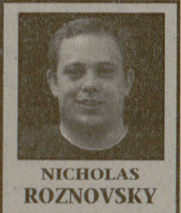


A matter of life and death

State executions inhumane, unjust

In every conceivable way, the death penalty is the supreme sanction against convicted criminals. By carrying out a death sentence on an individual, the legal establishment places them beyond reprieve — there can be no appeal from the grave. It is a course of action that demands the utmost caution in its assignment and restraint in its use.



NICHOLAS ROZNOVSKY

Yet, in case after case, it is becoming glaringly apparent that the death penalty is applied both unevenly and unjustly in this nation. As Supreme Court Justice Harry Blackmun said in 1994, "Twenty years have passed since this court declared that the death penalty must be imposed fairly, and with reasonable consistency, or not at all, and despite the effort of the states and courts to devise legal formulas and procedural rules to meet this daunting challenge, the death penalty remains fraught with arbitrariness, discrimination, caprice and mistake."

Americans, in their zeal to apply the death penalty, are ignoring the responsibilities such a power entails. There can be no question that the majority of Americans favor some form of capital punishment. Over the past four decades, Americans have consistently supported the death penalty by a 2-1 margin in opinion polls. Americans want a bold punishment to fit the most horrific of crimes. It appears they want it so badly that they are willing to forsake the moral high ground that legitimizes their legal system.

Proponents of the death penalty argue that some crimes are so horrible that only the execution of criminals can express society's disapproval of their actions. In many cases, the same form of retribution-oriented thinking served as the motive for the criminal. By pursuing Old Testament-style eye-for-an-eye justice, Americans are not improving society; they are only lowering it to the level of its criminal element.

Despite attempts to declare state executions "humane," the fact remains that purposeful killing is the least humane action of all. Death penalty supporters often say that the criminals die more peacefully than

their victims. An alarming number of cases show that state executions are anything but humane.

In 1983, the state of Alabama executed John Evans. After the first jolt of electricity was applied, flames burst from his head, catching the execution hood on fire. When his charred body cooled enough to allow doctors to inspect it, he was found to still be alive. After 14 minutes and three sessions of electrical shock, Evans finally died.

Also in 1983, Mississippi inmate Jimmy Lee Gray was executed in a gas chamber. The job was botched so badly by the executioner, who was later found to be drunk at the time, that the inmate suffered for more than eight minutes. Gray died banging his head against a steel pole in the chamber while a reporter from the Associated Press counted his moans.

In a 1992 Arizona execution, convict Donald Harding spasmed for nearly seven minutes while poison tablets slowly worked through his system. Witnesses reported that his death was incredibly violent, his body turning from red to purple before he finally died. One television journalist noted, "Obviously, this man was suffering. We put animals to death more humanely."

The argument that the death penalty deters crime is refuted by a number of studies. *The New York Times*, in a report published in September, showed that 10 of the 12 states without the death penalty had homicide rates below the national average.

"It is difficult to make the case for any deterrent effect from these numbers," said Steven Messner, a criminologist at the State University of New York-Albany.

Furthermore, the death penalty continues to be applied unevenly in terms of race. Even though half of all homicide victims in America are African-Americans, 84 percent of death-row sentences have been handed out for crimes against white victims.

According to a study done by the Death Penalty Information Center, minorities make up 89 percent of the death-row population and African-Americans have accounted for 90 percent of all executions in rape cases since 1930. Despite the show of equality in the courts, it is clear that a



RUBEN DELUNA/THE BATTALION

murder committed by a white citizen is deemed less criminal than one committed by a black one.

From 1976 to 2000, Texas led the nation with 239 executions. So far this year, Oklahoma has executed six criminals, putting it on pace to nearly double the grim single-year record of 40 set by Texas in 2000.

It does not matter if two-thirds of Americans support capital punishment. An unjust system that targets

specific portions of the population for compulsory death, no matter how much support it enjoys, is wrong.

If America wants the power to execute its criminals, it should exercise it responsibly, fairly and with the moderation such a final solution requires.

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Death penalty is only real option

Although Texas Gov. Rick Perry has been a strong advocate of the death penalty, he recently asked



SUNNYE OWENS

Texas state legislators to consider the option of life imprisonment without parole for habitual criminals. Life imprisonment without parole does not exist in Texas, and the only option for habitual criminals is the death penalty. If Texas replaced death sentences with life imprisonment, it would only waste money and decrease the deterrent effects that capital punishment has.

Death penalty advocates have historically argued it is less costly to sentence a criminal to death than life imprisonment, but many death penalty opponents claim that America cannot put a price on human life.

According to the U.S. Vital Statistics Abstract, the cost of life without parole for one individual for a minimum of 50 years is \$3.01 million, and the cost for capital punishment of one individual is \$1.88 million.

Keeping a criminal in prison for life without parole costs almost twice as much as putting that individual to death. This may sound cruel, but most criminals sentenced to life imprisonment without parole have been career criminals with violent offenses, such as homicide and rape.

If death sentences are replaced with life imprisonment without parole, the cost of keeping criminals in prison will increase dramatically.

Life imprisonment does not necessarily deter criminals from committing another offense. On the other hand, those executed cannot murder again. Of the roughly 52,000 state prison inmates serving time for murder in 1984, an estimated 810 had previously been convicted of murder. These 810 people had killed 821 persons after their previous murder convictions.

Executing each of these inmates the first time would have saved 821 lives. The U.S. Depart-

ment of Justice estimates that convicted criminals free on parole and probation commit at least 84,800 violent crimes every year, including 13,200 murders. Ironically, the death penalty saves lives.

If the Texas Legislature agrees with Perry and eventually the death penalty is not the only punishment for habitual criminals in Texas, then prisoners who are sentenced to life imprisonment and commit murder while in prison might not fear any consequences for their actions.

With this option, there would be no deterrent to keep these individu-

There is no positive aspect for giving a habitual criminal the option of living the rest of his or her life in prison. It only costs money, and in some cases, takes innocent lives.

als from committing murder. This is an unacceptable concept. Many criminals see the death penalty as a major consequence for their actions, and because of the death penalty, some criminals are less likely to engage in illegal activities.

It is surprising to many individuals that Perry would suggest this idea to the Texas Legislature. Perry should rethink his position and consider the options of what life imprisonment without parole would entail.

There is no positive aspect for giving a habitual criminal the option of living the rest of his or her life in prison. It only costs money, and in some cases, takes innocent lives.

The Texas Legislature should think long and hard about what Perry is suggesting. The death penalty deters criminals from committing other crimes and should be the only punishment for habitual criminals in the state of Texas.

Sunnys Owens is a junior journalism major.

Mail Call

Bryan High School size an asset to the community

Regarding Eric Dickens' recent opinion piece about Bryan High School (BHS), it is apparent that he spent little, if any, time visiting the school or talking with students, teachers or administrators. It is too bad that he chose to form his opinions primarily from a few prior newspaper articles.

The school is large but not crowded. The student-teacher ratio is better than average. If simply being big is bad, Mr. Dickens needs to transfer from Texas A&M University.

I have had two children graduate from BHS, receiving a superb education. I have spent many hours at the campus, observing and inquiring. My opinions are based on first-hand information.

No mention was made in the article about the very successful off-campus medical and technology academies, where hundreds of BHS students can spend half the school day in a focused, small-campus environment. Or about the extensive electives, advanced-placement course program and course scheduling flexibility that would be far

more difficult to provide with smaller high schools.

Simply put, BHS has had some recent discipline problems no different than most other high schools, large or small.

The problems are very manageable, and great progress has already been made.

After nearly 11 years of service on the Bryan School Board and a concerted effort to learn all I can about optimizing school facilities, I have concluded that a large high school offers unique and wonderful opportunities within the confines of ever-tightening budgets.

For all their perceived advantages, operating multiple small high schools would siphon away funds from teacher salaries and create the same "good school/bad school" divisiveness that virtually every other community with multiple high schools suffers from.

BHS is the only institution that unites the entire Bryan community. It is already a great school. Size alone will certainly not prevent it from being even better.

C. David Stasny
BISD Board of Trustees
Class of '74

Twice-adopted children deserve better

In life there are rules — and there are times that these rules need to be broken. Sometimes, these rules are called laws — but there are even times when abiding by the law is not the best thing to do. Twenty-eight-year-old Tranda Wecker of St. Louis does not deserve the support of the law. Six months ago, Wecker gave birth to twin girls and sold them for \$6,000 on the Internet with the help of adoption broker Tina Johnson.



MELISSA BEDSOLE

Amy and Eddie White of New York offered \$8,500 but failed to produce the money quickly enough.

The buyers, Richard and Vickie Allen of California, did nothing wrong. They cared for the girls, Kimberly and Belinda, for two months. When the twins' natural mother insisted that she wanted them back (the law allows her 365 days to decide), the Allens sadly handed over the little girls.

Wecker did not intend to keep the babies. Instead, she and her unscrupulous broker Johnson (who has since disappeared) sold the girls a second time — doubling their original asking price — to Alan and Judith Kilshaw of Britain, perhaps the most scandalous and unfit parents of the group.

Three weeks after the Kilshaws brought the girls to their home in Wales, they told their story to the media — exploiting the baby girls and everyone else involved. The exploitation has resulted with two little girls being placed in their fourth home after being seized by British social services officials in the County of Flintshire, two sets of parents wanting to raise these children and a mother

who is \$18,000 richer and claims she wants to utilize her rights to get her girls.

The law says it is the right of the mother to get them back, but what kind of law can really have a say on this situation? It is hard to determine who is most at fault for the incident, but the immediate concern should be where these innocent girls belong. Wecker deserves no parental rights. She gave up her rights when she gave up her role as a mother — twice.

The kind of person who pulls children in and out of stable homes, not caring about the

The kind of person who pulls children in and out of stable homes, not caring about the effects this could have on them, does not deserve any rights at all.

effects this could have on them, does not deserve any rights at all. Six months of confusion will definitely have psychological effects on Kimberly and Belinda. Her carelessness is inexcusable. To add yet another blemish on her career as a mother, Wecker faces a court hearing in March for an alleged probation violation and possible jail time. She is not a fit mother.

Even Wecker's actions are not comparable to the tainted lives of the Kilshaws. They have only selfishly neglected the babies since the day they bought them. They are despicable people who used their money to buy children who should not have

been for sale. Then, instead of waiting 10 days for the babies to be fit to fly, the Kilshaws, eager to get out of America, forced them to endure a 2,000-mile drive across the country. The effects of the trip caused one of the babies to be hospitalized.

While the Kilshaws should be completely focused on fighting for their babies' return, they are instead exploring the possibilities of turning their twisted story into a movie. Judith Kilshaw recently said that if she loses the fight for her babies, she "will go back to America to adopt two other children, and stick [her] fingers up to Britain." This woman sounds like a real Mrs. Brady.

The most recent decision by a judge in St. Louis gave the biological father temporary custody until mid-February. Aaron Wecker's lack of knowledge about and interest in the whereabouts of his children show just as much neglect as the mother, and the girls should not be anywhere near him.

The Allens deserve the children. Like it or not, buying babies is legal, and technically the Allens bought them first. They had the most stable time period with the girls and have shown no interest in exploiting or endangering the lives of little Kimberly and Belinda.

The law cannot always see the differences between right and wrong. These two little girls have been wronged too many times, and it is time for them to have some consistency in their lives. They should not be tossed around like prizes but be returned to the home that the Allens have wanted to give them the entire time.

Melissa Bedsole is a junior psychology major.