

Oklahoma to resume lethal injections

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The state of Oklahoma can continue to execute death row prisoners using an experimental lethal injection cocktail, an Oklahoma City federal judge ruled Monday.

The state plans to resume executions in mid-January, according to statements by Department of Corrections Director Robert Patton, when it will administer a similar concoction of lethal chemicals - this time with the dosage of midazolam raised from 100 milligrams to 500 milligrams - to death row inmate Charles Warner. Warner was originally scheduled to be executed immediately after Lockett. In addition to Warner, the state is preparing to execute at least three other prisoners by March 2015, Patton said.

Denying demands by Oklahoma death row prisoners that the court prevent the continued use of the lethal mixture used in the horrific "botched" execution of Clayton Lockett in April, US District Judge Stephen Friot held that the injection used on Lockett did not violate the 8th Amendment and other legal prohibitions against torture.

Friot rejected the arguments of medical experts that the state's decision to inject Lockett with a relatively untested combination of poisonous drugs constituted an act of illegal human experimentation. Similar compounds have previously been used for lethal injection and the federal courts cannot determine "best practices" for carrying out executions, Friot maintained, effectively authorizing the state to end its temporary moratorium on the death penalty adopted after Lockett's agonizing death in April.

There is little doubt that Lockett died after undergoing a cruel and unusual treatment easily comparable to the worst forms of torture. Supposed to finish in under a quarter of an hour, the execution lasted nearly 45 minutes, with Lockett finally collapsing from a massive heart attack, after writhing in pain on the table and desperately struggling to breath until a screen

was drawn to prevent witnesses from observing the remained of the process. Lockett's "whole upper body was lifting off the table" at times during the execution, according to his attorney.

Lockett was the first prisoner to be killed by Oklahoma with a lethal injection including midazolam, a benzodiazepine class drug which sedates the inmate to the point of paralysis, thereby concealing the true extent of the pain inflicted by the secondary injections.

Midazolam "does not relieve pain and does not maintain prisoners at an adequate level of anesthesia" according to expert medical testimony cited by Dale Baich, an attorney for the prisoners. As such, the midazolam-containing lethal injection cocktail used on Lockett produces immense suffering even when it is "correctly" administered, Baich said.

Instead, prisoners are left paralyzed on the gurney, unable to speak, as they receive shots of vecuronium bromide and potassium chloride, substances that are known to cause intense pain before producing suffocation and heart failure.

In Lockett's case, the injection appears to have failed to puncture the targeted vein, releasing the poisons into the surrounding tissue and causing the prisoner to experience, from all appearances, unimaginable pain. The state employee who administered the drugs knowingly used an insufficiently long needle to make the injection, recent reports have shown.

Also on Monday, an inquiry by prison officials in Arizona concluded that the execution by lethal injection of Joseph Wood did not involve significant errors by prison staff, despite the fact that Wood remained alive on the execution table for two hours while furiously gasping for breath.

The report concluded that Wood's execution was "handled in accordance with all department procedures" and conducted with "the utmost professionalism."



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