

Anthony Boyd executed in Alabama by nitrogen gas despite ineffective counsel and doubt of his guilt

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The state of Alabama executed Anthony Boyd, 54, on Thursday, October 23, 2025, killing him by nitrogen gas hypoxia, or suffocation, at the William C. Holman Correctional Facility in Atmore. Boyd, who maintained his innocence until the very end, is the 40th person executed in the US this year—a figure not seen since 2012.

Boyd's death marked the seventh time Alabama has utilized the controversial nitrogen hypoxia method since January 2024. Witnesses to previous nitrogen gas executions have reported visible suffering of prisoners, including conscious terror, shaking, convulsing and gasping for minutes.

Boyd publicly pleaded with Republican Governor Kay Ivey in the days leading up to his execution, urging her to meet with him “before an innocent man is executed” and calling on her to “Do the right thing and stop this execution.” Governor Ivey’s office declined the request for a one-on-one meeting, stating that they had not seen any recent court filings disputing Boyd’s guilt.

Boyd’s execution proceeded just hours after the US Supreme Court, in a divided 6-3 decision, denied a final appeal to halt it.

The court’s three liberal justices issued a dissenting opinion authored by Justice Sonia Sotomayor and joined by Justices Elena Kagan and Ketanji Brown Jackson. The dissent condemned both the execution method and the majority’s refusal to intervene.

Justice Sotomayor wrote:

Boyd asks for the barest form of mercy: to die by firing squad, which would kill him in seconds, rather than by a torturous suffocation lasting up to four minutes. The Constitution would grant him that grace. My colleagues do not.

She added that Boyd presented evidence that nitrogen hypoxia could subject a person to “up to seven full minutes of conscious, excruciating suffocation,” in contrast to a firing squad. She argued that the method goes beyond inflicting death and introduces an unconstitutional element of torment, writing:

When a State introduces an experimental method of execution that superadds psychological terror as a necessary feature of its successful completion, courts should enforce the Eighth Amendment’s mandate against cruel and unusual punishment.

Drawing on witness accounts from previous nitrogen gas executions,

Justice Sotomayor painted a grim picture of what Boyd would face, describing observations of “violent convulsing, eyes bulging, consistent thrashing against the restraints, and clear gasping for the air that will not come.”

In his final moments, Anthony Boyd did not ask for forgiveness but instead issued an unyielding indictment of the legal process that condemned him—a protest rooted in the documented flaws of his 1995 trial.

The Montgomery Advertiser reported his last words:

I just want to say again, I didn’t kill anybody, I didn’t participate in killing anybody. Just want everyone to know, there is no justice in this state.

He added that everything he had said in his various appeals in court was valid, but that the courts “all backed each other up” in keeping his death sentence proceeding as planned. “It’s all political, it’s all revenge-motivated. There is no justice in the state, there can be no justice in the state,” he said.

A timeline constructed from media witness reports details a process that lasted over half an hour from start to finish:

- 5:57 p.m. CT: The nitrogen gas began to flow into the mask placed over Boyd’s face.

- First 14 Minutes: For the next 14 minutes, Boyd’s legs reportedly raised several inches off the gurney as he took “deep, shuddering breaths.” A media witness reported hearing Boyd’s brother, who was present, say, “It’s like he’s gasping for air.”

- 6:15 p.m. CT: Boyd began taking “choking breaths” and his head appeared to jolt before lolling from side to side.

- 6:17 p.m. CT: His last visible breaths appeared to come at this time.

- 6:33 p.m. CT: Anthony Boyd was officially pronounced dead.

Boyd’s spiritual adviser, Rev. Jeff Hood, who was in the chamber with him, described the execution as “torture.” He estimated that Boyd was “conscious and fighting for life for at least 19 minutes.” Hood also suggested that Boyd’s mask may not have been properly sealed, though other media witnesses did not report this observation. Alabama Department of Corrections Commissioner John Hamm later confirmed that it was the state’s longest nitrogen gas execution to date.

The crime and unreliable conviction

Anthony Boyd was convicted for his alleged role in the 1993 murder of Gregory "New York" Huguley, 32, in Talladega County, Alabama. Prosecutors claimed the crime stemmed from an unpaid \$200 cocaine debt. Boyd, who was 21 at the time of the crime, was charged as an accomplice alongside three co-defendants: Shawn Ingram, Dwinaune Quintay Cox and Marcel Ackles.

The prosecution argued that Huguley was kidnapped at gunpoint, forced into a van, and taken to a baseball field where he was taped up, doused in gasoline and set alight. The state's theory held that Boyd taped the victim's legs to a bench. Huguley reportedly burned for 10 to 15 minutes before the flames died out.

The conviction was secured based solely on eyewitness testimony, with no forensic evidence linking Boyd to the crime. No fingerprints or other physical evidence tied him to the vehicle, crime scene or materials involved. Critically, while the prosecution claimed Boyd taped the victim's legs, the state medical examiner testified that evidence of duct tape was found on Huguley's face and right forearm, but not on his legs.

Boyd asserted he was innocent, and several witnesses testified he was at a party on the night of the crime, but after a two-day trial, jurors convicted him of capital murder.

The case against Boyd provides a harrowing picture of the inequities inherent in the US death penalty system.

- **Incentivized testimony:** The prosecution relied heavily on the testimony of co-defendant Quintay Cox. Cox, who unlike Boyd was able to hire a private attorney, struck a plea deal to testify against Boyd and the others in exchange for a parole-eligible sentence. He was released from prison in 2009. Cox admitted on the stand that a significant part of his story changed between his initial statement to police and his statement given as part of his plea deal, saying, "I didn't have an agreement" before the change in his story.

- **Ineffective assistance of counsel:** Boyd was represented by court-appointed attorney William Willingham, who had little experience and was paid a statutory capped fee of just \$1,000 for his work. Willingham had previously worked for the prosecutor, Robert Rumsey, whom he praised as "one of the best." Willingham told the judge he "just didn't have any time to prepare" for the capital case, needing to prioritize higher-paying work. He failed to interview key prosecution witnesses and neglected to call multiple witnesses who could have corroborated Boyd's alibi that he was at a birthday party and motel the night of the murder.

- **Non-unanimous verdict:** After a two-day trial, the jury convicted Boyd and voted 10-2 to recommend the death penalty. This non-unanimous verdict would have prohibited a death sentence in nearly every other state.

- **Procedural bars to innocence claims:** Despite the numerous questions regarding Boyd's innocence and the credibility of the prosecution's case, judges summarily dismissed his post-conviction petition on procedural grounds. Consequently, no state or federal court has heard the evidence supporting Boyd's innocence and constitutional claims that require a new trial.

The nitrogen hypoxia human experiment

Boyd was executed by nitrogen hypoxia, a method that deprives victims of oxygen by forcing them to inhale pure nitrogen gas through a sealed mask. This method has been widely criticized by human rights experts and medical professionals alike.

United Nations human rights experts had warned that this untested method might result in a painful and humiliating death and likely constitutes torture, violating international human rights treaties ratified by the US. Critics, including Boyd's lawyers, argue that the method causes

"conscious suffocation," inflicting suffering that constitutes "cruel and unusual punishment," banned by Eighth Amendment to the US Constitution.

Authorities in the US and Europe have discouraged the use of nitrogen gas for most mammals, citing potential distress, panic and seizure-like behavior. The American Veterinary Medical Association has generally found the use of nitrogen gas unacceptable for euthanizing animals because it causes panic and distress, signs evident in experiments on rats. Louisiana state law even outlaws gassing as a euthanasia method for dogs and cats unless they are first sedated.

Alabama has carried out all but one of the nation's executions by nitrogen hypoxia, repeatedly claiming the process is "textbook" despite graphic witness accounts of inmate suffering.

- Kenneth Smith, January 25, 2024, Alabama: The first-ever nitrogen execution. Despite state claims of a painless death, witnesses reported Smith shook, convulsed, writhed and gasped for minutes. The execution lasted at least 22 minutes. His spiritual adviser called it "torture."

- Alan Eugene Miller, September 26, 2024, Alabama: Miller struggled against the restraints, shaking and trembling for about two minutes, and gasped intermittently for approximately six minutes.

- Carey Dale Grayson, November 21, 2024, Alabama: Grayson shook violently, pulled against his restraints, raised both middle fingers, and took more than a dozen gasping breaths for several minutes, with his legs lifting off the gurney.

- Demetrius Frazier, February 6, 2025, Alabama: Witnesses reported Frazier grimaced and quivered as the gas flowed for about 15 minutes. Prison officials dismissed these actions as "involuntary reactions."

- Jessie Hoffman Jr., March 18, 2025, Louisiana: Louisiana's first nitrogen execution, ending a 15-year pause in state killings.

- Gregory Hunt, June 10, 2025, Alabama: After the gas began to flow, Hunt briefly shook, gasped and raised his head off the gurney; he let out a moan and raised his feet and took four or more gasping breaths with long pauses in between before remaining still.

- Geoffrey Todd West, September 25, 2025, Alabama: West showed some movement, including rapid and deep breathing, hand twitching and some shaking, which officials said were involuntary.

Executions in 2025

Boyd's execution comes amid a notable surge in the use of capital punishment across the United States in 2025. Anthony Boyd was the 40th inmate executed in 2025, a number not seen since 2012. At least five more executions are scheduled before the end of the year. This compares to 25 state-sanctioned killings in 2024, 24 in 2023, 18 in 2022 and 11 in 2021.

2025's elevated number of executions has been concentrated in a few states. Florida is leading the nation, having set a new modern-day record by carrying out 14 executions so far this year, surpassing its previous annual record of eight. Florida, like Alabama, does not require unanimous jury recommendations for death sentences.

Other states carrying out executions this year include Alabama, with 5 executions; Texas, 5; South Carolina, 4; Mississippi, 3; Arizona, 2; Indiana, 2; Oklahoma, 2; Tennessee, 2; Louisiana, 1.



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