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In Utah, Execution Evokes Eras Past

By KIRK JOHNSON
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DRAPER, Utah — The death penalty re-emerged here, behind the gray stone walls of the Utah State Prison in early 1977, in violence and blood. A murderer named Gary Mark Gilmore, famous even before the [books about him](#), died before a five-man firing squad, ending a national moratorium on capital punishment. The law-and-order era of the 1980s and '90s — if not quite by calendar, then by symbol and deed — had begun.

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Jeffrey D. Allred for The New York Times
The Utah State Correctional Facility, where Ronnie Lee Gardner will face a firing squad Friday. [More Photos »](#)

Now the firing squad, a Utah way of death that began in pioneer days and lingered after other states that practiced capital punishment had moved on to more sanitized means of killing, is back. The execution of a man named Ronnie Lee Gardner, 49, for murdering a lawyer in an escape attempt, is set for the small hours of Friday morning. If not blocked by the courts, Mr. Gardner will be hooded, strapped to a chair and shot through the heart.

To many people living in Utah in 1977, the days leading up to Mr. Gilmore's death were filled with foreboding and strange, morbid exhilaration. Candlelight vigils were offered up in the chilly January air outside the prison. The national and international news media descended in full swarm.

To return on the eve of another execution is to see how much, and in other ways, how little, has changed.

A place once righteously confident in its world view and harsh in its judgment of places that seemed to have gone off the tracks in the 1970s — like New York City and the Rust Belt — is now more diverse and tempered by an influx of newcomers, and perhaps from hard times as well during the recession.

The national debate over capital punishment has evolved, too, especially in the last few years as states from New Mexico to New Jersey to Illinois have repealed the death penalty or halted executions.

Debra Radack has lived that arc of change.

Ms. Radack, 54, was planning her wedding in 1977, working at a radio station and completely convinced that Mr. Gilmore deserved to die for killing two young men in separate armed robberies. She said she was convinced that Mr. Gardner's execution was just, too. But the black-or-white certainty of her youth is gone, she said. Evi-dence

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A depiction of Gary Gilmore's execution in 1977. [More Photos »](#)

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Jeffrey D. Allred for The New York Times
Ralph Dellapiana is a defense lawyer in Salt Lake City and the director of Utahns for Alternatives to the Death Penalty. [More Photos](#) »

about mistakes and miscarriages of justice in death penalty cases around the country have made her cautious.

“After you live a bit, you see more shades of gray,” she said, interviewed on a lunchtime stroll in Salt Lake City, about 20 miles north of here.

The execution of Mr. Gardner, if carried out, might not be the last by firing squad, but the list of possible cases is dwindling fast. Utah went to lethal injection in 2004, but anyone convicted before that date, as Mr. Gardner was in 1985, could still choose to be shot. Four other death row inmates have indicated that they may take the firing squad option, if and when their time comes. Another murderer, John Albert Taylor, died here by firing squad in 1996, before the law was changed.

While steadfast belief in the death penalty may have eroded for some, the fierce ethos of eye-for-an-eye — whether based on religion or the code of the West — is alive and well.

“In the days of Moses, they’d stone them to death because they didn’t have guns back then,” said Jackson Smith, 68, a retired security guard in Salt Lake. “So it doesn’t make any difference to me how they do it — firing squad, electric chair or whatever.”

But opinions like Marianna Bouttier’s are also much more part of the mix now than they were a generation ago.

“Human fallibility and the fallibility of our justice systems,” said Ms. Bouttier, 22, an undergraduate in international studies at the [University of Utah](#), in explaining her opposition to the death penalty. “I don’t think you can ever really be 100 percent correct. Empirical evidence only goes so far with our current technology.”

For some people, turning-point moments dating back to the Gilmore case resonate still. Ralph Dellapiana was serving as a missionary in Spain for the Church of Jesus Christ of Latter-day Saints in 1977. He returned from his mission a changed man, “my eyes opened to the wider world,” as he put it in an interview. He is now a defense lawyer in Salt Lake and director of [Utahns for Alternatives to the Death Penalty](#).

Larry Cox, the executive director of [Amnesty International](#), the nonprofit human rights organization, was writing news releases for the group in 1977. The Gilmore case shifted [Amnesty’s battle](#) against capital punishment from an international setting to a domestic issue.

“A lot of people realized that it was a turning point,” he said. “Now, we’re once again moving in the other direction — it’s slow, uneven, not dramatic, but all trends show that the death penalty is losing favor, not gaining.”

Executions in the United States [peaked](#) in 1999, when 98 people were put to death, according to the Death Penalty Information Center, an anti-capital-punishment group, though the numbers from last year were back up somewhat to 52, the most since 2006.

A news release from the [Utah Department of Corrections](#) says that Mr. Gardner’s anonymous five-man squad will be stationed behind a brick wall in the 20 feet by 24 feet execution chamber inside the prison. The executioners will be armed with .30-caliber rifles, four of which will be loaded with live rounds — with none of the gunmen knowing who has the blank. “At the conclusion of the condemned’s last words the execution team will commence fire,” the news release said.

But even as the Gardner case is reminding some people of how Utah has changed, there are plenty of reminders of how it has not. The ideas of free will and personal responsibility — bedrock principles of conservative ideology, not to mention law enforcement — seem unshaken.

“Everybody has choices, and he chose to do what he did back when he was young and it creates consequences for him now,” said Natasha Gines, 25, a bank compliance officer in

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Salt Lake, referring to Mr. Gardner.




The gun culture of hunters and shooters, to whom the idea of a firing squad is perhaps not as alien as it could seem elsewhere, also thrives.


Just a few miles from the prison, a highway billboard sign advertised an indoor gun range. "Shoot real machine guns!" the sign shouted.

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