

EXTERNAL (for general distribution)

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**Further information on EXTRA 23/94 (AMR 51/23/94, 13 April 1994) -  
Reinstatement of death penalty in Kansas**

**USA (Kansas)**

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On 23 April 1994, Governor Finney allowed a bill reinstating the death penalty in Kansas to become law. Governor Finney, who personally opposes the death penalty, could have vetoed the bill, but decided to take no action. She allowed the bill to pass without her signature as she believes it is the will of the people of Kansas. However, an opinion poll on public attitude to the death penalty carried out in Kansas from 16 to 19 April 1994, and presented to Governor Finney last week, found that 66% of those interviewed preferred life without parole plus restitution to the victims' families as an alternative to the death penalty.

The new law provides the death penalty as a possible sentence for persons over the age of 18 for seven specific types of intentional premeditated murder, including the killing of a rape victim or a police officer. It establishes lethal injection as the method of execution in the state and provides for a panel of three health professionals to advise the Secretary of Corrections in carrying out executions.

The involvement of doctors in executions is contrary to ethical guidelines issued by the American Medical Association (AMA) and the World Medical Association (WMA), both of which provide that physicians should not participate in executions other than to determine or certify the death of the prisoner.

In December 1992, the AMA's Council on Ethical and Judicial Affairs developed a clear definition of physician participation in executions and adopted a series of guidelines. Among those actions deemed to constitute physician involvement in an execution is the "*rendering of technical advice regarding executions*".

The law will come into effect on 1 July 1994. There have been no executions in Kansas since 1965.

Amnesty International opposes the death penalty as a violation of the right to life and the right not to be subject to cruel, inhuman or degrading treatment or punishment as proclaimed in the Universal Declaration of Human Rights. The organization is further concerned that physicians are being asked to advise the Secretary of Corrections on execution methods in violation of the AMA policy, and effectively to contribute to the execution process in Kansas.

**FURTHER RECOMMENDED ACTION: Please send faxes/express and airmail letters in English, or call by telephone:**

- expressing deep regret that Governor Finney allowed the death penalty to be reinstated in Kansas;
- expressing concern that physicians are being asked to advise the Secretary of Corrections on execution methods and effectively to contribute to the execution process in Kansas; citing the AMA's and the WMA's resolutions relating to physicians' participation in executions.

**APPEALS TO:**

The Honorable Joan Finney

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**PLEASE SEND APPEALS IMMEDIATELY.**