

# URGENT ACTION

## JOHNNIE BASTON EXECUTED IN OHIO

**Johnnie Baston was executed by lethal injection in Ohio on 10 March after the governor rejected clemency. The murder victim's family were opposed to his execution. The company that produces the drug used in the execution had explicitly urged Ohio not to use it for carrying out the death penalty.**

Johnnie Baston becomes the ninth person to be executed in the USA this year, and the 1,243rd since judicial killing resumed in 1977. Sentenced to death in 1995 for a murder committed when he was 20, Johnnie Baston had been on death row for nearly half of his life.

The murder victim's family stated their opposition to the execution of Johnnie Baston because of their respect for human life.

Ohio has now executed 43 people since resuming executions in 1999. Thirty-two of them were put to death under a three-drug lethal injection process (sodium thiopental, pancuronium bromide, and potassium chloride). In November 2009, the Ohio authorities changed to a one-drug protocol whereby the condemned inmate would be injected with five grams of sodium thiopental. The authorities executed 10 prisoners in this way between December 2009 and February 2011. However after the only US manufacturer of sodium thiopental, Hospira, stopped making it, the authorities faced a growing shortage of the drug. Ohio decided to switch to another barbiturate, pentobarbital. From late 2010, Oklahoma had turned to this drug as the substitute for sodium thiopental in its three-drug execution method. Johnnie Baston's execution is the first in the USA using pentobarbital in a one-drug lethal injection protocol.

In January, the Ohio authorities were contacted by the Denmark-based pharmaceutical company Lundbeck Inc, which make a formulation of pentobarbital that is branded as Nembutal and prescribed for insomnia and sedation. The letter stated: "In the wake of the decision of Hospira to cease production of sodium thiopental, which is used in the execution of prisoners, Lundbeck has become aware that the State of Ohio has now decided to use Lundbeck's product Nembutal® (pentobarbital sodium injection USP) for this purpose. Lundbeck is adamantly opposed to the use of Nembutal, or any other product for that matter, for the purpose of capital punishment... [W]e urge you to discontinue the use of Nembutal in the execution of prisoners in your state because it contradicts everything we are in business to do – provide therapies that improve people's lives."

In an interview a few days before his execution, Johnnie Baston said: "New drug, old drug, it doesn't matter.... The fact that I'll be placed on a table and poisoned to death, I can't find any comfort in that. It's kind of a sick feeling."

**No further action by the UA network is requested. Many thanks to all who sent appeals.**

This is the first update of UA 43/11. For further information, please see: <http://www.amnesty.org/en/library/info/AMR51/013/2011/en>

FU on UA: 43/11 Index: AMR 51/017/2011 Issue Date: 11 March 2011

**AMNESTY  
INTERNATIONAL**

