

US Supreme Court clears way for execution of Oklahoma death row inmate who maintained innocence

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The state of Oklahoma executed Anthony Castillo Sanchez, 45, on Thursday at the state penitentiary in McAlester. Sanchez was sentenced to death for the 1996 rape and murder of University of Oklahoma ballet student Jewel "Juli" Busken, 21. He spent 17 years on death row.

Sanchez maintained his innocence until the end. "I'm innocent," he said as he was strapped to the gurney inside the death chamber. "I didn't kill nobody." He added that his attorneys were "the worst lawyers in the state of Oklahoma" and he's "sorry to whoever has them as lawyers."

The lethal drugs to kill Sanchez were administered starting at around 10:08 a.m. At one point a member of the execution team entered the chamber and reattached an oxygen monitor that prison officials said had malfunctioned. He was pronounced dead at 10:19 a.m.

The US Supreme Court cleared the way for Sanchez' execution despite numerous evidentiary inconsistencies in the case against him, including questionable DNA evidence and the possibility that his father had committed the murder. The Oklahoma Court of Criminal Appeals unanimously denied Sanchez' appeal in April, saying that the questions surrounding his guilt were not strong enough to overcome the "compelling evidence" against him.

In June, Sanchez declined to have a clemency hearing before the Oklahoma Pardon and Parole Board. "The state always seems to come out on top," Sanchez wrote. "Even when it doesn't, Governor [Kevin] Stitt is more than willing to make sure that death wins in the end. Why would someone like me participate in such a process?"

Sanchez told the Associated Press (AP) that even

when the five-member board has taken the rare step of recommending clemency, Stitt was unlikely to grant it. "I've sat in my cell and I've watched inmate after inmate get clemency and get denied clemency," he said. "Either way, it doesn't go well for the inmates."

Stitt has granted clemency to only one death row inmate, Julius Jones, whose sentence was changed from death to life in prison without parole after a public outcry over his possible innocence and racial discrimination in his case. Between 1977 and 2022, only four death row inmates in the state have been granted clemency, while 112 have been executed.

Arkansas native Busken was abducted on December 20, 1996, from an apartment complex in Norman, Oklahoma, and was raped and shot in the head at nearby Lake Stanley Draper. Sanchez was convicted in 2006 based largely on DNA evidence collected from him when he went to prison in 2002 on a second-degree burglary charge. In 2004, the Oklahoma State Bureau of Investigation (OSBI) matched his DNA with sperm on Busken's clothing from the crime scene.

David Ballard, a private investigator hired by Death Penalty Action, said that the DNA evidence may have been contaminated and that an inexperienced technician from the Oklahoma City Police Department miscommunicated the strength of the evidence to the jury. Adding to suspicion about the prosecution's DNA evidence, a few years before charges were brought against Busken, the OCPD lab had been at the center of national scandal when the lab's supervisor, Joyce Gilchrist, was found to have manipulated evidence in criminal cases. One man had been exonerated and released after being wrongly imprisoned for rape.

However, Tim Kuykendall, former Cleveland County

district attorney, said that there was other evidence linking Sanchez to the crime, including ballistic evidence and a shoepoint found at the scene.

Investigators supposedly linked a pair of Nike sneakers he owned to the shoemarks. Sanchez has long maintained that the state said the shoemarks found at the crime scene were left by a man wearing a size 9. “Look at the killer’s footprints. They’re a size nine,” he said. “I wear 11 and a half. I cannot shrink my foot.”

Sanchez, who is part Mexican and Choctaw, was convicted by an all-white jury. His attorneys at the time, Mark Barrett and Randall Coyne, did not challenge this fact at trial. Sanchez told Oklahoma News 4 that he was at his home in Moore with family at the time of the killing. “I have 8 alibi witnesses,” he said. “Not one lawyer has checked my alibi witnesses.”

Rev. Dr. Jeff Hood, Sanchez’ spiritual adviser, said Death Penalty Action believes that Sanchez’ father, Glen Sanchez, was the real killer. Charlotte Beattie, Glen Sanchez’ girlfriend at the time charges were brought against the younger Sanchez, told *The Intercept* that when an Oklahoma police detective showed a forensic artist’s sketch of the supposed killer, it looked more like Anthony than Glen.

The Intercept reports, “Like many who knew Sanchez, Beattie couldn’t believe he’d committed such a horrible crime. She’d never known him to be violent—not like Glen, who could be terrifying.” Beattie said that years after Sanchez was sentenced to death, his father brought up victim Juli Busken.

According to *The Intercept*: “He’d just all of a sudden start talking about her,” Beattie said. He said ugly things, calling her “the ballerina girl” or “that Busken bitch.” Perhaps most chilling, “He’d always say, ‘I should’ve done a better job at it.’” When Beattie asked Glen if he was saying what it sounded like, he deflected. She didn’t press him. But she came to call those nights “his confession time.”

Sanchez, however, told News 4 in a phone interview from death row that he did not believe his father was a murderer. “I love my dad, there’s no getting around that. I don’t think that he did it. I know I didn’t do it. Nobody wants to believe their father is a monster.”

Sanchez was the third person executed in Oklahoma in 2023. Oklahoma resumed carrying out the death penalty in 2021 after a six-year moratorium prompted by concern over its execution methods. In April

2014, Clayton Lockett reacted violently to his lethal injection, kicking, grimacing and lifting his head off the gurney, only to be pronounced dead 43 minutes after the process began.

The first prisoner to be put to death in Oklahoma when executions resumed in 2021, John Grant, vomited and convulsed on the execution gurney, to the horror of witnesses. Donald Grant, an intellectually disabled man, was put to death in January 2022; Benjamin Cole, a severely mentally ill inmate, was executed in October 2022.

Since the Supreme Court reinstated the death penalty in 1976, Oklahoma has put 122 men and women to death, second only to Texas, which has executed 583. The state is considering, along with Alabama and Mississippi, the use of nitrogen gas asphyxiation as a first-line method of execution.



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