

US Supreme Court clears way for execution of Virginia woman

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23 September 2010

The US Supreme Court on Tuesday refused to block the state of Virginia from executing Teresa Lewis, a 41-year-old grandmother. Barring an unlikely last minute stay-of-execution from Governor Robert McDonnell, Lewis will be injected with a lethal poison on Thursday, becoming the first woman put to death by Virginia since 1912.

Lewis, who is borderline mentally retarded, was convicted of masterminding the 2002 killing of her husband and stepson in order to collect on a \$250,000 life insurance policy for the latter. The two men who actually fired the guns that killed Julian Lewis, 51, and Charles Lewis, 25, received life sentences.

Charles Lewis was set to deploy to Iraq as a US Army reservist when he was shot in his father's trailer in rural Pittsylvania County. He had taken out the life insurance policy in case he was killed overseas.

Obama's latest appointee to the Supreme Court, Elena Kagan, voted against the stay of execution request from Lewis. Only justices Ruth Bader Ginsburg and Sonia Sotomayor voted for the stay. No further comment accompanied the two-paragraph decision.

Of the Supreme Court decision, Lewis's lawyer, James E. Rocap, commented, "a good and decent person is about to lose her life because of a system that is broken."

In New York City for the United Nations General Assembly, Iranian President Mahmoud Ahmadinejad criticized western hypocrisy for its "heavy propaganda" against Iran for the sentence passed there against a woman to be stoned to death—the decision has since been suspended—and the indifference and "media silence" toward Virginia's scheduled killing of Lewis.

"We will file an official complaint to the international community against the US if the sentence is administered and Lewis is killed," said Hossein

Naghavi, an Iranian member of parliament and the spokesman for the committee.

Amnesty International has also pleaded for Lewis's sentence to be commuted to life imprisonment. "The simple fact is that neither Iran nor the USA has any reason to boast over its record on the death penalty," it noted in a statement.

There is no question of Lewis's guilt. Within days of the murder she confessed to police that she conspired to kill her husband and stepson. She left the door to the family's trailer unlocked, and waited 45 minutes after the shootings to call 9-1-1 as her husband bled to death. Lewis also involved her 16 year-old daughter in the plot.

Yet the men who actually pulled the triggers received only life sentences. Circuit Court Judge Charles Strauss, who ruled for the death penalty, found Lewis to be the most guilty. "There is no question in the court's eyes that she is clearly the head of this serpent," he reasoned.

One of the assailants, Matthew Shallenberger, was Lewis's lover. In a letter written from prison to an acquaintance, Shallenberger, 21 at the time of the killings, said that he organized the crime and manipulated Lewis. He also told an investigator for Lewis's defense that he planned the murders. The other assailant, Rodney Fuller, then 19, has signed an affidavit stating that Shallenberger was the ringleader. In 2006 Shallenberger killed himself in prison.

Lewis's attorneys argue that her limited mental capacity precludes the possibility that she masterminded the killings. Her IQ has been measured at between 70 and 72, just above the threshold of legal mental retardation. Dr. Philip Costanzo of Duke University, who examined Lewis, noted that on the two tests Lewis actually performed below the level of

mental retardation in the portion of the tests that deal with planning.

Acquaintances describe Lewis as childlike and incapable of thinking ahead, for example, when purchasing groceries or balancing a checkbook. She held 50 different low-paying jobs before in 2000 marrying Lewis, her supervisor at the Dan River Inc. textile plant.

The Supreme Court ruled eight years ago that the execution of mentally retarded individuals violated the Eight Amendment's prohibition of "cruel and unusual" punishments.

She has also been diagnosed with dependent personality disorder, which makes her vulnerable to coercion by others, and was suffering from the mind-altering effects of a severe addiction to medical prescription drugs at the time of the killings.

Lewis's supporters have also appealed for clemency because she has helped numerous women while in prison. She had no prior history of violence.

"I do feel I could be a lot of help to some of the women—which I have already," Lewis recently told CNN. "From my understanding I've already helped a lot, to change their lives, or made them look at their lives in a different way."

"I didn't pull the trigger, but I did do wrong, and I let two people that I love be taken away, and I hurt other people I love very much. I really know that now," she told Maria Glod of the *Washington Post*. "I'm scared to death.... I want to keep living. I don't want to die."

Lewis has lived in virtual solitary confinement since 2003. According to Glod, "Since she came to prison seven years ago, Lewis has lived in the segregation unit because the state has no death row for women. She isn't allowed to attend church services or go to the recreation yard and spends most of her day alone. She lies on the floor of her cell and shouts under the door to talk with other prisoners. Her longtime chaplain said that when things get tense or rowdy, Lewis sings and it calms the women."

Lewis has a remarkable voice and, in advance of the Supreme Court ruling, recorded via telephone a rendition of the gospel song "I Need a Miracle." If killed, she will leave behind two adult children and a recently-born grandchild.

The last woman to be killed by the state of Virginia was 17-year-old Virginia Christian. Christian, an

African American domestic servant, was sentenced to death by electrocution in 1912 for killing her employer after the latter accused her of theft.

There are now 53 women on death row in the US. Out of the more than 1,200 people executed in the US since the barbaric practice was reinstated in 1976, only 11 have been women.



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