-counting controversy raging in his state. He spent Tuesday, he told the press, "being governor." His major official act was to sign warrants for the execution of two death row inmates in the state, Robert Dewey Glock II and Edward Castro.



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