

Name \_\_\_\_\_

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## Humane Execution: No Such Thing

The Eighth Amendment to the United States Constitution prohibits the government from inflicting cruel and unusual punishments on people convicted of crimes. Although many believe that the death penalty violates this amendment, courts in our country have consistently approved of capital punishment in a number of forms. The methods of execution have changed over the years in an ongoing search to find the most painless, humane way of executing a human being. This is an ideal that we have not yet reached, as the evolution of execution methods continues to this day. Although some argue that execution methods have become more humane over time, there is ample evidence to suggest that there is just no such thing as a humane execution.



The original method of capital punishment in America was hanging. By 1853, this method was used by almost every state that implemented the death penalty. However, by the late 1800s, the public started to become uncomfortable with hanging. As a result, in 1888, the electric chair was introduced as a new method that was thought to be as quick and painless as possible. In 1890, the U.S. Supreme Court validated this idea by finding that electrocution was a constitutional way to take the lives of condemned inmates. By the 1920s, over half the states that used capital punishment employed the electric chair.

As with hanging, though, death by electrocution proved to be less painless than originally thought. These problems led to the development of lethal gas as a method of execution. In 1921, Nevada became the first state to try lethal gas, which was expected to cause a tranquil death. Yet it too proved problematic, sometimes lasting for extended periods of and causing terrible pain.

These difficulties led to yet another development in capital punishment. In 1976, legislators in Oklahoma worked with that state's chief medical examiner to create a way to execute people through the injection of lethal drugs. By 2008, every single death penalty state had adopted lethal injection. This method involves a four-step process. First, intravenous lines are placed in peripheral sites in the inmate's body, such as the arms, hands, legs, or feet. Next, the inmate is anesthetized using a type of drug known as a barbiturate. Under the original method, all states used a barbiturate called sodium pentothal. After the inmate is completely anesthetized, the next step under this method is to administer a drug called pancuronium bromide, a chemical paralytic that immobilizes all muscles in the body and even prevents a person from breathing or blinking. The final step in this type of execution is the administration of potassium chloride, which quickly stops the inmate's heart, causing death.

For many years, this type of execution was thought to be completely painless and humane. In the early 2000s, however, it started to become apparent that this method, like all the rest, caused serious problems. In 2001, an Oklahoma execution did not proceed as planned. Witnesses to this execution noted that the prisoner's eyes had not closed and that he seemed to be gasping for air. In 2003 and 2006, similar scenes were reported during executions in North Carolina and Ohio.

Lawyers for these death row inmates found that there were a number of issues leading to these torturous executions. In some states, the written procedures used as guidelines for lethal injection made little sense and contained outdated language from old methods of execution. In at least two states, the doctor assisting with the execution admitted to making mistakes when mixing the drugs.

Furthermore, many of the personnel who set up the intravenous lines were not properly trained or qualified for that task. These issues caused problems with the administration of the drugs. As a result, some inmates were conscious to some degree during the administration of the pancuronium bromide, which causes suffocation, as well as the potassium chloride, which causes severe chemical burns. What is worse, execution personnel often failed even to notice that these issues had occurred during an execution.

In 2008, in a case called *Baze v. Rees*, the U.S. Supreme Court took up the question of whether these problems with lethal injection violate the Eighth Amendment. In a 7-2 vote, the Court found that lethal injection did not violate the Constitution. While not denying that serious problems had occurred in many executions, the Court determined that the risk of those problems occurring was not substantial enough to warrant judicial intervention.

Despite this apparent setback, those who believe lethal injection is a torturous method of execution continue to make progress toward a more humane approach. Over the past two years, a number of states have switched from the traditional three-drug method of execution to a one-drug method that uses only a massive anesthetic dose. Even with this change, however, many people question whether there can ever be a capital punishment that is truly neither cruel nor unusual.

- 1) Which of the following best describes the organization of the passage?
  - A. The passage follows chronological order.
  - B. A proposal is evaluated and alternatives are explored.
  - C. The passage presents a cause followed by its effects.
  - D. An example is given and counterexamples are dismissed.
  - E. The passage organizes ideas in order of descending importance.
  
- 2) The author likely includes a historical overview of executions in the United States so that the reader will be able to
  - A. make an educated decision about which execution method is most humane
  - B. come to the conclusion that lethal injection is the least cruel form of punishment
  - C. understand the dangers of assuming that convicted criminals should not be deprived of their constitutional rights
  - D. acquire a contextual understanding of the United States justice system
  - E. recognize that the United States has continually attempted but failed to find a humane method of execution

3) In paragraph 1, the author writes, “Although some argue that execution methods have become more humane over time, there is ample evidence to suggest that there is no such thing as a humane execution.” If this is indeed the case, the phrase “humane execution” would be an example of which of the following literary devices?

A. Personification, characterized by the attribution of human traits or characteristics to non-human animals, inanimate objects, or abstract ideas.

B. Apostrophe, characterized by a sudden turn from addressing the general audience to addressing an absent person, group, or personified abstraction of an idea.

C. Oxymoron, characterized by the use of contradictory, contrasting concepts placed together in a way that actually ends up making sense.

D. Hyperbole, characterized by the use of specific words and phrases that exaggerate and overemphasize the core of the statement in order to produce a grander, more noticeable effect. This usually works to convey an action or sentiment that is generally not realistically possible or plausible but helps to emphasize an emotion.

E. Litotes, characterized by the use of understatement in which an affirmative is expressed by negating its opposite.

4) As used in paragraph 3, which is the best synonym for **tranquil**?

A. peaceful

B. fair

C. unnoticeable

D. desirable

E. careful

5) In the final paragraph, the author likely describes the 7-2 Supreme Court decision in *Baze v. Rees* as "an apparent setback" in order to

I. highlight the fact that the Supreme Court decision was not unanimous

II. suggest that people are still fighting the use of lethal injection even though it is unlikely that it will

be outlawed any time soon

III. imply that although some perceive this decision as a setback, others view it as a step towards greater justice

A. I only

B. II only

C. I and II only

D. II and III only

E. I, II, and III



## Answers and Explanations

1) A

Core Standard: **Key Ideas and Details**

The passage discusses the evolving history of execution methods in the United States. After an introductory paragraph, each paragraph progresses as history progressed. Paragraph 2 discusses hanging, the “original method” of execution in America, paragraph 3 discusses the electric chair and lethal gas, and paragraph 4 discusses lethal injection, the current method. Paragraph 5 explains the problems that began to arise with this method in the early 2000s, and paragraphs 6 and 7 describe the legal analysis of such problems, ending with the 2008 Supreme Court case. In the final paragraph, the author mentions what has happened “in the past two years” regarding capital punishment. This means that the organization of the passage follows chronological order, meaning it follows the passage of time. Therefore **(A)** is correct.

The passage does not provide information to support choices **(B)**, **(C)**, **(D)**, and **(E)**. Therefore they are incorrect.

2) E

Core Standard: **Integration of Knowledge**

Through a historical overview of executions in the United States, the author informs readers that after rejecting methods like hanging or lethal gas as being too cruel, states finally settled on lethal injection, which has also proven to be cruel. This broad historical overview shows us that the U.S. government has continually and, the author implies, unsuccessfully searched for a more humane method of execution. This means the author likely included this historical overview so that the reader will recognize that the United States has continually attempted but failed to find a humane method of execution. Therefore **(E)** is correct.

The author is not concerned with the reader making an educated decision about which method is the most humane, because he or she argues that none of them are humane enough to avoid the label of “cruel and unusual punishment.” This eliminates **(A)**.

The author does not suggest that lethal injection is the least cruel form of capital punishment; instead, he or she questions whether there is such thing as humane capital punishment. The author implies that all methods tried thus far have been cruel in their own ways without directly comparing them, so **(B)** is incorrect.

The author does not discuss the dangers of assuming that convicted criminals should not be deprived of their constitutional rights, so **(C)** is incorrect.

The author’s focus is specifically on whether any capital punishment can be considered humane, not on a topic as broad as the United States justice system. This makes **(D)** incorrect.

**3) C**

Core Standard: **Integration of Knowledge**

If it is indeed the case that no execution can be humane, then “humane” and “execution” is contradictory terms that people put together in a way that does actually make sense. This means that linking them together in the phrase “humane execution” is an example of an oxymoron. Therefore **(C)** is correct.

The passage does not provide information to support choices **(A)**, **(B)**, **(D)**, and **(E)**. Therefore they are incorrect.

**4) A**

Core Standard: **Craft and Structure**

**Tranquil** (*adjective*): peaceful, serene, calm.

In paragraph 3, the author writes that lethal gas “was expected to cause a tranquil death. Yet it too proved problematic, sometimes lasting for extended periods of and causing terrible pain.” From this we can infer that death by lethal gas was supposed to be *tranquil*, but that instead it created pain and suffering. This means that the death was supposed to be peaceful, but it was not, so *peaceful* is a good synonym for tranquil. Therefore **(A)** is correct.

*Fair* means unbiased or just. The question about death by lethal gas is specifically whether or not it causes suffering that can be considered “cruel and unusual,” not the more subjective question of whether or not the death it causes is fair. This eliminates **(B)**.

*Unnoticeable* means not deserving attention or notice. Although those who developed death by lethal gas hoped it would not cause inmates suffering, the passage does not suggest that the execution was expected to be so subtle as to be unnoticeable. This means **(C)** is incorrect.

*Desirable* means pleasing or worth wanting. It is unlikely that any inmate—or any person, for that matter—would find capital punishment desirable, no matter what the method, so **(D)** is incorrect.

*Careful* means done with accuracy or caution. The passage does not suggest that the inmates moaned and convulsed in pain because the lethal gas executions were not performed with caution. This makes **(E)** incorrect.

5) B

Core Standard: **Integration of Knowledge**

Although it is true that the Supreme Court decision was not unanimous, this is not relevant to the author's argument. Furthermore, the words "apparent setback" do not apply to the fact that it was not a unanimous decision, but rather to the decision itself. This eliminates **option (I)**.

In the final paragraph, the author describes the Court's decision to uphold the constitutionality of lethal injection as an "apparent setback" for "those who believe lethal injection is a torturous method of execution" and who continue "to make progress toward a more humane approach." The author recognizes the fact that many people are working to eliminate lethal injection despite the Court's decision, but he or she suggests by the words "apparent setback" that it would appear unlikely that lethal injection will be outlawed any time soon. This supports **option (II)**.

The author describes the Supreme Court decision as an "apparent setback" to suggest that the decision appears to be a setback to those fighting against the use of lethal injection. The author does not use the phrase to refer to the fact that although some perceive this decision as a setback, others view it as a step towards greater justice, because this idea contradicts the author's overall argument. This eliminates **option (III)**.

Therefore **(B)** is correct.