

A lethal combination

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Alabama Attorney General Troy King plans to pay a Massachusetts doctor \$400 an hour to study the state's lethal injection drugs and help the state fend off a federal court challenge to the way it executes prisoners.

That may sound like a lot of money - and it is. But with the problems encountered with executions in other states - and more particularly, with a federal case pending - the state has no choice except to look at its lethal injection procedures.

A lawsuit filed by Death Row inmates contends the execution procedures could constitute cruel and unusual punishment. The state wants Dr. Mark Dershwitz, an anesthesiology professor at the University of Massachusetts, to look at the state's lethal injection drugs and to testify on the state's behalf when that case comes to trial in October. Dershwitz has done the same work for other states in lethal injection challenges; since Alabama's lethal injection cocktail mirrors that of other states, he shouldn't have to reinvent the wheel here.

Hiring an expert for the case is not unreasonable. What isn't reasonable is Alabama continuing to execute prisoners while this issue plays out in courts.

The state has executed three prisoners despite the challenge to its lethal injection procedures. Another inmate, Thomas Arthur, is scheduled to die Sept. 27.

Why not wait to make sure the state's procedures don't inflict any unnecessary suffering?

The question isn't just a tactical ploy to delay executions. Though lethal injection was designed as a less gruesome method of execution, a few documented misfires in recent years have raised serious questions about it. One Ohio execution took 90 minutes and featured the condemned inmate pleading for "something by mouth to end this." An execution in Florida went so badly and took so long that then-Gov. Jeb Bush suspended all executions and appointed a committee to look at lethal injection procedures. The result was new execution procedures.

Even if our first instinct is that no punishment is too cruel for those on Death Row, the Constitution and our better natures require a higher standard.

It's good the state's lethal injection method is being studied by experts for inmates and for the state. But why rush to execute inmates before the experts' findings can be dissected in court?