Lethal injection use after Sept. 15 approved

By SCOTT DYER
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Louisiana's electric chair - nicknamed "Old Sparky" - will officially go into mothballs Sept. 15. Last year, the Legislature passed a law that changed the state's means of capital punishment from electrocution to lethal injection.

However, that act did not apply to any criminal sentenced to death before Jan. 1, 1991 - creating the need for the state to maintain a dual system of execution for the next eight to 10 years, with the method varying according to the date of sentencing.

By a vote of 89-0, the House on Tuesday passed a Senate approved bill that stipulates lethal injection as the official method of execution for anyone put to death in Louisiana after Sept. 15, 1991.

Sen. Don Kelly, D-Natchitoches, said he introduced SB564 after prosecutors and officials from the state Department of Corrections dropped their objections based on constitutional questions about whether a defendant who was originally sentenced to death by electrocution can now be executed by lethal injection.

In fact, the change to lethal injection is now supported by corrections officials, who don't want the potential headaches that may come with a dual system of execution.

The change will affect 32 death row inmates who currently face execution by the electric chair.

In January, attorneys from the Loyola Death Penalty Resource Center lost in a bid to challenge the constitutionality of the state's electric chair.

Judge Henry A. Mentz ruled after three days of hearings that Old Sparky functions the way it should - and does not dole out cruel and unusual punishment.