

A grim US milestone: 1,000th execution since 1976

Kate Randall

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Early Friday morning, Kenneth Lee Boyd became the 1,000th prisoner executed in the United States since the reinstatement of capital punishment in 1976. He died at 2:15 a.m. after a lethal mix of three chemicals was injected into his veins as he was strapped to a gurney in the death chamber of the Central Prison in North Carolina's state capital, Raleigh.

The Fourth US Circuit Court of Appeals and the US Supreme Court had rejected last-minute appeals on Boyd's behalf, and North Carolina Governor Mike Easley denied him clemency.

Boyd's execution brings to 57 the number of people put to death in the US so far this year, surpassed only by China, Iran and Vietnam. His execution—and the grisly milestone it represents—evoked revulsion the world over. The vast majority of advanced industrialized countries have long since outlawed the practice.

Human rights advocates in the US and internationally condemned the execution. David Elliot of the National Coalition to Abolish the Death Penalty said the state killing marked “a time for somber and sober reflection.”

The 25-nation bloc of the European Union called for the end of the death penalty worldwide, commenting in a statement, “We consider this punishment cruel and inhuman.” Petra Herrmann, chairwoman of the German group Alive e.V., said, “It is a scandal that the death penalty still exists in a civilized country like the United States of America. How can a citizen realize that murder is wrong if the state is allowed to murder its own citizens?”

A group of about 150 people gathered early Friday morning outside Central Prison in Raleigh to protest Kenneth Lee Boyd's execution. One of these protesters was Alan Gell, who was freed from North Carolina's death row in 2004 when a second jury in his case found that prosecutors had withheld witness statements showing that he was in prison when the murder occurred.

“I think it's bad that this state has to be the one to set the milestone when it's a state that's riddled with flaws in its justice system,” Gell said. The North Carolina state legislature nearly passed a moratorium on capital punishment this year in response to Gell's case, but voted to let executions continue, opening the way for Friday's execution.

Kenneth Boyd, 57, was convicted of the 1988 shootings of his estranged wife, Julie Curry Boyd, 36, and her father, Thomas Dillard Curry, 57, in the presence of his two young children. Boyd has not denied committing the murders. But as in so many death penalty cases, the brutal crime was preceded by a life beset by social problems.

Boyd was a Vietnam War veteran with a history of alcohol abuse. His lawyers argued that his experiences in the war, where as a bulldozer operator he was shot at by snipers on a daily basis, contributed to his violent outburst in 1988. He had no other history of violent crime.

Boyd's IQ tested at 77. The cutoff for mental retardation, a mitigating factor in some capital cases, is 75. The US Supreme Court ruled in 2002 that execution of the mentally retarded is a violation of Constitutional bans on “cruel and unusual punishment.” Boyd's attorneys had hoped that Governor Easley would take their client's mental state into consideration in his appeal for clemency.

The White House seized on the occasion of America's 1,000th execution to reiterate George W. Bush's support for the barbaric practice. Press secretary Scott McClellan said the president believes that capital punishment will ultimately “help save innocent lives” and that it was important that it “be administered fairly and swiftly and surely.”

In response to exonerations of one of every eight death row prisoners since 1976—many on the basis of DNA testing in recent years—Bush has promoted the expansion of the use of DNA evidence to prevent wrongful

convictions. This initiative has nothing to do with protecting the innocent, but rather is an effort to prevent the discrediting of the capital punishment system and ensure its continuation.

Bush's personal record on the death penalty is repugnant. During his five years as Texas governor before becoming president, he presided over 152 executions, commuting only one death sentence. He spent an average of only 15 minutes reviewing the cases of death row inmates before rejecting their appeals for mercy.

When Texas sent Karla Faye Tucker to her death in 1998—the first execution of a woman in the state since the Civil War—Bush mocked the condemned woman with the words: “Pleeease don’t kill me.”

Not satisfied with the speed of the assembly line of state killings, Bush's supporters in Congress are moving ahead with legislation that would in fact increase the pace. Senator Arlen Specter, Republican of Pennsylvania, last month introduced the “Streamlined Procedures Act of 2005,” which would severely restrict the ability of defendants facing execution to have their cases reviewed by federal courts in habeas corpus appeals.

Republicans have also attached a provision to legislation renewing the USA Patriot Act that would transfer reviews of individuals sentenced to death who argue that they have been represented by incompetent attorneys, including cases where lawyers have fallen asleep, been drunk in court or were otherwise grossly inept. Such reviews of incompetence would be taken out of the hands of a judge and given over to the US attorney general, in effect the nation's top prosecutor.

Bush and the Republican right vigorously defend capital punishment, screening potential federal judges and Supreme Court justices for their support for the practice, alongside their opposition to abortion rights and other civil liberties. But while they are shoring up this socially retrograde stance, support for capital punishment among the US population is waning.

A Gallup poll last month showed that support for the death penalty is at its lowest point in 27 years. Sixty-four percent of Americans favor capital punishment, down from a high of 80 percent in 1994. When offered the alternative of mandatory life imprisonment, support drops to 50 percent. If the level of support still remains quite high when compared, for instance, to European attitudes, one explanation is the violence and brutality that permeates all aspects of American society and is promoted by the authorities.

In addition to sending record numbers of people to their

deaths, the US has the highest prison population in the world, both in percentage of its population and in actual numbers of people behind bars. The greatest increases in incarceration have been among women, juveniles and immigrants. Only China, with 1.5 million prisoners, even comes close to the US levels.

The 1,000 prisoners executed in the nearly three decades since the reinstatement of capital punishment have been predominantly working class and poor. The South accounts for the majority of executions, with Texas, Virginia and Oklahoma putting more than half of the condemned inmates to death. Texas alone has carried out 355 executions.

According to the Death Penalty Information Center, those executed have included 21 foreign nationals (many denied consular access), 22 convicted for crimes committed when they were juveniles and 11 women. African-Americans have made up 337, or 34 percent, of those put to death.

A little more than a month ago, on October 25, the US marked another death toll—when the number of US military personnel killed in the Iraq war passed the 2,000 mark. As of December 2, the number had risen to 2127. The intersection of these two milestones is more than coincidence. The same government that sends its men and women to die in this criminal war condemns its citizens to death at home in record numbers in a practice reviled and condemned worldwide.

In a grim footnote, before Friday had ended, just after 6 p.m., the state of South Carolina carried out the execution of another death row inmate, Shawn Paul Humphries, for the 1994 murder of a store clerk. His became the 1,001st death sentence carried out since 1976.



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