

US: Georgia carries out fifth execution of 2015

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Brian Keith Terrell, 47, was put to death early Wednesday morning in Georgia. Terrell, who was the fifth inmate to die by lethal injection in the state this year, proclaimed his innocence until the end in the 1992 murder of John Watson.

The lethal injection procedure had been scheduled for 7 p.m. local time at the Georgia Diagnostic and Classification Prison in Jackson, but it was delayed awaiting a decision from the US Supreme Court on Terrell's final appeal. The high court denied the appeal, without comment, shortly after 11 p.m., clearing the way for the execution to proceed.

Terrell's pastor was his only visitor on Tuesday. His mother, who has insisted he was innocent, did not attend the execution. Terrell declined when asked by Prison Warden Bruce Chatman if he had a final statement, saying, "No, sir."

The warden left the execution chamber at 12:29 p.m. Records from previous lethal injection procedures indicate that the lethal chemicals generally start to flow within a minute or two after the warden's departure.

After all the witnesses were seated and a prayer was offered, Terrell lifted his head off the gurney and mouthed, "Didn't do it," to Newton County Sheriff Ezell Brown, who was sitting at the center of the front row in the witness box.

Four reporters witnessed the execution, but only a reporter from the *Newton Citizen* was allowed in the room when Terrell was strapped to the gurney. It took an hour for the nurse assigned to the execution to get IVs inserted into both of the condemned man's arms.

One line was eventually put into Terrell's right hand. Terrell winced several times, apparently in pain. He received a single lethal dose of pentobarbital. Georgia Department of Corrections officials announced that he died at 12:52 a.m.

Terrell was convicted of the June 1992 murder of 70-year-old John Watson from Covington, 35 miles east of Atlanta. Terrell was on parole when he stole 10 checks from Watson and withdrew a total of \$8,700 from the victim's bank account, prosecutors said. Watson, a friend of Terrell's mother Barbara, asked police not to press charges against Terrell if he returned the bulk of the money.

According to the prosecution, Terrell asked his cousin to drive him to Watson's house, where he shot the older man multiple times. Terrell's lawyers claimed their client was innocent. They said no physical evidence connected him to the killing and that prosecutors had used false and misleading testimony to secure a conviction of malice murder that carried the death penalty.

The US Supreme Court's rejection of a last-minute reprieve for Terrell followed a string of legal rulings paving the way for his execution. The state Board of Pardons and Paroles denied clemency Monday night. The US District Court turned down his appeal Tuesday morning, and the Georgia Supreme Court did the same Tuesday afternoon. On Tuesday evening the 11th US Circuit Court of Appeals declined his appeal.

Terrell's execution had previously been set for March 10, but was temporarily suspended after Department of Corrections officials discovered solid chunks had formed in the drug that was to be used in the lethal injection of another inmate, Kelly Gissendaner, on March 2. Gissendaner was executed on September 30, the first woman put to death in Georgia in 70 years.

Terrell's lawyers had pleaded for clemency in part because of their concerns about the pharmacist who made the lethal injection drug. According to court filings, the pharmacist—whose identity is concealed under state law—compounded the drugs used in six

previous Georgia executions, including pentobarbital that became “cloudy” before Gissendaner’s planned execution last March 10.

The state has claimed the most likely cause of solid chunks forming in the drug was that it was shipped and stored at too cold a temperature. They claimed that precautions had been taken to prevent it from happening again. Terrell’s lawyers argued in court filings that at the very least Georgia should use another pharmacist to compound the drug.

The US states that continue to practice the death penalty have faced shortages of drugs for lethal injection procedures, as drug companies in the both the US and Europe have stopped providing them. To keep their state killing machines in operation, states have increasingly turned to compounding pharmacies, which are loosely regulated, for the lethal chemicals.

Wednesday morning’s execution marked the fifth lethal injection carried out by Georgia, more than any other year since the state first began using lethal injection in 2001. Although 31 states, the federal government and the US military have capital punishment on the books, the 28 people executed so far this year in the US were in six states: Texas (13), Missouri (6), Georgia (5), Florida (2), Oklahoma (1) and Virginia (1).

Since the US Supreme Court reinstated the death penalty in 1976, 1,422 individuals have been sent to their deaths. The Death Penalty Information Center counts 2,984 prisoners on death row nationwide as of July 1, 2015. The overwhelming majority of the condemned are working class and poor. Those sentenced to death have included the mentally impaired, foreign nationals denied their consular rights, and those convicted of crimes committed as juveniles.

While capital punishment is condemned and outlawed by the vast majority of industrialized countries, it finds support at the highest levels of the US political establishment, from the US Supreme Court to President Barack Obama.



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