



Bucklew v. Precythe (S.Ct.)

Topics Covered: Physician Participation in Capital Punishment

Issue

The issue in this case is whether a convicted criminal, who has been sentenced to death by lethal injection but who suffers from an unusual medical condition that would make this form of death extraordinarily painful, must establish a less painful method of execution in order to avoid lethal injection.

AMA Interest

The AMA opposes physician assistance in capital punishment.

Case Summary

The State of Missouri sentenced a convicted murderer and rapist to death. The standard execution protocol in Missouri is death by lethal injection. Due to his unusual medical condition, he claimed that this form of execution would be extraordinarily painful.

The United States Supreme Court will decide whether, under the Cruel and Unusual Punishments Clause of the Eighth Amendment, the prisoner is required to demonstrate that he can be executed by a less painful method of execution in order to avoid lethal injection. The prisoner explained that this was a difficult burden of proof, because the physician who examined him and testified to his medical condition felt ethically constrained from suggesting an alternative method of execution.

AMA Involvement

The AMA will submit an amicus brief, which will advise the Court about the medical profession's ethical requirements regarding physician participation in capital punishment. The brief will not support either party.