



Crime & Punishment

James Alan Fox on criminal behavior and the justice system

Witness to an execution

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Author's note: Yesterday's chat on capital punishment was lively and informative. As a way to close the book on the discussion, at least for now, before moving on to other matters, I have posted a column that I published in the Boston Globe several years ago, involving my trip to Missouri to witness an execution. Rather than an intellectual debate of the issues, it provides a different perspective on our country's addiction to capital punishment.

Too Easy to Kill

James Alan Fox

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I have long been a vocal opponent of capital punishment, publishing academic studies and testifying before legislative bodies on a few occasions. Despite all my reading, research and reflection on the evils of execution, I had never witnessed one firsthand -- that is, not until last month.

I flew from Providence to Potosi, Mo., a small "prison town" two hours south of St. Louis, to serve as a state's witness to the execution of Richard Zeitvogel. A 40-year-old career criminal, Zeitvogel had cold-bloodedly murdered two cellmates while incarcerated for the 1976 rape and robbery of a Pulaski County family. In the crime that earned him the time, Zeitvogel had forced the terrified homeowner to watch as he and his buddies raped the man's wife in a spirit of camaraderie.

Now I would be the one to do the watching, as the State of Missouri would take Zeitvogel's life by means of lethal injection. Of course, I was not forced to witness this act of violence, and my willingness, though conveniently couched in terms of scholarly curiosity, made me feel self-conscious about my somewhat voyeuristic voyage to the "Show Me" state.

My qualms were further reinforced by friends and family who urged me to pass on the midnight madness, arguing that it was morally wrong even to participate in the process. Up to the very last minute, my wife appealed to me by telephone to forgo the last leg of my expedition and to stay at the motel for the night. There would be no staying that night, neither for me nor for the execution.

The condemned convict hardly attracted sympathy or support. After all, this was a man whose tattooed chest displayed the inscription, "Beat me, execute me, but warden don't bore me." Protesters outside the prison, if there were any, were hard to find, even in the flood of high-intensity light illuminating the 800-bed institution under a tight execution eve lockdown.

Arriving at the prison before 10:30 for the pre-execution routine, I began to get nervous. I passed some time chatting with the commissioner and her staff about current trends in correctional research. We avoided the subject of the death penalty. They knew of my opposition, and killing was their duty. It was neither the time nor the place for a debate.

Meanwhile, Richard Zeitvogel, the center of attention, was busy with his own preparations. He spent the day meeting with visiting family members. He then enjoyed a final feast consisting of a T-bone steak, a burger, fried shrimp and fried mushrooms, washed down by a cold chocolate shake. For dessert, Zeitvogel received two doses of sedative.

As midnight approached, the other witnesses and I were ushered into a viewing gallery, furnished with two rows of chairs and protected by a partition with ample glass windows into the execution chamber. Venetian blinds were drawn over the windows to protect the anonymity of the executioner as he made final preparations. Still, we could hear him doing the death work.

On command, at the stroke of midnight, the blinds were raised, revealing the simple execution apparatus. Covered to his neck in a white sheet, Zeitvogel was resting on a gurney with an intravenous tube running from his arm and through a small hole in the wall behind his head. Whether it was the sedative or his own disregard for life, Zeitvogel seemed to be the calmest participant in the whole process. He showed no signs of struggle or distress. He just lay quietly looking at his family through the glass as they waved their goodbyes.

The warden yelled out the commands for each stage of the "operation," as it was called. At 12:02 a.m., sodium pentothal was passed through Zietvogel's intravenous, rendering him unconscious. A minute later, the warden gave the order for stage two; pancronium bromide was injected to halt Zeitvogel's breathing, although the change was hardly noticeable. At the next command, potassium chloride was passed through the intravenous, stopping the convict's heart function. At 12:05 a.m., the warden announced, "operation completed," and Richard Zeitvogel was pronounced dead. The entire process had taken just three unspectacular minutes.

The execution itself was far less than I had expected, quite underwhelming. The State of Missouri had completely removed all the horror from the process -- no smoking flesh from Ol' Sparky and no frantic struggle for air in the gas chamber.

Lethal injection is designed to take the barbarism out of the death penalty. In my mind, it had the opposite effect. It was so straightforward and sterile that it was just too easy. It should be agonizing -- not for the condemned, but for the rest of us. In the end, according to a prepared statement from the governor that was read aloud at the postexecution press conference, justice had been served. Zeitvogel had killed two inmates, and the State of Missouri had killed one.