

Single-Drug Dose More Reliable for Lethal Injection, Report Says

By: Devlin Barrett

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State and federal officials should simplify the drugs used to execute death-row inmates, giving them a single-drug dosage like those used to euthanize animals or help people commit suicide, a new report by a legal think tank recommends.

The Constitution Project, a bipartisan group that seeks to limit but not abolish capital punishment, is set to issue a report Wednesday recommending numerous changes to how states manage death-penalty cases.

The report comes amid renewed debate about capital punishment due to the botched execution of an Oklahoma inmate last week.

Oklahoma halted a planned double execution Tuesday after the delivery of a drug cocktail to inmate Clayton Lockett went awry due to what state officials called a "vein failure." The inmate suffered evident distress, according to witnesses. He died of a heart attack more than 40 minutes after the drugs were first administered, and state officials are working to determine what went wrong.

Typically, executions take a much shorter time and inmates quickly lose consciousness after drugs are administered.

President [Barack Obama](#) called the execution deeply troubling and ordered the Justice Department to review the issue. The department is now studying state and federal procedures for executions. It's not clear how long that review will take.

The Constitution Project's report found the lethal drug cocktails used by most states "create a high risk of improper administration of anesthesia."

In contrast, the report's authors note, Oregon allows assisted suicide with a single dose of barbiturates. The report doesn't argue for one specific drug to be adopted, but says executioners should choose from a group of drugs approved by the federal government for use on humans.

The three-drug cocktail was originally developed so that one drug anesthetized death-row inmates before the two other drugs stopped their respiration and heartbeat.

"The one-drug method is also preferred over the three-drug method by veterinarians for euthanizing animals because the one-drug method is more humane and less prone to error," the report said.

The three-drug cocktail has become increasingly difficult for states to acquire. In 2007, the Supreme Court ruled that the drug combination was constitutional. Four years later, an American company that

manufactured one of the key ingredients of that cocktail stopped production, and a firm in Denmark that made a similar drug refused to sell it for use in executions.

That has left American officials scrambling to come up with substitutes—either by applying different drugs, or getting small-scale compounding pharmacies to produce such drugs.

And as death-penalty opponents seek to stop executions, they are increasingly mounting legal challenges to specific drug combinations.

John Malcolm of the Heritage Foundation, a conservative think tank, said the scientific questions surrounding the Oklahoma execution need answering. He argued the solution is not to get rid of the death penalty, but to make it more effective—whether by a single drug, a gas chamber, or a firing squad.

"There are some crimes for which the ultimate punishment is really the only appropriate punishment," Mr. Malcolm said.

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