

Pizza for the homeless

## US: Condemned man's last request denied by state, realized by public

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Last Wednesday, at around 1:30 a.m.—after a flurry of last-minute appeals by his attorneys—prison authorities carried out the execution of Philip Workman by lethal injection. Workman, 53, was convicted of shooting and killing a Memphis, Tennessee police officer during an attempted robbery of a Wendy's restaurant in 1981.

He was the third inmate to be executed by lethal injection in Tennessee since 1976, when the state reinstated the death penalty.

In lieu of a last meal, Workman requested that a vegetarian pizza be given to any homeless person near the Riverbend Maximum Security Institution where he was incarcerated. The prison authorities refused, stating that they did not give to charities.

After a local newspaper, the *Tennessean*, wrote about the condemned man's request being denied, a spontaneous movement erupted citywide. Homeless shelters across Nashville were inundated with donated pizzas all Wednesday.

The pizzas were greatly appreciated. "I was like, wow, Jesus!" commented Marvin Champion, an employee of Nashville's Rescue Mission, which provides overnight shelter, food and assistance to more than 800 homeless people a night. "This really shows the people here that someone out there thought of them."

Area resident Donna Spangler heard about Workman's request and immediately called her friends. They all pitched in for the \$1,200 bill to buy 150 pizzas, which they sent to the Rescue Mission. "Philip Workman was trying to do a good deed and no one would help him," said the 55-year-old, who recruited a co-worker to help her make the massive delivery Wednesday evening. "I just felt like I had to do

something positive."

The president of the People for the Ethical Treatment of Animals ordered 15 veggie pizzas and had them sent to the Rescue Mission Wednesday morning. "Workman's act was selfless, and kindness to all living beings is a virtue," said PETA President Ingrid Newkirk.

Not far away, 17 pizzas arrived at Nashville's Oasis Center, a shelter that helps about 260 teenagers in crisis. By 9 p.m., more pizzas had arrived, executive director Hal Cato reported. "We talked to the kids and they understand what this is tied to and they know that this man [Workman] wanted to do something to point out the problems of homelessness."

Cliff Tredway, the director of public relations for the Rescue Mission, said that it was more than pizzas that helped that shelter. "It's the story of a guy whose execution translated into a generous act," he said. "It's people donating to other people they don't know. It's about a group of people who society often writes off getting a pizza party today."

Workman had been homeless himself when he attempted to rob the fast food restaurant while high on speed and marijuana. After getting \$1,200 from the cash register, unaware that an employee had tripped a silent alarm, Workman attempted a getaway, but police were already on the scene.

A confusing shootout ensued in which one officer, Lt. Ronald Oliver, was killed and another officer wounded. Workman was beaten with a flashlight and ended up with 12-gauge shotgun pellets in his buttocks. His case was filled with controversy about whether he actually fired the shot that killed Lt. Oliver, 43, or whether the officer was killed by "friendly fire" from other

policemen who responded to the robbery call.

A Shelby County jury convicted Workman of first-degree murder. But Workman's defense lawyers formed a weak and ineffectual team. They led their client to believe his conviction was a forgone conclusion, and that his biggest concern was whether he would be found guilty of murder in the first degree.

The defense team accepted almost without question the police version of the story, conducted no forensic or ballistic analysis and did not investigate Harold Davis, the prosecution's sole eyewitness, who, as it turns out, did not witness the gun fight at all but lied in hopes of receiving favorable treatment from the police. Ballistics experts on both sides have argued in the ensuing appeals over whether the bullet that struck the officer was fired from Workman's gun.

Workman's final and unsuccessful round of appeals through Tuesday focused on whether the lethal mix of drugs Tennessee uses in executions causes "pain and suffering" and—hidden from the view of witnesses because of the paralysis it induces—constitutes cruel and unusual punishment banned under constitutional law.

The chemicals are sodium thiopental, a rapid-onset barbiturate used in anesthesia, which reduces oxygen flow to the brain; pancuronium bromide, a muscle paralytic used to suppress breathing; and potassium chloride, which causes cardiac arrest.

In a recent CNN interview, Workman spoke in chilling terms of a new report he had just read on lethal injections, not from the point of view of an expert, but rather from the standpoint of a man condemned to die by that means. "It almost wants to make me choose the electric chair," he said.

"This is a medical review of a lot of cases of people who have already been euthanized. They're saying in this report that a lot of them have suffered, but wasn't able to speak. Because what happens is that second concoction of poison—or whatever it is they shoot into you—paralyzes you. You can't move!

"So if you're feeling pain or whatever it is you're feeling ... you can't move to tell them—to say anything. You're frozen. They've determined by this medical review that a lot of people suffered but they wasn't able to say anything."

Workman was referring to a recent report released by an online medical Journal, *PLoS*, which studied cases from North Carolina and California and concluded:

"We were able to analyze only a limited number of executions. However, our findings suggest that current lethal injection protocols may not reliably effect death through the mechanisms intended, indicating a failure of design and implementation. If thiopental and potassium chloride fail to cause anesthesia and cardiac arrest, potentially aware inmates could die through pancuronium-induced asphyxiation. Thus the conventional view of lethal injection leading to an invariably peaceful and painless death is questionable."

A call by the UN Human Rights Commission for an international moratorium on the practice of capital punishment in April 2001 went unheeded by Washington despite growing popular opposition to the practice stemming, at least in part, from revelations concerning the state killing of people who had been wrongly convicted.

Recent polls have indicated that 64 percent of the US population believes in executing those convicted in capital murder cases. While still a clear majority, the figure represents a significant decrease from a high in 1994 of 80 percent in favor. When the option of a life sentence without parole is added, support for the death penalty is far lower.

No doubt, the spontaneous response to Philip Workman's last request reflected in part this growing unease with the barbaric practice of capital punishment in America, as well as the impact that his selfless act—and its stark contrast to the cruelty of the state towards both the homeless and those on death row—had on the consciousness of many people.



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