

Florida governor presides over 20th execution in first term

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Chadwick Banks, 43, was executed by the state of Florida on Wednesday. He was the eighth prisoner put to death this year in the state, which trails Texas with nine executions and Missouri with eight.

Banks died by lethal injection at 7:27 p.m. at the Florida State Prison in Starke. He apologized to a room of 19 witnesses, saying, “I am very sorry for the pain I have caused all these years.” He was visited by 14 people earlier in the day, including his parents, nine siblings, a friend and his spiritual adviser, according to the Florida Department of Corrections.

Banks was convicted and sentenced to death for the 1992 rape and murder of his 10-year-old stepdaughter, Melody Cooper. He was serving a life sentence for the murder of Melody’s mother, Cassandra Banks, who was also found shot to death in their home. The murders followed an argument between Banks and his wife at a pool hall earlier that night.

Banks’ execution was the 20th presided over by Republican Governor Rick Scott since he took office in January 2011, the most of any Florida governor in one term. He was elected to a second term on November 4. Jeb Bush, who served as governor from January 1999 through January 2007, signed 21 death warrants.

Scott is a former health care executive and multimillionaire, co-founding Columbia Hospital Corporation in 1987, which merged with Hospital Corporation of America in 1989 to form Columbia/HCA. He resigned from the merged company in 1997 amid a scandal over the company’s business and Medicare billing practices. His net worth was estimated at \$218.6 million in 2010, \$83.8 million in 2012, and \$132.7 million in 2013, according to the *Tampa Bay Times*.

A fervent death penalty proponent, Scott said in a recent statement, “Maybe the most solemn duty is

capital punishment. I take it very seriously. I think about the victims. I think about their families. It’s what I think about. I’m going to continue to do the job that I committed to do.” Scott signed Banks’ death warrant September 22.

Banks’ attorney, Terri Backhus of Tampa, appealed her client’s execution, challenging the use of Florida’s lethal injection drugs on the grounds that they violate the US Constitution’s prohibition against cruel and unusual punishment, as they present the risk of pain and suffering.

Backhus said she had tried unsuccessfully to obtain public records on changes to the Florida execution protocol. In particular, she was concerned with changes to the way prisoners are covered on the gurney in the execution chamber to avoid witnesses seeing movement that could indicate pain or suffering during the injection of the lethal drugs.

She also appealed on the grounds that Banks’ post conviction counsel lacked the resources to mount a proper appeal and missed a federal appeals deadline. Backhus also said Banks’ prior counsel failed to uncover details about Banks’ mental illness and abuse he suffered as a child.

The Florida Supreme Court denied a stay of execution in Banks’ case November 3, clearing the way for his execution.

There are currently more than 400 prisoners on death row in Florida, the second highest population of any state, according to the Death Penalty Information Center (DPIC). In June of this year, Governor Scott signed the “Timely Justice Act” a measure aimed at fast-tracking executions of these prisoners.

According to this controversial legislation, death warrants must be signed within 30 days of the state Supreme Court certifying that an inmate’s appeals and

clemency reviews have been exhausted. Once the death warrant has been signed, the executioners at the Starke prison have six months to carry out the killing.

Opponents of the Timely Justice Act contend that the rush to carry out executions will lead to the state killing of innocent individuals. According to the Floridians for Alternatives to the Death Penalty (FADP), Florida has exonerated 24 prisoners, the highest number of any state in the nation.

Three exonerated from Florida's death row spoke at an anti-death row rally held October 24 in Tallahassee. David Keaton, the first to be found innocent, was present along with recently exonerated Seth Penalver, who spent 18 years on death row, and Herman Lindsey, who was held for three years. All three are African-American. According to DPIC, of the 24 death row inmates who have been exonerated since 1973, 15 are black and four are Latino.

Since Florida lifted the ban on capital punishment in 1979 and after the US Supreme Court reinstated the death penalty in 1976, Florida has sent 89 prisoners to their deaths.



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