

# Ways and means of death is grisly topic of Legislature

By Kathleen Glanville

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SALEM—Last November the voters overwhelmingly decided that murderers ought to be executed. Now the Legislature must figure out how to do it.

It's no easy task. There hasn't been an execution in Oregon since 1962. Not only are prosecutors, defense attorneys and judges unfamiliar with the legal tangles

involved in trying capital cases, but the state isn't prepared to execute anyone eventually convicted.

The gas chamber at the Oregon State Penitentiary is a storeroom today. It would take an estimated \$300,000 to \$400,000 to rebuild it and Gov. Vic Atiyeh didn't put any

money in his budget for a new gas chamber.

The governor has said it's unlikely anyone will be executed in the next two years, and legal experts agree. The legal maneuvering has already begun on behalf of three men charged with murder.

Because so much is at stake

in a murder trial with the death penalty looming over the proceedings, those trials are long and involved.

Prosecutors and defense attorneys are worried about the legal issues and the high cost of trying those cases. A Houston, Tex., group of legal specialists expected to draw

more than 100 Oregon attorneys to a death penalty seminar scheduled last weekend in Portland.

Rep. Bill Rutherford, R-McMinnville, doesn't want the state to invest in another gas chamber. He doesn't favor the death penalty. And he figures a state which has repealed and

brought back the death penalty twice in the last century may repeal it again before anyone is finally condemned to die.

But he says the Legislature can't ignore the 2-to-1 vote of the people for the death penalty.

So he is advocating what he

says is a painless method of execution which will cost the state about \$100—execution by lethal injection.

"Since the death penalty is a fact, we must look at the manner in which they are carried out," said Rutherford before a House Judiciary Committee hearing last week.

"I think it would be inappropriate for Oregon to spend \$300,000 to rebuild a gas chamber, particularly when there is a more humane, inexpensive method available, one that is far safer to handle than cyanide gas."

"With a lethal injection, we can for the first time be assured that execution is painless," he said.

Rutherford said historically executions in the United

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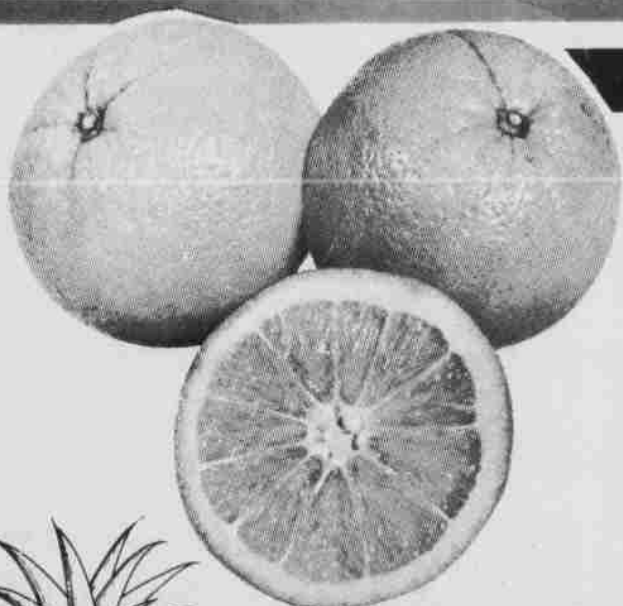
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