

# Executions in Missouri and Florida

**Kate Randall**  
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Two death row prisoners were put to death in the United States this week, one each in Missouri and Florida. The US Supreme Court denied last-minute appeals in both cases.

In Missouri, William Rousan, 57, received a lethal dose of the barbiturate pentobarbital just after midnight early Wednesday morning. Rousan was convicted of the 1993 killings of Charlie and Grace Lewis as part of a plot to steal their cows and other possessions.

Rousan's son Brent is serving a life sentence for his role in the killings. Robert Rousan, the condemned man's brother, who was also convicted for his part in the crime, served seven years in prison before being released in 2001.

Before he received the lethal injection, William Rousan mouthed words to his brother-in-law and a minister he had invited to witness the execution. As the drug took effect, he breathed deeply twice and then was still. He was declared dead at 12:10 a.m.

The slain couple's son and two daughters also witnessed the execution. Speaking afterward, son Michael Lewis commented, "I draw no real satisfaction from Mr. Rousan's incarceration or execution, for neither can replace or restore the moments lost with my parents or give my sons back the grandparents they never got to know."

Efforts to spare Rousan's life hinged on concerns over the secrecy surrounding the source and quality of the pentobarbital used in his execution. His lawyers argued that the possibility existed that a substandard drug could cause pain and suffering during the execution, violating the Eighth Amendment to the US Constitution's prohibition against cruel and unusual punishment.

Early Tuesday, the US Supreme Court turned down a request to delay Rousan's execution. Then on Tuesday evening, Missouri Governor Jay Nixon, a Democrat, denied Rousan's clemency request, allowing the execution to proceed.

Missouri has executed one death row inmate each month since November of last year, and is set to execute

another, Russell Bucklew, on May 21. Since the US Supreme Court reinstated the death penalty in 1976, Missouri has sent 74 individuals to their deaths, the fifth largest number of any state.

A number of the 32 US states that practice capital punishment have turned to compounding pharmacies and other sources to obtain the drugs to carry out lethal injections. The move comes after many European drug makers have stopped selling pentobarbital in the US market out of concern over its use in executions.

These death penalty states argue that their new sources of the drugs should remain secret because when the identity of the pharmacists or manufacturers became known, sources frequently chose to stop providing the drugs out of fear of adverse public attention.

In Missouri, officials have extended the definition of execution teams to include pharmacists and other suppliers that sell lethal drugs to the corrections department, throwing up a wall of secrecy around the entire supply chain. Earlier this year it was revealed that an Oklahoma-based compounding pharmacy had been shipping pentobarbital to Missouri to be used in executions.

In February, Eighth Circuit Court of Appeals Judge Kermit Bye commented that "from the absolute dearth of information Missouri has disclosed to the court, the 'pharmacy' on which Missouri relies could be nothing more than a high school chemistry class."

On Monday, the Oklahoma Supreme Court stayed the executions of two inmates, Clayton Lockett and Charles Warner, so that it could consider the constitutionality of a state law making the sources of its lethal injection drugs a secret.

On Wednesday, the court lifted the stays, ruling that inmates facing execution do not have a right to be informed of the source of the drugs used in their state killings. The decision allows the executions of Clayton Lockett and Charles Warner to proceed on April 29, barring any last-minute reprieves.

Also on Wednesday, Robert Hendrix, 47, was executed

in Florida for the 1990 murders of Elmer and Michelle Scott. Prosecutors said Hendrix killed the couple when he found out that Elmer Scott intended to testify against him in a burglary trial.

Hendrix's girlfriend at the time, Denise Turbyville, drove him to the Scotts' trailer and dropped him off. She pled guilty to two counts of second-degree murder and has 10 more years to serve on her sentence as a result of a plea deal.

Witnesses observed Hendrix's execution Wednesday evening at the Florida State Prison in Starke. When the curtain opened to the execution chamber, Hendrix was strapped to a gurney, covered by a white sheet. Only his left arm was visible and his left hand was bandaged and secured to an armrest.

The condemned man's breathing was visible for five minutes after a three-drug cocktail including midazolam hydrochloride was injected into his veins. His chest then stopped moving and he was pronounced dead at 6:21 p.m. He was the fifth person executed in Florida in 2014 and the 86th in the state since 1979.

Hendrix's attorney, Harry Brody, argued that his client's trial judge had a conflict of interest in the case, and that Hendrix's defense was ineffective. His attorneys failed to call witnesses who could have testified that Hendrix was regularly beaten by his father and had a serious drug addiction, factors that could have explained his mental state. One witness called against Hendrix was a confidential informant for a narcotics task force who stood to gain a lighter sentence for testifying against him.

The US Supreme Court denied without comment Hendrix's last-minute request for a stay, clearing the way for his execution. Nineteen people have been executed so far this year: Texas (7), Florida, (5), Missouri (4), Oklahoma (2), and Ohio (1). Twenty-seven more are scheduled through March 2016.



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