

Inmate who survived execution attempt should not be put to death, says lawyer

By Tom Beyerlein, Staff Writer

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In a nearly unprecedented glitch receiving worldwide attention, Romell Broom lived through his first encounter with the executioner. Is it unconstitutionally cruel to subject him to a second date with death?

An attorney said by the end of the week she will file a legal challenge to the state's plans to try again on Sept. 22 to execute Broom, who raped and killed a 14-year-old girl in 1984.

His first scheduled lethal injection on Tuesday, Sept. 15, ended in a one-week reprieve from Gov. Ted Strickland after Lucasville prison technicians spent two hours trying to find a usable vein.

"He survived this really traumatic execution attempt, and they can't do it again because it would be cruel and unusual," argued Broom's attorney Adele Shank of Columbus.

Technicians inserted needles numerous times, but Broom's veins would not remain open, said state prisons spokeswoman Julie Walburn.

Strickland has asked prison officials to study Broom's condition and recommend how to proceed.

"That does not mean a review of the larger issue of lethal injections," he said. "I think that that's been settled."

Richard Dieter, executive director of the Death Penalty Information Center in Washington, D.C., said he's aware of only one case in which an American convict was made to undergo two execution attempts on separate days.

In that case, the U.S. Supreme Court in 1947 allowed a second trip to the electric chair for Louisiana inmate Willie Francis, convicted of a 1945 murder.

"It raised serious concerns about the humanity, the humaneness, of subjecting a person to two execution attempts," Dieter said. "If the court revisited that case, I think they'd find it does offend our standards of decency today."

Staff writer William Hershey contributed to this report.

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