

US Supreme Court reviews lethal injection

By Catherine Elsworth in Los Angeles

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The United States Supreme Court yesterday agreed to consider the legality of lethal injections in a case that could halt the vast majority of executions in America.

The nation's highest court will hear a challenge from two Kentucky inmates, Ralph Baze and Thomas Clyde Bowling Jr, who claim that lethal injection amounts to "cruel and unusual punishment"- a violation of the Eighth amendment of the Constitution.

A ruling against the method involving a cocktail of three drugs would have drastic repercussions for the 37 states that use it.

advertisement Sarah Tofte, a researcher with the US programme of Human Rights Watch, said: "If the Supreme Court rules that lethal injection is unconstitutional then in effect we would have a moratorium on the death penalty until states could come up with a different method."

If, however, the court ruled that the current method could be made constitutional with certain adjustments, states would suspend executions until those adjustments were made.

Lethal injection is used by 37 of the 38 states with the death penalty. The exception, Nebraska, uses electrocution. All use the same drug cocktail of sodium thiopental, an anaesthetic, pancuronium bromide, which paralyses voluntary muscles but does not affect consciousness, and potassium chloride, which causes cardiac arrest.

Opponents argue that if an inmate is not given enough anaesthetic he can suffer excruciating pain without being able to signal distress.

The US has executed 1,098 people since capital punishment resumed in 1976.

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