

Georgia executes Willie James Pye despite his intellectual disability

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Willie James Pye, who was convicted in 1993 for the rape and murder of his former girlfriend, was put to death by means of lethal injection on Wednesday night by the state of Georgia.

Pye, 59, was administered the sedative pentobarbital in the execution chamber of the Georgia Diagnostic and Classification Prison in Butts County, about 50 miles southeast of Atlanta. He was pronounced dead by the Georgia Department of Corrections at 11:03 p.m.

The execution of Pye was the first in Georgia since 2020 and was carried out after the US Supreme Court denied his final appeal late on Wednesday. The Georgia Parole Board, which can grant clemency to death row inmates, also denied a 36-page clemency request on Tuesday.

In a tersely worded statement, the state parole board said, “Following a meeting to consider clemency for condemned inmate Willie James Pye, and after thoroughly considering all of the facts and circumstances of the case, the State Board of Pardons and Paroles has denied clemency.”

A report in the *Washington Post* described Pye’s last minutes, saying he “accepted a final prayer but did not record a final statement before he was put to death, said Lori Benoit, a spokeswoman for the Georgia Department of Corrections. He was visited by six family members, a clergy member and an attorney on the day of his execution.”

Reporter Jennifer Peebles, of the *Atlanta Journal Constitution*, described what she saw in the execution chamber on Wednesday night:

Willie James Pye lay strapped to a gurney in the death chamber. No one in the witness room spoke. No one moved.

... Witnesses were taken by vans to the small

building on the prison campus that houses the state’s death chamber. Each group was led single-file by a prison officer up a short cement ramp, the base flanked by two members of the prison’s tactical team in full riot gear. They cradled assault rifles. The face shields on their helmets were lowered.

The outside darkness gave directly into the full light of the execution witness room. By the time media witnesses crossed the threshold, the warden had pulled back the curtains over tall windows. The condemned man, strapped in place, was in full view.

The gurney was positioned to face the witnesses and tilted so Pye’s head was elevated, his feet lowered. His arms were splayed out on either side and each was hooked up to intravenous lines. A sheet covered most of his body.

... After Warden Shawn Emmons read Pye’s death warrant, he and the chaplain exited the death chamber. Then a fatal dose of pentobarbital began flowing into Pye’s veins.

The execution took five, maybe 10 minutes. Witnesses were not allowed to wear watches or bring in cellphones. The clock on the wall was visible to the officials in the death chamber but not to those on the back row of the gallery.

When the time came, Pye briefly glanced up at the ceiling, then shut his eyes and didn’t open them again. For a moment, he began to snore.

His cheeks puffed with air few times as he took his final breaths. His head shuttered slightly at one point, briefly. He tilted his head to one side, and after a little bit, to the other.

After a few moments, Pye stopped moving. The warden reappeared with two men in white coats with stethoscopes. They evaluated Pye, then

nodded slightly to each other.

In 2021, a panel of the Eleventh Circuit Court of Appeals granted relief and vacated Pye's sentence on the grounds that he was inadequately represented by his public defender but after a full review the appeals court reimposed the sentence.

Willie James Pye was the fifty-fourth inmate in Georgia to be put to death by lethal injection. In all, there have been seventy-five men and one woman executed in Georgia since the US Supreme Court reinstated the death penalty in 1976.

The execution of Pye was a barbaric act of state murder. Everyone in the judicial system from the Eleventh Circuit Appeals Court on up to the US Supreme Court is well aware of the fact that Pye, who was 28 at the time of the murder of Alicia Lynn Yarbrough, was intellectually disabled and railroaded at his trial. His sentence of death resulted from a combination of a vicious prosecutor and a corrupt public defender.

According to the court record, Pye had planned in 1993 to rob a man with whom Yarbrough was living along with two accomplices. He was angry with Yarbrough because that man had signed the birth certificate of a child Pye claimed was his.

Pye bought a .22 pistol before the three men went wearing ski masks to the man's home, where Yarbrough was alone with the baby. Pye kicked in the door and held Yarbrough at gunpoint, while the men took her ring and necklace. The three then abducted her, took her to a motel and raped her.

The court document says they drove Yarbrough down a dirt road, where Pye ordered her out of the car and told her to lie face down. He then shot her three times. Pye was convicted based on the testimony of one accomplice as well as DNA evidence taken from the Yarbrough's body.

While Pye was given a death sentence, his accomplices were given life sentences for their roles in Yarbrough's murder.

Among the reasons for clemency submitted to the Georgia Parole Board by the Federal Defender Program were:

- The conditions of Pye's childhood—where he faced from birth profound poverty, neglect, constant violence and chaos in his family home—contributed to his developmental disabilities. These factors were never presented to the jury in his trial.

- The Georgia Supreme Court ruled in 1989 that executions of the intellectually disabled violate the state constitution.

- Pye has never been a threat to the lives of corrections staff, contrary to the prosecutor's representation to the jury.

- The jurors who sentenced Pye to death have now asked that he not be executed.

- Pye expressed remorse for the harm he caused the family of Alicia Lynn Yarbrough.

Appealing to the parole board, Pye's clemency attorneys wrote, "Had defense counsel not abdicated his role, the jurors would have learned that Mr. Pye is intellectually disabled and has an IQ of 68." The public defenders wrote that Pye grew up in an impoverished home and was subjected to "constant violence," and, "This is precisely the kind of evidence that supports a life sentence verdict."

None of these facts were sufficient to stop the execution of Pye from going forward.

Since the death penalty was reinstated in 1976, at least thirty-five people with mental disability have been executed in the United States. The exact number of people with a cognitive disability who are on death row awaiting execution is not known; experts believe there may be two or three hundred.

According to a recent analysis published by the University of Pennsylvania, disabled people make up two-thirds of the federal prison population. The study also showed that "disabled incarcerated people are more than twice as likely as nondisabled incarcerated people to have previously resided in therapeutic institutions, such as psychiatric hospitals, residential treatment facilities, and group homes (46% vs. 20%)."

A survey published by the Bureau of Justice Statistics showed that 38 percent of incarcerated individuals reported a disability, which translates into 760,000 inmates. The report also said approximately one quarter of those surveyed reported having a cognitive disability, such as difficulty remembering or making decisions. A similar proportion reported at some point being told they had attention deficit disorder, and fourteen percent were told they had a learning disability.



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