FLORIDA EXECUTION IS CALLED TORTURE

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Lawyers for a condemned murderer argue in an appeal that the last man Florida sent to the electric chair was tortured in a botched execution that the state is not investigating properly.

"An inmate about to be executed in Florida will likely be burned and tortured during that execution, will be conscious during the event, and will suffer pain," says the appeal, filed on behalf of William Michael Squires.

Fire, smoke and sparks flew from the head of the last man executed in Florida, Jessie Joseph Tafero, who was put to death on May 4.

"Jessie Joseph Tafero was burned alive in Florida's electric chair," the appeal said. "There is no assurance that William Michael Squires will also not be burned alive."

Accompanied by Photographs

Color photographs of the bodies of 10 executed men accompanied the motion filed Wednesday by state-paid lawyers for Mr. Squires.

The motion argues that Mr. Tafero's execution for the fatal shootings of two law-enforcement officers 14 years ago showed that executing Mr. Squires would violate the constitutional guarantee against cruel and unusual punishment.

Mr. Squires, 48 years old, has been condemned for the fatal shooting in 1980 of a service station attendant.

Witnesses to Mr. Tafero's execution said he appeared to breathe and move after the first and second jolts.

Gov. Bob Martinez ordered an investigation into the execution. The state Department of Corrections concluded that Mr. Tafero's death was instant but that the mistaken replacement of a natural sponge with a synthetic sponge had caused the burns on his head.

Toaster Test Is Criticized
Mr. Squires's lawyers criticized the corrections department for testing the flammability of the sponge used in Mr. Tafero's execution by using a household toaster. "Scientific testing is not done with a toaster," the attorneys wrote.

The lawyers, from the state agency that represents indigent death row inmates, said corrections officials were not competent to carry out executions without unnecessary pain.

Spokesmen for Mr. Martinez and Corrections Secretary Richard Dugger said Wednesday that the state stood by its investigation. Mr. Dugger issued a statement calling the allegations absurd, frivolous and "designed to distort Eighth Amendment issues with a smokescreen of technical and procedural fault-finding."