

# The double-execution horror in Arkansas

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The world looked on in horror last night as two inmates were put to death in Arkansas in the first double-execution in the US since 2000. The second execution was halted temporarily after the first prisoner's attorneys claimed their client's execution appeared to be "torturous and inhumane."

The execution process for Jack Jones Jr., 52, began at 7:06 p.m. local time at the state's Cummins Unit in southeast Arkansas. The prisoner, who had spent more than two decades on death row, was pushed into the death chamber in a wheelchair, having had one leg amputated as a result of diabetes. Jones was pronounced dead by the coroner at 7:20 p.m., 14 minutes after the procedure began.

Attorneys for the second inmate set to die, Marcell Williams, 46, argued that Jones was "moving his lips and gulping for air" after being administered midazolam, suggesting he had not been rendered unconscious by the first drug in the execution protocol.

US District Judge Kristine Baker issued an emergency stay just before Marcel Williams was to be put to death, but later lifted the stay, allowing the execution to proceed. Williams' execution began at 10:33 p.m., and he was pronounced dead 17 minutes later.

The US Supreme Court had previously denied requests from both inmates to stay their executions.

Jones and Williams were among eight inmates Arkansas had sought to rush to execute over an 11-day period before the state's supply of the midazolam, one of the three drugs in the lethal injection protocol, expired at the end of the month.

Four of the original eight have now been given either temporary stays or clemency, after a flurry of legal challenges by the inmates to stop their lethal injections. Ledell Lee was executed Thursday night. One more execution, of Kenneth Williams, is scheduled for Thursday.

Arkansas Governor Asa Hutchinson, a Republican, has the power to grant clemency but declared it his duty to the victims' families that "justice is done." He dismissed the fact that the eight men he condemned to die include those with cognitive impairment, brain damage, and histories of trauma and abuse. Most of them have never had their mental health or life histories investigated and presented to a jury or judge.

Hutchinson's defense of the rapid-fire execution schedule—on the basis that the state's supply of one of the execution drugs is going to expire—can only be described as debased and

medieval. It can be compared to a hangman's complaint that his supply of rope was running low and that backwoods lynchings must go forward post haste.

There is an element of deliberate provocation in this rushing against time to carry out state-sanctioned murder—a declaration that the state can and will kill, opposition and international opinion be damned. A willful assertion of cruelty, barbarism and backwardness. It recalls the declaration of *New York Times* columnist Thomas Friedman, writing gleefully about the bombing of Serbia in 1999, "You want 1950? We can do 1950. You want 1389? We can do 1389."

The most reactionary sentiments are promoted as part of the campaign by the ruling class for capital punishment. The *Times* published an article yesterday with interviews from some who had witnessed previous executions. One prosecutor was quoted as commenting on the state killings he had viewed: "These were two evil people, and their executions did not bother me at all.... It was done. It should have been done."

In the coverage that has been given to Arkansas' rush to execution, virtually no attention has been given to the tragic life histories of those condemned to die. What kind of society produces such broken individuals—and then justifies their state killings as justice well deserved?

Jack Jones, Jr. was convicted and sentenced to death in 1996 for the brutal murder of Mary Phillips and the attempted murder of her daughter, Lucy Phillips. Jones suffered from bipolar disorder and depression. Jones's symptoms of mental illness date back to his childhood, when he suffered physical abuse at the hands of his father. He was also abducted and raped by three strangers. He attempted suicide twice. The jury that convicted him heard almost none of this mitigating evidence.

Williams was sentenced to death in 1997 for the 1994 murder of Stacy Errickson, a 22-year-old woman. Williams was a victim of sexual abuse before the age of 10. By the time he was 12, Marcel's "mother was routinely pimping him ... in exchange for food stamps, for food, for a place to stay" (Fair Punishment Project). She also routinely beat him. The jury never heard compelling evidence about his background of severe abuse.

Both men suffered from diabetes, sleep apnea and hypertension, conditions brought on by their excessive weight gain while imprisoned.

Arkansas has executed a total of 28 people since the US Supreme Court reinstated the death penalty in 1976, and 478 people before then, according to available records.

One of the most notable Arkansas executions in the modern era was that of Ricky Ray Rector in January 1992, who was sentenced to death for the 1981 murder of a police officer. Rector was convicted of shooting the officer in the back and then turning the gun on himself. The attempted suicide effectively resulted in a frontal lobotomy, rendering Rector incapable of comprehending his death sentence.

Bill Clinton, then a candidate for the Democratic Party presidential nomination, flew home mid-campaign to ensure that Rector's execution went forward as scheduled. It took Arkansas prison staff more than 50 minutes to find a suitable vein for Rector's lethal injection, and witnesses reported that they could hear him moaning behind the curtain blocking the view to the execution chamber.

President Clinton would go on to sign into law the Anti-Terrorism and Effective Death Penalty Act of 1996 (AEDPA), which severely limited the federal writ of habeas corpus for death row inmates and extended the death penalty to dozens of crimes.

While the vast majority of industrialized nations have outlawed capital punishment, it is supported in the US by wide layers of the political establishment in both big business parties. This is the case even as public support for the death penalty continues to decline.

As governor of Texas, George W. Bush signed off on 152 executions. He contemptuously mocked Karla Faye Tucker, the first woman executed in Texas since the Civil War, before allowing her lethal injection to proceed.

Barack Obama commented after a particularly heinous execution in Oklahoma, in which the inmate writhed and gasped for air for 43 minutes on the execution gurney, "There are certain circumstances in which a crime is so terrible that the application of the death penalty may be appropriate."

The current occupant of the White House, Donald Trump, has a particularly repugnant connection to capital punishment. Following the rape and beating of a white woman jogger in New York's Central Park in 1989, the real estate mogul took out full-page ads in the city's four big daily papers proclaiming: **BRING BACK THE DEATH PENALTY! BRING BACK THE POLICE!** Even after the convictions of the five black men, who were juveniles in 1989, were vacated, Trump still maintained their guilt.

There is little daylight between such statements by Trump and his actions as president, in which he has presided over the dropping of the Mother of All Bombs on the Afghan/Pakistani border, the firing of 59 Tomahawk cruise missiles on a government airbase in Syria, and the "liberation" of Mosul, Iraq, turning an estimated 300,000 into homeless refugees.

Trump's efforts to "Make America Great Again" have ushered in an even more open escalation of state violence. His

administration has vowed to "take the shackles off" of immigration police, essentially targeting every undocumented immigrant living in the US for apprehension and deportation.

Trump has proposed a \$54 billion budget increase for the Pentagon's war machine, the intelligence agencies and the Department of Homeland Security, to be offset by savage cuts to social programs. As civilians are targeted by US airstrikes in flashpoints across the globe, police in the US carry out daily shootings of unarmed and often mentally ill individuals. The ruling elite's acceptance and promotion of capital punishment is of a piece with this reactionary agenda.

The US Supreme Court, which failed to block the executions of Jack Jones, Marcell Williams, or Ledell Lee, has continuously upheld the death penalty. While ruling that capital punishment should not be used against the mentally impaired, or those convicted of crimes committed as juveniles, it has allowed the death penalty to stand. Trump appointee Neil Gorsuch cast his first recorded vote as a justice in the 5-4 decision allowing the execution of Lee to proceed Thursday night.

It was the nation's high court that ruled in 2015 that midazolam, the drug expiring in Arkansas, could be used in executions despite the fact that it was involved in gruesome deaths in at least four states. Supreme Court Justice Samuel Alito noted at the time that "because it is settled that capital punishment is constitutional ... the Constitution does not require the avoidance of all risk of pain."

In a speech in 2002, the now-departed Supreme Court Justice Antonin Scalia stated: "You want to have a fair death penalty? You kill; you die. That's fair... death is no big deal." Such are the sentiments of the most reactionary wing of the black-robed justices that sit on the highest court in the land.

These statements exemplify the ruling elite's outlook on capital punishment. It is aimed at acclimatizing the population to the daily murder and brutality of the capitalist state. While the ruling authorities claim that the United States is a beacon of democracy in a world gripped by terror, the American ruling class wallows in violence and criminality.



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