

Let Nature Take Its Course

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It would be a gross injustice to have an issue of the *JPP* that deals with aging in prison and not spend time talking about those people who are living life on “the row” and would give all that they have to age and die in prison. The issue of capital punishment is not new to the United States; it has been rearing its ugly head since it was reinstated in 1976, and here we are in 2005 and still the machinery of death runs without regard to innocence or fair trial or proper representation.

As Stanley “Tookie” Williams made a final effort to see Christmas from California’s death row, the drama surrounding his attempt to avoid execution brought to mind the Seventies and Eighties in the Florida prison system when Florida was competing with Texas in the capital punishment sweepstakes. Back then, Florida State Prison’s Q-Wing was the death house with the electric chair on the bottom floor. Lethal injection has since supplanted electrocution as the preferred mode of killing, but most of the staff doubtless long for those halcyon days and the ritual of strapping the condemned man or woman into Old Sparky and watching while two thousand volts coursed through their bodies.

Take for example the case of Jesse Tafero, convicted of killing a state trooper who tried to search Tafero’s car at a rest stop. Tafero also killed a Canadian Mountie on vacation who was riding with the trooper. During electrocutions, a natural sponge, soaked in brine, was used as a conductor between the condemned prisoner’s shaved scalp and the electrode that was strapped to the head. Only natural sponges could withstand the extreme temperatures generated by the high voltage. When Tafero’s turn came, instead of using a natural sponge, one of the execution team drove down to the local 7-Eleven and bought a synthetic sponge, the kind normally used to clean kitchen counters. As soon as the executioner hit the switch to kill Tafero, the sponge smoked briefly and then caught fire. Witnesses described flames leaping from Tafero’s head and the stench of burning flesh that permeated the execution chamber. Not to worry, said the prison medical staff, Tafero was probably dead before he caught fire. Probably?

Prisoners locked down throughout the rest of the prison could always tell when an execution was in progress. The prison did not use its main power source for the chair because of the possibility of sabotage: someone could blow up the substation or sever a line and delay an execution. So the prison had its own generator to power up the chair. Most executions were scheduled for seven in the morning, and as the time approached, the power in the rest of the prison would wink off and on for about five seconds when the generator came on line. Everyone there knew that someone was about to die, especially when prisoners

had just seen the van carrying the witnesses approach from the administration building. Depending on how many jolts were required to kill the prisoner, the same blink of lights anywhere from ten to twenty minutes later when the main power source came back on verified that the man was dead.

As gruesome as the executions were, another disquieting part of the process came while the body of the dead prisoner was being loaded into the hearse. Depending on which side of the prison a prisoner lived, it was possible to see the van carrying all the witnesses leave the death house, drive back through the gate, and head back to the administration building. Once back at the administration building, however, the men and women who had just witnessed the execution were treated to coffee and pastries.

There is something positively gothic about thinking that witnesses to an event like that would have the slightest appetite for refreshments. Then again, humans have an enormous adaptive capability, so maybe seeing another human roasted to death is something a person learns to tolerate, like the smell of the ovens for those living downwind from Auschwitz. Moral ambiguity is to be expected from the guards who participate in executions, but to open a buffet immediately after killing someone seems *déclassé* at the least.

The point here is that Tookie Williams can not depend on public sympathy to save his life. The celebrities who rallied to this cause, the five Nobel Peace Prize nominations, and the series of children's books he wrote were as nothing compared to the political momentum behind his execution. He was convicted of four brutal murders, and he steadfastly maintained his innocence, which militated against any form of clemency, because everyone from the prosecutor to the Gubernator assumed his guilt. Without an expression of remorse, he remained to many a cold-hearted killer playing the system in an attempt to avoid execution, more so because he persistently refused to snitch on the internal mechanisms and membership of the Crips.

The question therefore devolves to an examination of the possibility for personal redemption: given the multiple tragedies of the murder victims, did William's contributions to anti-gang policies, via the children's books, and his public stance discouraging gang membership merit sparing his live so that he could continue such outreach programs? From Williams's point of view, history was not encouraging.

Recall the case of Karla Faye Tucker in Texas, convicted and sentenced to death for a single murder while she was under the influence of drugs. By all credible accounts, Tucker underwent a sincere religious conversion experience in prison, turned her life around, and went on to become a mentor and a spiritual

advisor to other women on death row, as well as the prison guards who worked that part of the prison. She freely admitted her role in the killing, apologized for the crime, and eventually gained international support. Even Pat Robertson, hardly a paragon of social tolerance, petitioned then-governor George W. Bush to commute her death sentence. Bush refused and allowed Tucker's execution to go forward, subsequently mocking her clemency petition to a journalist for *Vanity Fair*. If the criminal justice system in America will kill Karla Faye Tucker, it will kill anyone. Thus Tookie Williams.

Williams, like Tucker before him, was not asking to be freed from prison. He was instead requesting a commutation to life in prison without parole so that he could continue the work he had begun. In other words, Williams was petitioning to be allowed to die in prison but at a pace dictated by nature instead of the State of California. He exhausted all avenues of appeal; his only hope of staying alive was persuading Governor Schwarzenegger that his death would accomplish less than permitting him to live, no easy task considering the governor's recent election losses, his declining poll numbers, and his declared intent to run for reelection next year.¹ Executing Williams came to be seen in some quarters as a quasi-patriotic duty, and in most of his movies at least, the governor emerges as a superpatriot.

Recent indictments in Washington and confessions in California, however, appear to confirm Samuel Johnson's definition of patriotism as being the last refuge of the scoundrel. But Schwarzenegger has been remarkably maladroit in his political endeavors, which one had hoped would indicate a certain autonomy that could ignore the culture wars currently dividing the country. It is time for someone to step up and call it what it is: state sanctioned murder. Is there no room in the system for change? The United States should be a leader in the abolition of the death penalty, especially when not for the first time a state has admitted that it wrongfully executed a man as the result of snitch testimony. How can we allow this to happen? In the United Kingdom it only took one wrongful execution for the abolition of the death penalty, and we believe that the United States should follow suit. It is the right thing to do.

ENDNOTE

¹ Stanley Tookie Williams was scheduled to be murdered by the state of California on December 13th, 2005 at 12:01 a.m. PT. Prison staff fumbled to find a suitable vein in his left arm to administer the lethal injection. It took 34 minutes before he was pronounced dead at 12:35 a.m. PT.