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# The British company making a business out of killing

The company supplying sodium thiopental for the execution of Jeffrey Landrigan should be named and shamed

**Clive Stafford Smith**  
guardian.co.uk, Tuesday 26 October 2010 16:00 BST  
[Article history](#)



The only legal US source of sodium thiopental has refused to play any further part in executions, but an unnamed British supplier has obliged. Photograph: Martin Rickett

There are plenty of Americans who think that Jeffrey Landrigan should have been executed at 10am local time today, but it seems that Arizona has run out of a legal supply of sodium thiopental, one of the drugs used for lethal injections in 34 states. Today, [blogs are full of offers by volunteers](#) who would like to take the task upon themselves – whether with a gun ("There's no shortage of lead"), a baseball bat or their own cocktail of poisonous liquids.

However, yesterday federal judge Roslyn Silver [stayed the execution](#). There is only one legal source of sodium thiopental in the United States, which is the pharmaceutical company Hospira. The drug is only the first step in a three-stage process but, [according to the supreme court](#), "[i]t is uncontested that, failing a proper dose of sodium thiopental that would render [a] prisoner unconscious, there is a substantial ... risk of suffocation ... and pain from the injection" of the two subsequent drugs. Hospira recently refused to play any further role in capital punishment, insisting that the company is in the business of saving lives, rather than taking them.

Landrigan is severely brain damaged, probably as a result of his biological mother's drug abuse during his pregnancy. Once out of the womb, he was handed to an alcoholic adoptive mother who would pass out each day after drinking a bottle of vodka. Notwithstanding this, [the supreme court ruled](#) – by the narrowest of margins, five to four – that such evidence would have made no difference to the sentencing judge. Justice Clarence Thomas wrote that "the poor quality of Landrigan's alleged mitigating evidence prevented him from making 'a colorable claim'" that the trial judge would have spared his life.

How wrong human beings can be. More recently, another judge – this

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time, the one who originally decided that Landrigan should die – [has sworn out an affidavit](#) saying that she would never have imposed a death sentence had she known about his mental defects.

Yet many still believe he should be put to death. Seemingly among their number is an anonymous British corporation. Yesterday, Arizona attorney general Terry Goddard, when asked for the identity of the supplier, conceded that the drug was [imported from Britain](#), but refused to name the company.

Judge Silver found it "perplexing" that Goddard would insist on secrecy for the source of Jeffrey Landrigan's execution drugs. Hers was a judicious choice of words, and one might scrabble for something harsher. One question that immediately springs to mind is whether it is criminal for the British corporation to profit from such a killing: while the language is loose, [EU Council Regulation 1236/2005](#) takes a step along this path, making it illegal to "trade in certain goods which could be used for capital punishment, torture, or other cruel, inhuman or degrading treatment ..."

The morality of it all is a separate issue, and Hospira's judgment was correct. When the veil of secrecy is inevitably sundered, this British corporation should be reminded that the medical profession boasts of a Hippocratic oath, not a hypocritical one.

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 **taxesandcuts**  
26 October 2010 4:06PM

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Why? Who should supply the chemicals?

 **TheMackinator**  
26 October 2010 4:08PM

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Indeed. If they are so concerned with making money above ethical considerations, you'd think they'd want to advertise themselves. I'm sure they would have alot of interest.

 **Birdyboy**  
26 October 2010 4:08PM

[Recommend](#) (18)  
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What did he do by the way, you don't seem to have mentioned that. You see, I have a massive problem with capital punishment. I am against it and think it barbaric, but if someone killed some that I loved I am sure I would want them to die also.

So how do we find out which company supplies the sodium thiopental?

 **BruiserBrody**  
26 October 2010 4:12PM

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What exactly is wrong with this? The man has been found guilty in a court of law and

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sentenced to death. Would you rather he was hung?

Like it or not, America knows how to deal with criminals.



**BruiserBrody**

26 October 2010 4:14PM

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Landrigan has a lengthy criminal record. He was convicted of second-degree murder in Oklahoma in 1982. Four years later, while in prison for that crime, he repeatedly stabbed a fellow inmate, and time was added to his sentence.

In 1989, he escaped from custody and traveled to Arizona. A month later and after a night of heavy drinking, according to court records, Landrigan strangled Chester Dyer with an electrical cord.



**SoundMoney**

26 October 2010 4:14PM

Recommend (60)

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One question that immediately springs to mind is whether it is criminal for the British corporation to profit from such a killing; while the language is loose, EU Council Regulation 1236/2005 takes a step along this path, making it illegal to "trade in certain goods which could be used for capital punishment, torture, or other cruel, inhuman or degrading treatment ..."

Quite... is an export license required?

If not, why not, and can the UK and/or EU law not be changed to make it a requirement?

And then can we use the Freedom of Information Act to find out what company has been granted such a license?

Landrigan is severely brain damaged, probably as a result of his biological mother's drug abuse during his pregnancy. Once out of the womb, he was handed to an alcoholic adoptive mother who would pass out each day after drinking a bottle of vodka.

I'll remember that one for next time a pro-lifer tells me women should be forced to bear children against their will and give them up for adoption where they will enjoy a better life.



**CordwainerBird**

26 October 2010 4:14PM

Recommend (54)

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The company supplying sodium thiopental for the execution of Jeffrey Landrigan should be named and shamed

Sodium Thiopental has legal uses, Jeffrey. Before you name and shame, are you sure the British company in question were aware of the use to which it would be put? I suspect the answer is yes, but confirmation would be appreciated.



**BalsamicVinegar**

26 October 2010 4:15PM

Recommend (66)

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>>The company supplying sodium thiopental for the execution of Jeffrey Landrigan should be named and shamed

Whatever the rights and wrongs of capital punishment, the companies that market and sell Cigarettes are responsible for more deaths throughout the world than the 'unnamed British supplier'.



**BBZaph**

26 October 2010 4:21PM

Recommend (49)

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Thiopental is a core medicine in the World Health Organization's "Essential Drugs List", which is a list of minimum medical needs for a basic healthcare system.



**TheMackinator**

26 October 2010 4:21PM

Recommend (23)

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The British company making a business out of killing

Sorry, but this does lend itself to a helluva catchys slogan: "Making a killing out of killing since 1972!". Again, I can only apologise. Sorry.



**CordwainerBird**

26 October 2010 4:23PM

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**Production Editor - Mini - Bath**

Landrigan v. Brewer, No. 10-99021 archived on November 5, 2010

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Whatever the rights and wrongs of capital punishment, the companies that market and sell Cigarettes are responsible for more deaths throughout the world than the 'unnamed British supplier'.

What you say is true, but cigarettes are legal in the UK so there are no moral issues over their export.

The death penalty on the other hand is not only illegal, but as a nation we are signed up to various human rights conventions that forbid its use. We are also forbidden to extradite anyone to a country where the death penalty may be used against them.

It's therefore a bit illogical for us to be exporting stuff to be used to administer the death penalty.



**MiddleEnglandLefty**

26 October 2010 4:23PM

[Recommend \(114\)](#)

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Read the link to the news story with comments, I now need to take a shower. The posters below the line reveal a barbarism that should be out of place in a civilized society.



**JorgeyBorgey**

26 October 2010 4:26PM

[Recommend \(55\)](#)

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Could the owner or proprietor of the company that produces the Sodium Thiopental be convicted for murder? Because producing a chemical that is knowingly going to be used a murder - because it doesn't matter if its a man with a machete or a doctor with a needle, it is still murder - and thus could be held responsible for murder.

It is disgrace: How can a civilised, modern and democratic country continues to murder its own citizens?



**Hol48**

26 October 2010 4:27PM

[Recommend \(12\)](#)

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I'll ignore the question of whether or not somebody with such mental defects should be given the death penalty. Far too much of a minefield even before CiFers get their hands on it. But there is zero reason for them not to name this company. They need to ensure that the supply is legal - I've never been a big believer in "if you've done nothing wrong you have no need of anonymity," but in this case there is no reason to hide if they're in proper compliance with the applicable laws.

I have to wonder if we'd even be reading about this if they'd just handed the name over. Seems like trying to keep it quiet makes them look like they have something to hide.



**drugsbad**

26 October 2010 4:27PM

[Recommend \(25\)](#)

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British American Tobacco  
the worlds greatest legal killer



**JSMilitant**

26 October 2010 4:28PM

[Recommend \(55\)](#)

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Lefties are always complaining about how no British companies actually make things to boost our exports. Then when they make things people are willing to pay for, the lefties complain again...



**BBZaph**

26 October 2010 4:30PM

[Recommend \(43\)](#)

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JorgeyBorgey

Could the owner or proprietor of the company that produces the Sodium Thiopental be convicted for murder? Because producing a chemical that is knowingly going to be used a murder - because it doesn't matter if its a man with a machete or a doctor with a needle, it is still murder - and thus could be held responsible for murder.

It is disgrace: How can a civilised, modern and democratic country continues to murder its own citizens?

Are you serious? My father was murdered with an axe in 1995 - should I be pushing for the manufacturer of the axe to be charged with murder? No - the axe in question was used for a purpose for which it was not intended by a person with hate and evil in his heart. People kill people - not things.

Handrigan v. Brewer, No. 10-99021 archived on November 5, 2010

If anyone writing on this stream was in the unfortunate position of needing to be put into a drug induced coma in order to save their life, they would be grateful for the drug in question.



**Valencienne**

26 October 2010 4:31PM

[Recommend \(11\)](#)

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Whatever the rights and wrongs of capital punishment, the companies that market and sell Cigarettes are responsible for more deaths throughout the world than the 'unnamed British supplier'.

And each of them advertises its manufacturer's name right on the packet.



**Atavism**

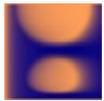
26 October 2010 4:32PM

[Recommend \(15\)](#)

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BAE are already named and shamed - wouldn't it solve everyone's problems if they got a Eurofighter to shoot him with a missile?



**Rotwatcher**

26 October 2010 4:33PM



[Recommend \(106\)](#)

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Why? Who should supply the chemicals?

No-one. No country can be called civilised if it murders its own citizens.

Would you rather he was hung?

You mean "hanged". And the answer's still "no"



**EastFinchleyite**

26 October 2010 4:34PM

[Recommend \(8\)](#)

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The problem is that the UK company may not be the primary manufacturer. A quick search on the internet shows many suppliers around the world. The drug may be imported and then re-exported to the US. It could be any import/export concern with an appropriate license.

As with recreational drugs, controlling the drug supply doesn't tackle the underlying problem. The USA is not a European country and it is different to us; in their standards of evidence, the way it regards people with low intelligence or brain damage and the punishments it inflicts. Killing people is a reasonable punishment to them. It isn't to us.

Preventing this drug from getting to the USA will at best be a short term annoyance. They will either get it from elsewhere such as China, or invent a new way of executing the convicted.



**BBZaph**

26 October 2010 4:34PM

[Recommend \(30\)](#)

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According to the FDA, in 2000, 522 men died as a result from taking Viagra.

A total of 85 prisoners - 83 men and two women - in 14 U.S. states were executed during 2000.

Guardian must be having a slow news day.



**edmundberk**

26 October 2010 4:37PM

[Recommend \(19\)](#)

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The hippocratic oath not only includes vows that would preclude producing this drug for these purposes; it also prohibits abortion.

Rather a lot of naming and shaming required if we proceed as you advise Clive.



**rchrdav**

26 October 2010 4:38PM

[Recommend \(27\)](#)

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BruiserBrody

26 October 2010 4:12PM

What exactly is wrong with this? The man has been found guilty in a court of law and sentenced to death. Would you rather he was hung?

Like it or not, America knows how to deal with criminals

And they are really effective as well. That is why they don't need to have so many of their fellow citizens in prison and don't have to carry out all those executions as well

Landing v. Brody in the 10989021 archived on November 5, 2010



**Hoi48**

26 October 2010 4:40PM

[Recommend \(8\)](#)

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@JorgeyBorgey

I see your logic, but no. Murder is specifically a type of unlawful killing - and executions by due process of law in a jurisdiction which allows the death penalty are not unlawful. You can't commit murder by manufacture in the way you describe if the killing it's manufactured for isn't legally considered murder.

Though of course whether or not it should be legally considered murder is an entirely different matter, as is the question of whether UK and EU laws allow us to export chemicals for use in executions given our legal position on them.



**richardn1**

26 October 2010 4:40PM

[Recommend \(10\)](#)

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@CordwainerBird

There are many similar preparations available for euthanizing animals. Pentobarbital, trade name Sagatal, when injected intravenously in sufficient amounts, will kill an animal painlessly by inducing very very deep sleep and is routinely used as a veterinary preparation.

If we want to throw stones at Big Pharma I guess they have broad enough shoulders to shrug it off, but shouldn't the guys who ordered the execution come in for some blame too, or is this simply 'legal process,' not blameworthy at all? It wouldn't do to start blaming the lawyers and lawmakers, would it Stafford?



**CordwainerBird**

26 October 2010 4:41PM

[Recommend \(1\)](#)

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@CordwainerBird

Sodium Thiopental has legal uses, Jeffrey. Before you name and shame, are you sure the British company in question were aware of the use to which it would be put? I suspect the answer is yes, but confirmation would be appreciated.

Of course what I should have said is *Sodium Thiopental has legal uses, Clive*

Apologies



**fatherv**

26 October 2010 4:41PM

[Recommend \(5\)](#)

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Pharmaceuticals are bigger business than oil, so unfortunately this isn't surprising.

I really don't think there's an economical argument that counters the moral wrong of facilitating the death penalty- regardless of that company's own views (or lack of), as CordwainerBird points out, we are in a country that condemns and legislates against the practice.

Playing devils advocate to that, however, it would be pretty rich for the government to intervene in light of all the arm's dealing we do around the world.

Sigh.



**Berchmans**

26 October 2010 4:43PM

[Recommend \(23\)](#)

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**Clive**

The usual excellent and compelling essay we have come to expect. I wish you well in your work.

B

**Birdyboy**

## , but if someone killed some that I loved I am sure I would want them to die also ##.

But would the one who was killed want this? Would she want her children's father dead? Because thats who often kill people in our society. *The loner with an Uzi* is who you would want to die.. but these kind of people are not put off by considerations of future punishment.

There is no argument for the use of death as a penalty. If people want to go this is another issue.

B

Landrigan v. Brewer, No. 10-99021 archived on November 5, 2010



**CordwainerBird**  
26 October 2010 4:43PM

[Recommend \(1\)](#)

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@richardn1

Quite. The difficulties in maintaining a logical position over this just go on and on unfortunately.



**Victoriatheoldgoth**  
26 October 2010 4:43PM

[Recommend \(31\)](#)

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"How can a civilised, modern and democratic country continues to murder its own citizens?"

Well, that's democracy. I expect, if put to a vote of citizens - sorry, subjects - here, we'd have capital punishment for murder, too. I notice the author of the above piece neglects to mention the crimes the man was convicted of - is he concerned the reader might feel less sympathy if they knew the full facts?



**BBZaph**  
26 October 2010 4:46PM

[Recommend \(19\)](#)

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The company supplying sodium thiopental for the execution of Jeffrey Landrigan should be named and shamed

Makes it sound as though the company made the sodium thiopental just for Jeffrey Landrigan ...

The British company making a business out of killing

When I saw the headline I thought it was about the exporting of arms. Britain ranks fourth in the world for exporting arms ... but then I read it was an article about the manufacture of a legitimate drug!



**cocteau8**  
26 October 2010 4:49PM

[Recommend \(51\)](#)

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@BruiserBody

Like it or not, America knows how to deal with criminals

And we can all see the extremely low crime rates as a result of the US attitude towards the death penalty, eh! On a par with, or better than, its neighbour Canada, where the death penalty doesn't exist, is it? I think you know the answer!

Landrigan's Brother - No. 10-99021 archived on November 5, 2010



**Victoriatheoldgoth**  
26 October 2010 4:49PM

This comment has been removed by a moderator. Replies may also be deleted.



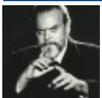
**FramplerandhisBox**  
26 October 2010 4:50PM

[Recommend \(18\)](#)

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I abhor capital punishment, irrespective of the mental state of the convict, but I think the focus should be on shaming the jurisdiction that imposes it, rather than on a British company supplying a sedative chemical that can be used as part of the execution process. A company cannot be expected to track how the chemicals it supplies are being used by its clients. And I think you know damned well that the export of such a chemical wouldn't be caught by that Regulation unless its only purpose was to be used in capital punishment.



**MoneoSionaLeto**  
26 October 2010 4:51PM

[Recommend \(21\)](#)

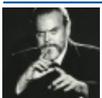
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can anyone give statistics as to Murder rate with and without ?  
is it higher or lower

we had Death Penalty in 1950s ...did that stop Christie in Rillington place and many more ?

anybody who is cold bloodied sociopath is way beyond rational fear of retribution



**MoneoSionaLeto**  
26 October 2010 4:53PM

[Recommend \(19\)](#)

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oh and theres a long list of innocents who were hung Christies lodger was hung for

Christies crime  
we should as a nation be ashamed to take part in this export of legal muder



**Berchmans**  
26 October 2010 4:54PM

[Recommend \(55\)](#)

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**JS Militant**

## Lefties.. complaining about how no British co. make things to boost our exports.(but) make things people are willing to pay for, the lefties complain again...##

Yeah finally a piece of good news... the moaning minnies. The country that gave the world penicillin.. lead the globe in science for 2 hundred years...harnessed steam and released the power of coal.. we keep up the tradition by sending poison to kill poor , often black folk in rich , often white America. **How are we doing Faraday?**

B



**Parvulesco**  
26 October 2010 4:57PM

[Recommend \(3\)](#)

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Agreed.

I'll go elsewhere for my sodium pentathol from now on.



**Forthestate**  
26 October 2010 4:57PM

[Recommend \(38\)](#)

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Landrigan has a lengthy criminal record. He was convicted of second-degree murder in Oklahoma in 1982. Four years later, while in prison for that crime, he repeatedly stabbed a fellow inmate, and time was added to his sentence.

In 1989, he escaped from custody and traveled to Arizona. A month later and after a night of heavy drinking, according to court records, Landrigan strangled Chester Dyer with an electrical cord.

Why is it that those who thirst for the death sentence almost seem to revel in the crimes committed by those they want executed, as though the lust for blood is all the more gratified by the orgy of violence that supposedly justifies it.

Landrigan file: B7c No. 10-99021 archived on November 5, 2010



**shiv**  
26 October 2010 4:58PM

[Recommend \(5\)](#)

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Isn't the point, though, that the sodium thiopental isn't lethal, but a drug used to make other lethal injections less painful, so it's not against the EU laws to supply it?

Unconscionable, I agree but not illegal.



**taxesandcuts**  
26 October 2010 4:58PM

[Recommend \(16\)](#)

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**Rotwatcher**  
26 October 2010 4:33PM

No-one. No country can be called civilised if it murders its own citizens.

No that's why they tried him in a court of law, provided an attorney for him to make sure his defence was professionally put, allowed him an appeal procedure to a higher court and afforded him the right to ask for clemency from the Governor.

Having therefore been convicted lawfully in a democratic country where the citizens rather approve of the laws and penal system he suffered the lawful punishment that they deemed fit for their fellow citizens that go around killing some of them. The punishment being lawful it is not therefore "murder".

Murder is the crime of causing the death of another human being, without lawful excuse, and with intent to kill them, or with intent to cause them grievous bodily harm. This is what Jeffrey Landrigan did to his fellow citizens on several occasions.

What the court is doing is imposing the legal penalty as decided by the People of Arizona. They intend to do it in accordance with the law. Hence the need for the correct drugs to comply with the legal requirements. This is much more consideration than Jeffrey Landrigan really deserves but the law is the law.



**RogerINtheUSA**  
26 October 2010 4:59PM

[Recommend \(1\)](#)



It is illegal to trade in it if it can be used in capital punishment, but apparently it is being sold to the NHS

<http://medguides.medicines.org.uk/nhs/medicine.aspx?name=Thiopental%20sodium&use=Anaesthesia&preparation=1&section=suitability>

Shouldn't production and sale of thiopental and potassium chloride be illegal in the EU?

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**lckf**  
26 October 2010 5:05PM

@taxesand cuts

quite right. That's why the Ten Commandments don't say "Thou shalt not murder", but "Thou shalt not kill"

@Mneo..

The murder rates in US States that do not have capital punishments are consistently lower than in those States that kill people. There is no deterrent effect:

<http://www.deathpenaltyinfo.org/deterrence-states-without-death-penalty-have-had-consistently-lower-murder-rates>

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**Berchmans**  
26 October 2010 5:09PM

**BruiserBrody**

## Like it or not, America knows how to deal with criminals ##

Not ! :) America has millions of folk in horrendous prisons where abuse is built into the fabric of the cells. They kill poor ones who murder ...but rich folk sail off in their 4x4s if they can afford the showy lawyers. *3 strikes and you are out*??? was it thought up as a game show??? it is lunatic overkill costing billions..

and also ,of course.. people still keep murdering

B

Landrigan v. Brewer, No. 10-99021 archived on November 5, 2010

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**MoneoSionaLeto**  
26 October 2010 5:11PM

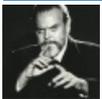
Once I had a German shepard dog that went insane through a brain virus it had to be put down as it had tried to attack my wife and went for my throat then it had siezures and fits I somehow got it to a vet who confirmed the virus was in its brain and nothing could be done I had to placate the dog as the vet destroyed it ,in my own hands that dog was put to sleep and I carried it to the animal morgue and we have a system that injcets like putting a dog to sleep

are you so eager to see a human being even a pyschopath put down like an animal ? Its easy type words but in reality if you had to witness youd probably vomit

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**MoneoSionaLeto**  
26 October 2010 5:16PM

lckf  
Thank you

that enough is reason not to have death penalty

Not one person was ever saved by the death of another

would type more but bit choked thinking back to the dog !

[Recommend \(15\)](#)

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**RogerINtheUSA**  
26 October 2010 5:19PM

This comment has been removed by a moderator. Replies may also be deleted.



**tomedinburgh**  
26 October 2010 5:20PM

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Maybe they don't want to name the supplier because they acquired it in a sneaky way to make it look like it was for healthcare rather than an execution. They may worry that the supplier would refuse to supply any more if it found out.

If the supplier knew it was supplying drugs for an execution I'd be surprised if it did not require an export licence.

 **rimbaud60**  
26 October 2010 5:20PM

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*I notice the author of the above piece neglects to mention the crimes the man was convicted of - is he concerned the reader might feel less sympathy if they knew the full facts*

My opposition to the death penalty is not founded upon sympathy for murderers - though the idea that the US judicial system convicts only the guilty is clearly erroneous.

No, it's about recognising that the judicial execution of the innocent is abhorrent, and so, too, is the judicial execution of the guilty; it's about maintaining a society that does not sink to the level of its lowest common denominator; it's about recognising that the death penalty is about retribution, not deterrence; it's also about adhering to a simple, yet powerful edict: Thou Shalt Not Kill.

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