

Second US state plans execution using ‘DIY drugs’

November 13, 2012

Pennsylvania is set to become the second state to kill a prisoner using so-called ‘DIY drugs’ – produced in a compounding pharmacy of the same type thought to be responsible for the recent meningitis outbreak in the US.

The state is planning to execute Hubert Michael today [Thursday 8 November] using a three-drug cocktail including drugs which were made-to-order for the purpose by a compounding pharmacy. Compounded drugs are not FDA-approved, and carry significant risks of subpotency, contamination and other quality defects.

Compounding pharmacies have recently come under the spotlight after being blamed for an outbreak of meningitis resulting from contaminated drugs. Pennsylvania joins South Dakota in resorting to this new source of execution drugs, after mainstream pharmaceutical manufacturers took action to prevent their anaesthetics being used to kill by US prisons. The pentobarbital used by South Dakota is known to have been contaminated by fungus, raising concerns over its efficacy and the potential suffering of the prisoner.

In Pennsylvania, the risks are even greater since, unlike in South Dakota, a three-drug lethal injection cocktail will be used. **If the compounded anaesthetic doesn’t work effectively, Hubert will be paralysed by the second drug and remain conscious, unable to signal his distress as a massive overdose of the third drug – a powerful acid – is injected into his veins.**

Pennsylvania’s Department of Corrections is refusing to release a swathe of information regarding their own supply of pentobarbital, including the source of the active ingredients, the name of the compounding pharmacy, or a certificate of analysis which could show whether or not the ingredients were contaminated.

Reprieve Investigator Maya Foa said: “By using these DIY drugs, Pennsylvania is playing Russian Roulette with the welfare of prisoners. The ultimate penalty is not one which should be carried out lightly – yet state authorities seem prepared to put their own political convenience above the risk that people will be put to death in excruciating pain. That Pennsylvania DOC is trying to hide this barbaric activity behind a shroud of secrecy is shameful.”

ENDS

Notes to editors

1. For further information, please contact Donald Campbell on +44 (0) 7791 755 415

2. Please note that Reprieve is moving offices and our email system will therefore be inoperable between Thursday November 8th at 6pm and Monday November 12th at 8am. All messages you send to us during this period will be held in our system during the downtime and then delivered on Monday morning as normal. During this time our phones will also be out of service. If you need to contact us please use the mobile number above.

Our new postal address will be:

Reprieve

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Our new telephone number will be: 020 7553 8140.

3. Reprieve, a legal action charity, uses the law to enforce the human rights of prisoners, from death row to Guantánamo Bay. Reprieve investigates, litigates and educates, working on the frontline, to provide legal support to prisoners unable to pay for it themselves. Reprieve promotes the rule of law around the world, securing each person's right to a fair trial and saving lives. Clive Stafford Smith is the founder of Reprieve and has spent 25 years working on behalf of people facing the death penalty in the USA. Reprieve's current casework involves representing 15 prisoners in the US prison at Guantánamo Bay, assisting over 70 prisoners facing the death penalty around the world, and conducting ongoing investigations into the rendition and the secret detention of 'ghost prisoners' in the so-called 'war on terror.'

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