

Is Capital Punishment Morally Defensible?

Semon Frank Thompson Semon Frank Thompson is a career corrections professional and an advocate for criminal justice reform. Having grown up in Little Rock, Arkansas, in the midst of the civil rights movement, he started at the University of Arkansas at Fayetteville in 1961 with the intention of becoming a doctor but left after two years to enlist with the military; he later returned and earned a BA in social welfare in 1969. While continuing his studies at the University of Arkansas School of Law, Thompson worked on the campus police force, first as a patrolling officer and then as the department's first black criminal investigator; he also served as assistant dean of minority affairs and associate dean of students. After graduating from the Arkansas Law Enforcement Training Academy, Thompson worked as a warden and superintendent with the Arkansas Department of Corrections before accepting the position of superintendent at the Oregon State Penitentiary in 1994; he continued with the Oregon Department of Corrections in various prison leadership capacities until his retirement in 2010. He lives in Salem, Oregon, and now travels the country speaking against the death penalty.

What I Learned from Executing Two Men For Semon Frank Thompson, the issue of capital punishment is unexpectedly personal. At one time agreeing with policymakers like David B. Muhlhausen (p. 526) that the death penalty was fair and just punishment for especially violent crimes, his experience at the Oregon State Penitentiary changed his mind. In this essay written for the New York Times in September 2016, the former prison superintendent and reluctant executioner tells his story.

As superintendent of the Oregon State Penitentiary, I planned and carried out that state's only two executions in the last fifty-four years. I used to support the death penalty. I don't anymore.

I was born and raised in the segregated South. I was thirteen when Emmett Till was lynched for "flirting" with a white woman. I can remember upstanding black Christians expressing hope that his murderers would be caught and hanged. It seemed quite reasonable to me then that death was the only proportionate response for people who would so egregiously violate the norms of a society.

Years later, as a young law enforcement officer, I lost a close friend, John Tillman Hussey, and a cousin, Louis Perry Bryant — both law enforcement officers themselves — to execution-style murders at the hands of felons who were attempting to avoid arrest. I remember feeling that justice had been served when one of their killers was executed.

In 1994, during my interview for the superintendent job, I was asked if I would be willing to conduct an execution. I said yes. Oregon had not executed anyone in decades, but the death penalty was part of the criminal justice system, and I had to be prepared for all of the duties that a superintendent could be called upon to perform.

Shortly afterward, I was charged with executing two inmates on the penitentiary's death row, Douglas Franklin Wright and Harry Charles Moore. Moore had been convicted of killing his half sister and her former husband, and he said he'd take legal action against anyone who tried to stop his execution. Wright was sentenced to death for killing three homeless men. He later admitted to killing a ten-year-old boy. He, too, had given up his appeals.

Regardless of their crimes, the fact that I was now to be personally involved in their executions forced me into a deeper reckoning with my feelings about capital punishment. After much contemplation, I became convinced that, on a moral level, life was either hallowed or it wasn't. And I wanted it to be.

I could not see that execution did anything to enhance public safety. While death penalty supporters suggest that capital punishment has the power of deterrence, a 2012 report by the National Research Council found that research “is not informative about whether capital punishment decreases, increases or has no effect on homicide rates.”

I now believed that capital punishment was a dismal failure as a policy, but I was still expected to do my job. So I met with my staff and explained my position. I made it known that anyone who felt similarly opposed could back out of our assignment. According to state policy, assisting in the executions was voluntary for everyone but the superintendent. And yet each of those asked to serve chose to stay to ensure that the job was done professionally.

I’m a Vietnam-era veteran, and a law enforcement professional who has been trained to deal with life-or-death situations, as were many of my colleagues. We focused on carrying out our responsibilities and leaving everyone involved with as much dignity as possible.

I began to feel the weight of this undertaking while practicing for the executions. Teams rehearsed for more than a month. There was a full “run through” of the execution every week.

The weight intensified during the executions, which took place eight months apart, and it didn’t subside until well after they were completed. I cannot put into words the anxiety I felt about the possibility of a botched procedure. I wasn’t certain how my staff would fare. These were the first executions in Oregon in over three decades. These were the first executions in Oregon to be administered by use of lethal injections. I was the first black superintendent of the Oregon State Penitentiary. All of these firsts had the potential to come together in a very negative way if my team made a single mistake.

Planning an execution is a surreal business. During a prisoner’s final days, staff members keep the condemned person under twenty-four-hour surveillance to, among other things, ensure that he doesn’t harm or kill himself, thus depriving the people of Oregon of the right to do the same. I can understand the administrative logic for this reality, but it doesn’t make this experience any less strange.

During the execution itself, correctional officers are responsible for everything, from strapping the prisoner’s ankles and wrists to a gurney to administering the lethal chemicals. One of the condemned men asked to have his wrist straps adjusted because they were hurting him. After the adjustment was made, he looked me in the eye and said: “Yes. Thanks, boss.”

After each execution, I had staff members who decided they did not want to be asked to serve in that capacity again. Others quietly sought employment elsewhere. A few told me they were having trouble sleeping, and I worried they would develop post-traumatic stress disorder if they had to go through it another time.

Together, we had spent many hours planning and carrying out the deaths of two people. The state-ordered killing of a person is premeditated and calculated, and inevitably some of those involved incur collateral damage. I have seen it. It’s hard to avoid giving up some of your empathy and humanity to aid in the killing of another human being. The effects can lead to all the places you’d expect: drug use, alcohol abuse, depression and suicide.

But the job gets done — despite the qualms and the cost. That’s the way it’s supposed to work. Capital punishment keeps grinding on, out of sight of society.

The average citizen will never find himself looking a death row prisoner in the eye, administering a lethal injection and stating the time of death in front of observers and reporters. But we all share the burden of a policy that has not been shown to make the public any safer, and that endures despite the availability of reasonable alternatives.

I am encouraged that Oregon now has a moratorium on executions, and there have not been any in the state since the ones I oversaw. Nationwide, in the past few decades, executions have also been declining, from a high of ninety-eight in 1999 to fifteen so far this year. But people continue to be sentenced to death.

Since I retired from corrections in 2010, my mission has been to persuade people that capital punishment is a failed policy. America should no longer accept the myth that capital punishment plays any constructive role in our criminal justice system. It will be hard to bring an end to the death penalty, but we will be a healthier society as a result.

Kennedy, X.J.; Kennedy, Dorothy M.; Aaron, Jane E.; Repetto, Ellen Kuhl. The Bedford Reader (Kindle Locations 13260-13261). Bedford/St. Martin's. Kindle Edition.