

Four key questions in lawsuit on lethal injection

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FOUR KEY QUESTIONS

The U.S. Supreme Court agreed to hear a case from two Kentucky death row inmates who asked the justices to consider the following four questions:

Does the Eighth Amendment to the United States Constitution prohibit a method of execution that creates an unnecessary risk of pain and suffering as opposed to only a substantial risk of the wanton infliction of pain?

Do the means for carrying out an execution cause an unnecessary risk of pain and suffering in violation of the Eighth Amendment upon a showing that there are alternatives readily available that pose less risk of pain and suffering?

Does the continued use of sodium thiopental, pancuronium bromide, and potassium chloride, individually or together, violate the cruel and unusual punishment clause of the Eighth Amendment because other chemicals that pose less risk of pain and suffering can be used?

When it is known that the effects of the chemicals could be reversed, does substantive due process require a state to be prepared to maintain life in case a stay of execution is granted after the lethal-injection chemicals are injected?

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