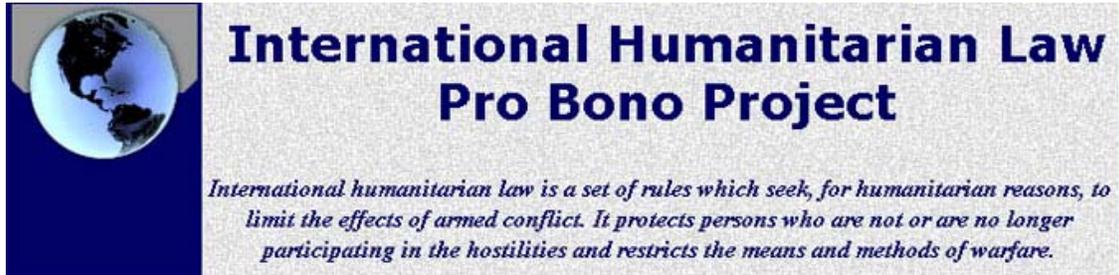


# Is There A More Humane Way To Kill?



Released on: June 22, 2009, 1:11 am

Author: Lawrence J. Gist II

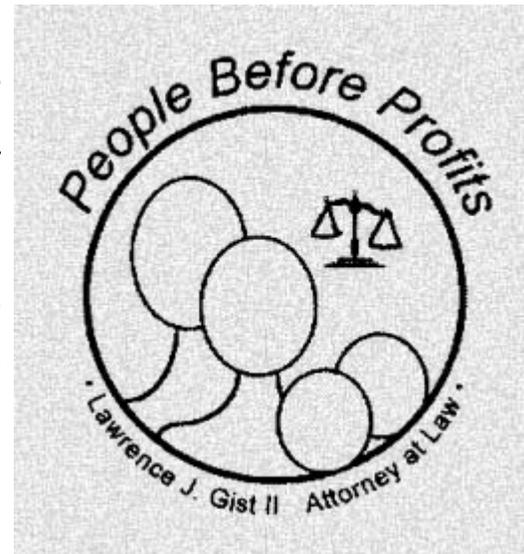
Industry: [Law](#)

LOS ANGELES, CA – June 21, 2009 – Does strangulation offer a better way to kill those on death row awaiting execution? This is the question being asked by Lawrence Gist, a professor and human rights attorney with the International Humanitarian Hypoxia Project. Following in the steps of professor Guillotin, who in 1789 proposed a "mechanism" that "beheads painlessly," Gist proposes utilizing the latest research to ensure humane executions, not by beheading, but medical strangulation. Gist said that the proposed execution protocol is humane, and unlike other execution methods currently being used in the United States, this protocol maintains the viability of the corpse's organs and tissue. The bodily remains of those executed, says Gist, "may then be used to offer hope to some of the estimated 55,000 people currently waiting for life-saving transplants."



The U.S. Supreme Court recently upheld the constitutionality of lethal injection, the most common method used for executions by the federal government and 36 states. However, it has been documented that the three-drug lethal injection protocol is frequently negligently administered, causing extreme pain and suffering. In Gist's pending law review article, he advocates giving those on death row the option to choose between the potentially painful lethal injection protocol, or this new protocol which offers a humane and pain-free execution.

Gist notes that the "protocol does not involve the type of slow painful strangulation most people imagine when thinking of strangulation – in fact the protocol is far more humane than any previous method designed to end human life." Hypoxia it's called, when someone is deprived of the oxygen required to sustain life. So how can it be humane to deprive someone of oxygen to the point of death? Gist answers this question by stating the execution protocol he is advocating "requires inmate to be executed wear a standard medical face mask and breath in pure nitrogen, devoid of any oxygen. Nitrogen is an odorless and tasteless gas which, without oxygen, will lead to asphyxiation without any feeling of suffocation." Gist said that the new protocol "is inexpensive and could be easily preformed by prison guards without the need for a physician's supervision (other than to pronounce death), an allegedly violation of the Hippocratic oath to 'do no harm.'"



While Gist is an opponent of capitol punishment, he believes that "pending it's abolition, hypoxia is the perfect method for conducting humane executions." Gist went on to say that "because the corpse of an asphyxiated prisoner does not contain toxins left over from lethal injection or the gas chamber, nor physical trauma from electrocution, the bodily remains are fully available for life-saving organ and tissue donation." It would be highly unethical to use organs and tissue without voluntary consent, but Gist stated that his research suggest many of those awaiting execution would like the opportunity to redress a little of the harm they have done to society and give some meaning to their death by donating the gift of life to those awaiting life-saving transplants. Gist's proposal would allow death row inmates the option

to choose execution by lethal injection or hypoxia – and if hypoxia is chosen, giving them the additional option of making their body available for organ and tissue donation.

The International Humanitarian Hypoxia Project, founded by Gist, is calling on governors across the country to grant a temporary moratorium on all executions, allowing time for debate and legislative consideration of this new execution protocol. Of particular interest to Gist is the upcoming July 16th execution of Kenneth Mosley, the 201st person scheduled to be executed during the tenure of Texas Governor Rick Perry. Gist said during a recent interview that he doubts Governor Perry will be persuaded to grant Mosley a stay. The political reality, Gist said, is that “lethal injection has been held to be constitutional, and most politicians won't consider a new execution protocol, even if better, if subject to a new round of legal challenges.” However, Gist remains optimistic, “groups on both the left and right share a common value, the respect for human life, and once the public becomes aware of this protocol, and it's incidental benefits, I believe previously divergent groups will join efforts and petition their state leaders for an immediate temporary moratorium on executions.” Gist said that “there is really nothing to lose, and much to gain - a humane execution protocol offering life to the terminally ill – it's really a classic win-win proposal.”

**Contact Details:** Lawrence J. Gist II  
Attorney at Law 4105 Exultant Drive  
Rancho Palos Verdes, CA 90275  
310-544-3137 or [lgist@gistprobono.org](mailto:lgist@gistprobono.org)

International Humanitarian Hypoxia Project at  
[www.gistprobono.org/ihhh/](http://www.gistprobono.org/ihhh/)

International Humanitarian Law Pro Bono Project  
at [www.gistprobono.org](http://www.gistprobono.org) [lgist@gistprobono.org](mailto:lgist@gistprobono.org) or [lgist@msmc.la.edu](mailto:lgist@msmc.la.edu)