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Description

By a vote of 7-2, the U.S. Supreme Court has rejected a challenge to the method of lethal injection used in most U.S. executions. After hearing the appeal by two death row inmates, Ralph Baze and Thomas Bowling, the Court rules that lethal injections do not violate the Eighth Amendment prohibition against cruel and unusual punishment.

Keywords


Citation

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Supreme Court Rules Lethal Injection Not Cruel and Unusual Punishment

BRIAN WILLIAMS, anchor (Washington, DC):

Over the past few months, there has been a halt, a national moratorium on executions in this country while the Supreme Court decided a case specifically on lethal injections. Well, today came the decision: The most widely-used form of capital punishment in the U.S. does not violate the U.S. Constitution. Here's our justice correspondent Pete Williams.

PETE WILLIAMS reporting:

Death penalty opponents hoped this case would end lethal injection and inspire more states to abandon capital punishment altogether. Instead, by a 7-to-2 vote, the court upheld Kentucky's system of lethal injection used in all but one of the 36 death penalty states. The ruling frees the states to resume executions, on hold since last September when the Supreme Court agreed to take up the issue.

Mr. J. MICHAEL BROWN (Kentucky Justice and Public Safety Secretary): Our protocol does not violate the Eighth Amendment, and further, the people who carry out all protocol are professional or trained and are ready to do it in such a manner that is professional, that is humane as possible under the circumstances.

P. WILLIAMS: Opponents claimed if the first of the three lethal injection chemicals wasn't given properly, an inmate was left awake but paralyzed, in intense pain but unable to cry out, amounting to cruel and unusual punishment. Explaining their ruling, three justices--Roberts, Kennedy and Alito--said, "Some risk of pain is inherent in any method of execution."

But they said opponents of lethal injection failed to show there's another method that would be clearly more humane. Dissenting Justices Souter and Ginsburg said execution should remain on hold while states work out better safeguards against pain. At least 18 planned executions in 10 states were on hold awaiting
today's decision, and dozens were more were not even scheduled.
Death penalty opponents say they'll now switch their focus to the constitutionality of capital punishment itself.
Mr. STEVE SHAPIRO (American Civil Liberties Union): Which is being applied less and less frequently in this country, but remains a punishment that is applied arbitrarily, inconsistently in a racially discriminatory fashion and is prone to error.
P. WILLIAMS: Justice John Paul Stevens voted today with the majority, noting the court has never found the death penalty itself unconstitutional, but he said today for the first time he now opposes it, the sign the fight over capital punishment is far from over. Pete Williams, NBC News, at the Supreme Court.