

Louis, with a hospital called DePaul, a very fine facility here, and Christian Northwest, both of them are very fine hospitals, and they want to move all the babies from the area to what I call a baby factory, all the way out west, about 40 miles away. These girls who are going to have these babies, will probably have them on the highway trying to get to the hospital, because it's so far away.

EIR: Mr. LaRouche has charged that what's going on in these hospital closures in the largely African-American and Hispanic areas, is a form of genocide, or ethnic cleansing.

Haywood: Absolutely. I didn't say that, but that's the general idea.

EIR: Here in D.C., as you know, they want to close the hospital and build instead expensive condominiums and waterfront projects.

Haywood: And where do they want to put the uninsured and the homeless and the minorities?

EIR: Somewhere else.

Haywood: Have they designated a place?

EIR: No.

Haywood: There you go; no one does. None of these places have places in mind when they do it.

EIR: They just hope that these people will disappear.

Haywood: They hope they'll disappear, they'll find them somewhere corked out on the streets.

EIR: Is there anything more you wanted to say about the health crisis in St. Louis County?

Haywood: The big concern is, that — the reason they give us for this health-care crisis, is that there is no money. I'm there, looking at the situation, and I realize that our budget in the state of Missouri is limited this year, worse than it ever has been.

EIR: Because of the economic slowdown?

Haywood: Absolutely. There are a lot of things we need money for, and the only area that got full funding was education. Everything else got cut. We know we don't have a lot of money to work with, but certainly health care should be at the top of the burner between now and September. In the first week of September or so, the governor is going to call a special session, where we're going to come in and try to get prescription drug coverage for seniors through. We'll also meet to get transportation money through for the highways.

We did pass the women's initiative, in Missouri, where a woman can get an appointment with her gynecologist without having to go back to her primary care physician to get that done. But at this point, we're working against a lot of odds, because of the funding.

Bush, U.S. Are Facing 'Death-Penalty Penalty'

by Marianna Wertz

International pressure against capital punishment in the United States is greater today than at any time in history, and is helping to spark a renewed fight against the death penalty in the United States itself, despite the Presidency of "Chief Executioner" George W. Bush (as Governor of Texas, Bush put a record 152 men and women to death)—or perhaps because of it. The Bush Administration's resumption of Federal executions, after a 38-year hiatus (Oklahoma bomber Timothy McVeigh was executed on June 11, and Texas drug-trafficker Juan Raul Garza was executed on June 19), sparked a European-wide wave of protests, which greeted Bush during his tour there, which began the day that McVeigh was executed. Later in June, the Council of Europe denounced the United States for this barbaric practice, which is banned throughout Europe as a fundamental human rights violation, and urged a worldwide moratorium on executions (see article in *International*).

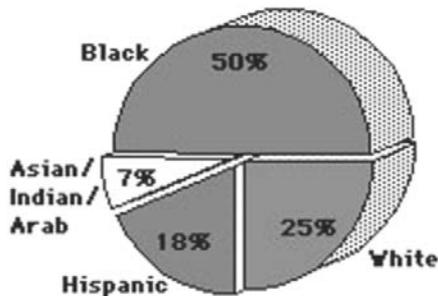
While a Federal moratorium or outright ban on executions are not likely in the current political climate, opponents of capital punishment are working feverishly to pass legislation which at least sets national standards to greatly restrict the practice. On June 27, the U.S. Senate Judiciary Committee, now headed by death penalty opponent Sen. Patrick J. Leahy (D-Vt.), held hearings on Leahy's proposed Innocence Protection Act, which has 222 co-sponsors, from both parties, in the House and Senate. The Innocence Protection Act, which failed to pass in last year's GOP-dominated Congress, would encourage states to provide good trial lawyers for defendants facing the death sentence, would afford Death Row inmates greater access to DNA testing, and would ensure that juries are aware that life without possibility of parole is an alternative to the death penalty in states where this is the law.

Wrongful Convictions

At the hearing, a nonpartisan panel of judges, former prosecutors and victims advocates, members of the Committee to Prevent Wrongful Executions, presented its new 66-page report, calling on states and the U.S. Congress to pass the provisions of the Innocence Protection Act, and also to limit the death penalty to people who intended to kill; and to eliminate it for the retarded, juvenile killers and those who are liable simply because they participated in a felony, such as a

FIGURE 1

Race of Defendants Approved for Federal Death Penalty Prosecution



Source: Committee to Prevent Wrongful Executions.

robbery, in which someone died.

One of the most powerful factors driving the fight against capital punishment in the United States is the huge number of wrongful convictions which have been uncovered in recent years, thanks to the work of The Innocence Project and similar organizations. Since 1973, ninety-six American Death Row inmates have been freed for reasons of innocence. Three of those released inmates attended or testified at the Senate Judiciary Committee hearing, including Earl Washington, Jr. of Virginia; Michael Ray Graham, Jr., a Louisiana inmate; and Kirk Bloodsworth, of Maryland, each of whom had served ten or more years in prison, despite their innocence.

The day before Bush arrived in Spain, on June 19, the 96th inmate to be released from Death Row, Joaquín Martínez, a Spanish national, had just arrived. Bush was greeted with a mass protest, called “The American Taliban” in picket signs, while Martínez got a hero’s welcome. Spanish Prime Minister José María Aznar (a staunch opponent of capital punishment) had led a drive to raise almost half a million dollars, from thousands of Spaniards, to help overturn Martínez’s fraudulent conviction in Gov. Jeb Bush’s Florida.

But those 96 are just the lucky ones. There are more than 3,700 men and women on Death Row today, the vast majority of whom are poor, had inadequate counsel, and no access to DNA testing.

On Federal Death Row, the statistics tell an even darker story (see **Figure 1**). Of the 19 remaining inmates, 14 are black, 2 are Hispanic, and only 3 are white. Of the 211 Federal death penalty prosecutions authorized by the U.S. Attorney General from 1988 to 2000, 75% have been against minorities, and nearly half were against African-Americans. Finally, the vast majority of all Federal death penalty prosecutions come from a handful of mostly Southern states.

The question of racial and geographic bias in Federal death penalty prosecutions was first raised in the waning days of the Clinton Administration, when the first execution date for Juan Raul Garza, an Hispanic from Texas, became immi-

nent. Clinton ordered the Department of Justice to undertake a Federal study of the issue, and a preliminary report was issued in September 2000. On Dec. 7, 2000, President Clinton stayed Garza’s execution again, after reviewing the preliminary report, because he concluded that “the examination of possible racial and regional bias should be completed before the United States goes forward with an execution in a case that may implicate the very questions raised by the Justice Department’s continuing study.” He called on the DOJ to conclude its further study by the end of April 2001.

Ultimately, Attorney General Janet Reno and others leading the study concluded that April was not a realistic deadline for a thorough study. In the stormy hearings on his confirmation, in January 2001, Attorney General John Ashcroft stated that evidence of racial disparities in the application of the Federal death penalty “troubles me deeply.” He expressed his approval of a “thorough study of the system.”

Then, on June 6, despite his confirmation testimony, Ashcroft released the “final” DOJ study, which, he claimed, showed “no evidence of racial bias in the administration of the Federal death penalty.” The main reason for the inordinate number of minorities on Federal Death Row, the study concluded, is because Federal prosecutors principally target drug gangs, who just happen to have a high percentage of black and Hispanic members. The study was released at that time in order to allow for the McVeigh execution, which took place five days later, with attendant media circus, and the Garza execution, 13 days later.

One week later, on June 13, after being roasted in Senate hearings by death-penalty opponent Sen. Russ Feingold (D-Wisc.), Ashcroft flip-flopped again, trotting out Deputy Attorney General Larry Thompson, the DOJ’s resident African-American, to proclaim that the DOJ would indeed undertake a “comprehensive” study of the Federal death penalty, to determine if the system is racially or geographically biased.

Of course, since Bush and Ashcroft oppose a moratorium on executions while the study proceeds, the remaining 19 Federal Death Row inmates may all be dead before its conclusion.

It’s high time for passage of the Innocence Protection Act, and, more importantly, for a Federal moratorium on executions. As Walter Schwimmer, Secretary General of the Council of Europe, told the council’s First World Congress Against the Death Penalty on June 21, if the death penalty were effective as an instrument to fight crime, “the United States would be a crime-free country.”

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