

Florida stages first execution since 2006

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Mark Dean Schwab was put to death in Florida by lethal injection on Tuesday evening, marking the first execution in the southern US state since a botched lethal injection procedure in December 2006.

Executions in Florida and across the US were on hold, awaiting the outcome of a challenge to the lethal injection protocol by two Kentucky death row inmates. In a 7-2 decision on April 16, the US Supreme Court ruled the protocol—the exclusive method used by the majority of the 36 US states that practice capital punishment—did not violate the Eighth Amendment to the Constitution’s prohibition against “cruel and unusual punishment.” The ruling was widely seen as a green light for executions to resume nationwide.

Mark Schwab, 39, was convicted in the 1991 killing of 11-year-old Junny Rios-Martinez. He committed the murder after he was released early from a prison sentence he had received for raping another young boy.

Schwab had unsuccessfully challenged Florida’s lethal injection procedure, claiming it could also cause pain and suffering. The US Supreme Court denied his appeal hours before he was put to death in the Florida’s death chamber in Starke, about 40 miles southwest of Jacksonville.

He died at 6:15 p.m. local time, about 12 minutes after the toxic mix of chemicals was injected into his veins. About 50 death penalty opponents held a brief vigil outside the prison. On the news that Schwab had died, relatives of the young victim—wearing T-shirts reading “Justice Delayed is Justice Denied”—clapped and cheered.

Executions in Florida have a long and gruesome history. Florida was the first state to reintroduce the death penalty, following the Supreme Court’s 1976 decision reinstating capital punishment, and the first to carry out an execution following that ruling. Since 1976, 65 condemned prisoners have been sent to their deaths in Florida, fewer only than Texas (406), Virginia

(100), Oklahoma (87), and Missouri (65). 314 people were executed in Florida.

Executions were temporarily suspended in the state following the execution of Angel Diaz on December 13, 2006. His execution followed the standard protocol. First, sodium pentothal is injected into the body, which is supposed to render the prisoner unconscious. Then the executioner injects pancuronium bromide, which paralyzes the muscles, followed by potassium chloride, which induces cardiac arrest.

During Diaz’s execution, he continued to move following the first round of injections, and according to witnesses was squinting and grimacing. He attempted to mouth words, at one point asking, “What’s going on?” A second set of injections was then administered and it took a total of 34 minutes before Diaz was declared dead.

An autopsy revealed that the needle for the injections had gone through Angel Diaz’s vein into the soft tissue, slowing the impact of the deadly chemicals. At the time, Jonathan Groner, associate professor of surgery at the Ohio State Medical School, commented, “It really sounds like he was tortured to death. My impression is that it would cause an extreme amount of pain.”

During another execution on June 7, 2000, it took technicians 33 minutes to find suitable veins on Florida prisoner Bennie Demps. In his final statement before the chemicals were injected into his body, Demps said, “They butchered me back there. I was in a lot of pain. They cut me in the groin; they cut me in the leg. I was bleeding profusely. This is not an execution, it is murder.”

Following Angel Diaz’s botched execution, then-Florida Governor Jeb Bush suspended all executions in the state, appointing a commission “to consider the humanity and constitutionality of lethal injections.” One of the changes recommended by the panel was for

the prison warden to assess whether the prisoner is unconscious after the pancuronium bromide is injected.

Since medical professionals overwhelmingly refuse to participate in executions on ethical grounds, prison officials and employees without medical training are drafted to oversee the grisly procedure. During Mark Schwab's execution, he appeared to be unconscious two minutes into the procedure. According to the *Miami Herald*, following this, "A warden shook Schwab, called out his name and ran a finger over his eyelashes at 6:07 p.m."

The controversy over lethal injection in Florida followed multiple problems administering the previous method of execution—electrocution. The Death Penalty Information Center (DPIC) documents three instances of electrocutions that went horrifically wrong.

During the May 4, 1990 electrocution of Jesse Joseph Tafero, six-inch flames erupted from his head, and three jolts of electricity were required to stop his breathing. On March 25, 1997, foot-high flames shot from Pedro Medina's head as he sat in the electric chair. In both cases, authorities cited problems with the sponges used to conduct electricity to the men's heads.

Allen Lee Davis was put to death by electrocution on July 8, 1999. Records of his execution indicated, "Before he was pronounced dead ... the blood from his mouth had poured onto the collar of his white shirt, and the blood on his chest had spread to about the size of a dinner plate, even oozing through the buckle holes on the leather chest strap holding him to the chair."

The Florida execution chair—referred to as "Old Sparky"—was finally retired in 2000, and the lethal injection method was adopted. In line with the recent US Supreme Court decision, attempts by Florida state and prison authorities to perfect the lethal injection procedure, having it run more smoothly and appear more "humane," are aimed at keeping the wheels of state-sanctioned killings moving.

Mark Dean Schwab was the 10th person put to death since the lifting of the moratorium, and the 1,109th since the reinstitution of the death penalty. Another 22 death row inmates are scheduled to be executed between now and the end of October (15 in Texas, three in Virginia, two in Oklahoma and one each in Arkansas and South Dakota).

According to the latest figures from DPIC and Amnesty International, there are 3,263 death row

inmates across the United States, second only to Pakistan, where 7,436 prisoners await execution.



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