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obtained by the Innocence Project in New York showed that state officials received that report but apparently did not act on it. Willingham was executed by lethal injection in Huntsville, Texas, on Feb. 17, 2004. Numerous forensic reports from leading experts in the arson investigation field have been compiled confirming that the testimony relied upon to convict Willingham was "junk science." Bloodworth was not as fortunate as Willingham and went to his grave knowing a wrongful conviction and execution had taken place.

Darryl Hunt was twice wrongfully convicted of a brutal rape and murder of a young white copy editor at a local newspaper (Hunt is black) in Winston-Salem, N.C. With weak identification testimony and little else, the jury convicted Hunt. He was one vote away from being sentenced to death and spent 19 years in prison before being exonerated. Had he been sentenced to death, he would not have lived long enough to have his conviction dismissed.

"They had virtually no evidence against me; I had a team of lawyers and supporters who worked on my case; I had DNA results in my favor — and it still took them almost 20 years to admit I was innocent," Hunt said. "A system that can perpetrate an injustice like this has no business deciding life and death. If I had gotten a death sentence, there's no doubt in my mind, I would have been executed."

### A Flawed Enterprise

What if states, frustrated by the problems associated with lethal injections, decide to revert back to the old-fashioned methods of firing squads and electric chairs? This is extremely unlikely, especially since support for the death penalty is at an all-time 40-year low with even Pope Francis condemning those engaged in such horrific acts in all its inhumane glory? State legislators need to know that lethal injection is not an answer to the problem since the state of killing in this country is deeply flawed. Chief Judge Alex Kozinski of the Ninth Circuit Court of Appeals captured the incongruity in his dissent in *Wood v. Ryan*:

Using drugs meant for individuals with medical needs to carry out executions is a misguided effort to mask the brutality of executions by making them look serene and peaceful — like something any one of us might experience in our final moments... But executions are, in fact, nothing like that. They

are brutal, savage events, and nothing the state tries to do can mask that reality. Nor should it. If we as a society want to carry out executions, we should be willing to face the fact that the state is committing a horrendous brutality on our behalf.

The ultimate cruelty, if there is one, occurs when states delude society into thinking that the intentional killing of a human being can ever be humane. That there is any method that could silence an inmate and have the victim's family and the public rest assured that justice was served is simplistic and unrealistic. Has anyone even considered the *injustice* that occurs when family members of those killed in a brutal criminal act have their tragedy compounded with a botched murder by the state? Or whether lawsuits by the murderers or innocents' family obscure the criminal act and keep justice from truly being served? Indeed, the heinous act of premeditated murder by the state using any method is an act of barbarism and worthy of the harshest condemnation.

It is time to put down the needles, the guns, the electric chairs, and the sawagery. It is time to stop the killings and start the healing process for all of those involved in the state death machine. Otherwise, truth be told, society is no better than the brutal murderers it is so anxious to execute.

### Notes

1. <http://www.deathpenaltyinfo.org>.
2. *Id.*
3. *Wood v. Ryan*, 759 F.3d 1076, 1102-1103 (9th Cir. 2014).

### About the Author

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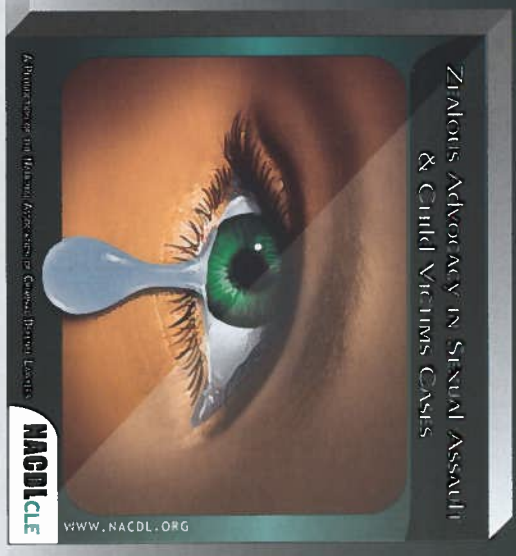


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