

Utah’s vote for firing squad shows frustration with drug shortages

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Associated Press

SALT LAKE CITY — A vote by Utah lawmakers to bring back executions by firing squad is the most dramatic illustration yet of the nationwide frustration over bungled executions and shortages of lethal-injection drugs.

Utah and several other states are scrambling to modify their laws on the heels of a botched Oklahoma lethal injection last year and one in Arizona in which the condemned man took nearly two hours to die. Meanwhile, Texas executed a Mexican mafia hit man Wednesday evening with its second-to-last dosage of drugs.

Utah Republican Gov. Gary Herbert has declined to say if he will sign the firing-squad bill, a decision that’s not expected for a week or so.

“States are wondering which way to go, and one way is to send up a warning flag that if you don’t allow us freedom in this lethal-injection area, we’ll do something else,” said Richard Dieter, executive director of the Washington, D.C.-based Death Penalty Information Center, which opposes capital punishment. “This might be a message rather than a preferred route of punishment.”

States have struggled to keep up their drug inventories as European manufacturers opposed to capital punishment refuse to sell the components of lethal injections to U.S. prisons. The Texas deadline is the most imminent, but other states are struggling, too.

The Utah bill’s sponsor, Republican Rep. Paul Ray, argues that a team of trained marksmen is faster and more humane than the drawn-out deaths involved when lethal injections go awry.

Though Utah’s next execution is probably a few years away, Ray said Wednesday that he wants to settle on a backup method now so authorities are not racing to find a solution if the drug shortage drags on.

He’s hopeful that the proposal will become law, saying he thinks the governor would have already announced his intention to veto it if that were his plan.

Opponents, however, said firing squads are a cruel holdover from another era and will earn the state international condemnation.

Lawmakers stopped offering inmates the choice of firing squad in 2004, saying the method attracted intense media interest and took attention away from victims.

Utah is the only state in the past 40



The floor of the House of Representatives is shown Wednesday at the Utah State Capitol in Salt Lake City. Utah, the only state in the past 40 years to carry out a death sentence by firing squad, is poised to bring back the executions if the state cannot track down drugs used in lethal injections.

AP Photo/Rick Bowmer

years to carry out such a death sentence, with three executions by firing squad since the U.S. Supreme Court reinstated the death penalty in 1976. The last was in 2010, when Ronnie Lee Gardner was put to death by five police officers with .30-caliber Winchester rifles in an event that generated international interest and elicited condemnation from many.

The American Civil Liberties Union decried Gardner’s execution as an example of the “barbaric, arbitrary and bankrupting practice of capital punishment.” Religious leaders at the time called for an end to the death penalty at an interfaith vigil in Salt Lake City.

Three more death-row inmates who chose firing squad before the law changed would still have the option after their appeals are exhausted. If those executions go forward, prison authorities will choose the gunmen from a pool of volunteer officers, starting with those in the area where the crime happened, Ray said.

“We’ve always had a lot more volunteers than actually had spots,” he said.

Under the new measure, the method would be based solely on the availability of lethal-injection drugs, not an inmate’s choice.

Utah’s next execution probably won’t happen for at least a few years, said Tom Brunker, the state attorney who oversees capital cases.

One person nearing a possible execution date is Ron Lafferty, the longest-serving death row inmate who claimed God directed him to kill his sister-in-law, Brenda Lafferty, and her baby daughter in 1984 because of the victim’s resistance to his beliefs in polygamy.

The U.S. Supreme Court ruled back in 1897 that death by firing squad was legal, Brunker said, but he expects a constitutional challenge if the bill becomes law and an execution is scheduled to use a firing squad.

“It has the potential to slow it down the first time it’s on deck,” Brunker said.

University of Utah criminal law professor Shima Baradaran said she doesn’t see a constitutional challenge succeeding because the federal government generally leaves capital punishment decisions to the states, and the firing squad has not been declared cruel and unusual.

State laws that allow methods other than lethal injection for executions are not unique to Utah. In Washington, inmates can request a hanging. In New Hampshire, hangings are the default method if lethal injection cannot be given.

Outside the U.S., 54 countries allow executions by gunshot, including China, Vietnam, Uganda and Afghanistan, according to Cornell’s Death Penalty Worldwide project.

BRIEFLY

Dempsey: US worries about Iran-backed militias in Iraq

WASHINGTON (AP) — Iran is playing a helpful role against Islamic State militants in Iraq now, but once the extremists are vanquished, Tehran-backed militias could undermine efforts to unify the country, the top U.S. military officer said Wednesday.

Army Gen. Martin Dempsey told lawmakers that any move to counter IS is a ‘positive thing.’ But he said there are worries about whether those Shiite militias will later turn against Sunni or Kurdish Iraqis and hamper efforts to bridge ethnic and political division that has made peace elusive.

Dempsey joined Secretary of State John Kerry and Defense Secretary Ash Carter in testifying for more than three hours at a Senate Foreign Relations Committee hearing called to examine President Barack Obama’s proposal for new war powers to fight IS.

The committee chairman, Sen. Bob Corker, R-Tenn., lamented that Obama’s proposal does not give the U.S. military clear authority to defend moderate forces training for the Syrian fight from the bombing risk by troops loyal to Syrian President Bashar Assad.

1 Black Hawk crashed in fog, killing 11

EGLIN AIR FORCE BASE, Fla. (AP) — Searchers struggled Wednesday to find the seven Marines and four soldiers killed when a helicopter crashed, hampered by the same fog that plagued a nighttime training mission.

A second helicopter turned back safely shortly before the wreck, which left debris washing ashore along the Florida coast, officials said.

Military officials haven’t said what caused the crash of the UH-60 Black Hawk, but

the weather was bad enough for the other crew to return to land, said Maj. Gen. Glenn H. Curtis, adjutant general of the Louisiana National Guard.

The helicopter that crashed had a veteran crew from Hammond, Louisiana, that served multiple tours in Iraq and helped humanitarian missions after Gulf Coast hurricanes and the BP oil spill.

They were carrying unconventional warriors from the Marines Special Operations Command. Like the Army’s Green Berets and the Navy’s SEALs, they were highly trained to endure grueling conditions and sensitive assignments on land and at sea, from seizing ships to special reconnaissance missions and action in hostile territory.

15-year-old boy arrested in kidnapping caught on video

SPRAGUE, Wash. (AP) — A 15-year-old boy was arrested Wednesday in the short-lived kidnapping of a 22-month-old toddler that was caught on surveillance video in this small farming town in eastern Washington.

The teenage boy, who lives in Sprague, was identified through the use of surveillance video, interviews and evidence collection, Lincoln County Sheriff Wade Magers said.

The boy’s identity was being withheld because he is a juvenile, Magers said.

The 15-year-old was booked into a juvenile detention facility on suspicion of second-degree kidnapping, Magers said. The Lincoln County prosecutor’s office will make the formal charging decisions.

Magers thanked the media for distributing pictures of the kidnapper and the public for providing tips.

The case drew wide attention when dramatic surveillance video footage showed a male running down a sidewalk with the toddler in his arms Sunday.

Ferguson police chief, city manager resign after scathing federal report

Associated Press

FERGUSON, Mo. — The police chief in the St. Louis suburb of Ferguson resigned Wednesday in the wake of a scathing Justice Department report prompted by the fatal shooting of an unarmed black 18-year-old by a white police officer.

The city said in a statement that it reached a mutual separation agreement with Chief Thomas Jackson.

Jackson had previously resisted calls by protesters and some of Missouri’s top elected leaders to step down over his handling of the August shooting of Michael Brown and the weeks of sometimes-violent protests that followed.

Jackson told the *St. Louis Post-Dispatch* that he felt it was time for the city to move on.

“I believe this is the appropriate thing to do at this time,” Jackson said. “This city needs to move forward without any distractions.”

Jackson becomes the sixth employee to resign or be fired after the U.S. Department of Justice last week issued a report that cleared Officer Darren Wilson of civil rights charges in the shooting but found a profit-driven court system and widespread racial

bias in the city police department.

The police chief’s resignation was welcomed by state lawmakers who represent Ferguson.

“There would be a lot of people that would approve of that,” said Democratic state Rep. Sharon Pace, who represents the neighborhood where Michael Brown was shot.

Jackson oversaw the Ferguson force for five years before the shooting that stirred months of unrest across the region and drew attention to the predominantly black city of 21,000.

His handling of the situation drew wide criticism from the outset, both for the aggressive police response to protesters and for his agency’s erratic and infrequent releases of key information. Attorney General Chris Koster and U.S. Senator Claire McCaskill were among those working behind the scenes to get him to resign.

Since the Aug. 9 shooting, he has spoken of a desire to work with community members and described efforts to bolster minority hiring in a department that had just three black officers at the time of Brown’s death.

But he struggled to manage a local crisis that

turned into an international event and explain his decision-making at news conferences disrupted by angry protesters and grieving community members.

Then the Justice Department issued its report, which found that Ferguson’s police and court systems functioned as a money-making enterprise rather than one meant to ensure public safety. The report found black drivers in Ferguson were more than twice as likely as others to be searched during routine traffic stops and more likely to face excessive force from police, often during unwarranted stops.

Investigators also noted that Ferguson was counting on revenues from fines and fees to generate nearly a quarter of its total \$13.3 million budget for the 2015 fiscal year. Many residents ended up in jail after missing court dates or failing to pay fines for minor violations. The report also uncovered evidence that three employees — a court clerk and two police officers — had sent racist emails.

The clerk was fired last week and two officers resigned. The judge who oversaw the court system also resigned as did the city manager.

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