

JUSTICE DEPARTMENT · Published November 27, 2020 5:19pm EST

New DOJ rules could allow firing squads, electrocution, poisonous gas for executions

By [Louis Casiano](#) | Fox News

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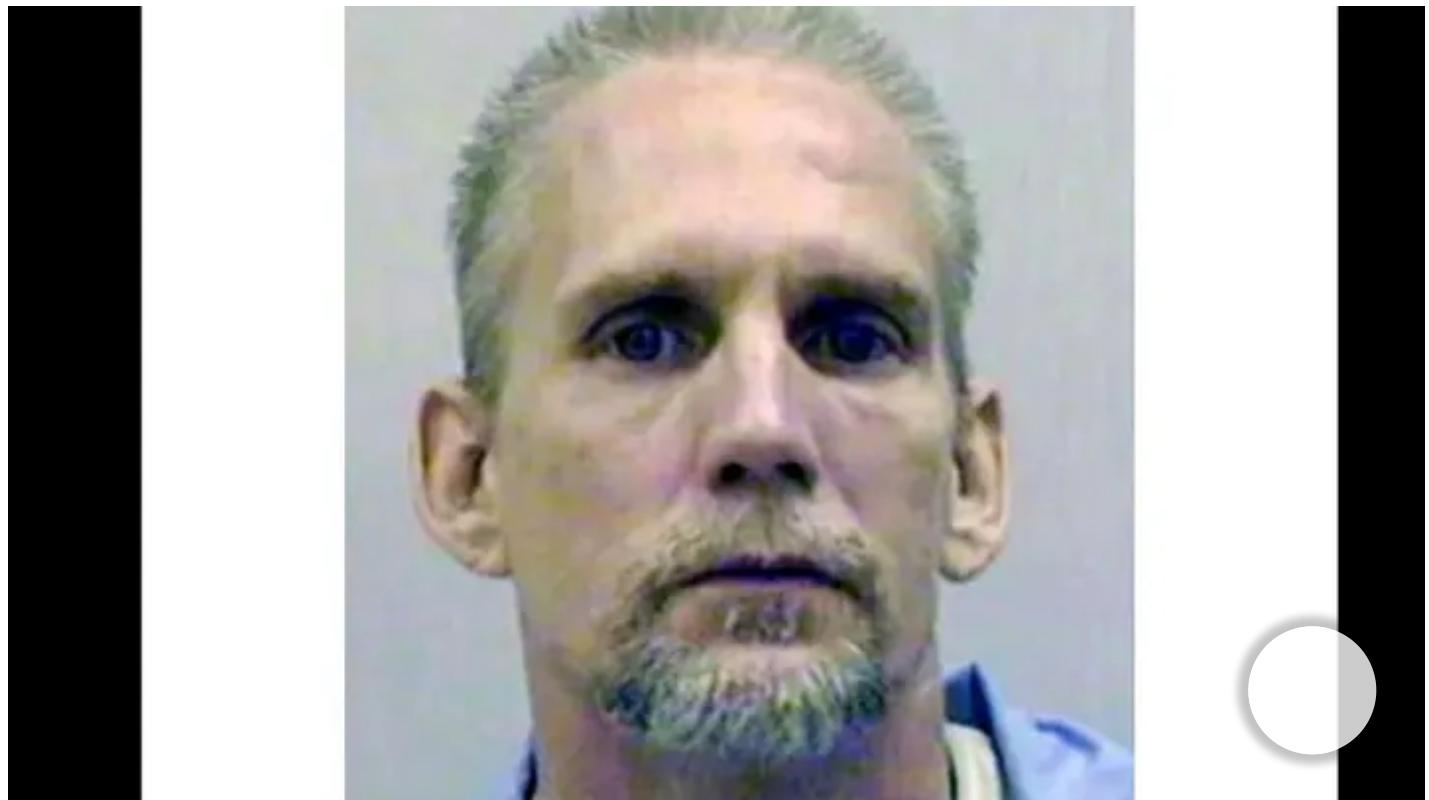
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The Justice Department is changing protocols to allow lethal gas, electrocution and firing squad for capital punishment, as five federal prisoners are expected to be executed before Inauguration Day.

The new rule was published in the Federal Register on Friday. It stipulates that federal executions are to be carried out by lethal injection "or by any other manner prescribed by the law of the State in which the sentence was imposed or which has been designated by a court" in accordance with laws that govern death sentences.

"If applicable law provides that the prisoner may choose among multiple manners of execution, the Director or his designee shall notify the prisoner of that option," the rule states.

DEATH ROW INMATES' LAST WORDS



The rules will go into effect 30 days from Friday.

Currently, only lethal injection is used for federal executions, but other states give death row inmates the option of other forms of execution.

In Florida, for example, an inmate can specifically ask to be put to death by electrocution and in Washington state, inmates can ask to be put to death by hanging. In Utah, prisoners sentenced before May 2004 can choose a firing squad. The state law there also authorizes the use of a firing squad if lethal injection drugs aren't available.

Many states have had issues procuring suitable drugs for lethal injections.

After a botched state execution in Oklahoma in 2014, President Barack Obama directed the Justice Department to review capital punishment and issues surrounding lethal injection drugs.



A federal prison complex in Terre Haute, Ind. The Justice Department is quietly amending its execution protocols, no longer requiring federal death sentences to be carried out by lethal injection and clearing the way for other methods like firing squads and poison gas. (AP Photo/Michael Conroy, File)

The Trump administration [resumed federal executions](#) in July 2019 after a 17-year ban. [Lisa Montgomery](#), 52, is one of the federal inmates scheduled for execution and the only woman on federal death row. Her execution is scheduled for Dec. 8.

She was convicted in connection with the 2004 killing of a pregnant woman.

Brandon Bernard, convicted of the 1999 murders of two youth ministers, is scheduled to die Dec. 10. In a court filing last week, the Justice Department said it was scheduling the executions of Alfred Bourgeois for Dec. 11, and Cory Johnson and Dustin Higgs for Jan. 14 and 15.

TRUMP URGED BY OVER 1,000 ADVOCATES TO STOP DEATH SENTENCE FOR INMATE WHO CUT BABY OUT OF PREGNANT WOMAN

Prosecutors said Bourgeois tortured, sexually molested and then beat his 2 1/2-year-old daughter to death.

Johnson was one of three crack cocaine dealers convicted in a string of murders. Prosecutors said he killed seven people in an attempt to expand the territory of a Richmond, Va., gang and silence informants. His co-defendants, members of the same drug gang, are also on death row.

Four of the five inmates scheduled to die before the end of President's Trump term will be executed at the federal penitentiary in Terre Haute, Ind., by lethal injection.



The method of death for Higgs, convicted of kidnapping and murdering three women, was not disclosed. Federal inmate [Orlando Hall](#), convicted of killing a 16-year-old girl, was executed last week.

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President-elect Joe Biden has voiced his opposition to the death penalty and will work to end the practice, a spokesman has said. The opposition stems in part because of wrongfully convicted inmates who have been sentenced to death.

The Associated Press contributed to this report.

Louis Casiano is a reporter for Fox News Digital. Story tips can be sent to louis.casiano@fox.com.

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mikegoldenx911 • 27 November, 2020

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I was a proponent of execution for many years, especially for those that did exceptionally horrible crimes.

However there have been multiple cases where district attorneys or others were negligent, or in a few cases outright suppressed evidence to get some innocent people found guilty.

I would argue t...[See more](#)

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itsme490 • 28 November, 2020

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I was recommending having them listen to Pelosi, AOC, Schumer or Schiff for 1hr - but they apparently called that cruel and unusual punishment and unconstitutional. (Edited)

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2 replies

eward • 27 November, 2020

...

Ya as long as the evidence isn't as "secure" as the voting machines were

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fwtex · 27 November, 2020

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I have no problem with the death sentence in specified violations of the law. If you ever saw the movie "IN COLD BLOOD", the execution by hanging would strike terror in you if you knew you were facing that fate. The death sentence should be something that is so harsh that it deters people from ac...[See more](#)

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J joandhisho · 27 November, 2020

...

I don't agree completely, fear of execution does not strike terror in everyone's heart. When they are committing heinous acts, they don't even consider it. I do believe they help though in forming a thought process that would prevent the horrible crimes some commit.

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rhut_rho511 · 28 November, 2020

...

but it is perfectly legal for abortion for any reason , by any authorized " planned parenthood " up to and including viable birth by barbarian dismemberment. i guess the babies do not have attorneys using the courts as an annuity for 25 or more years.

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T thingsdon'tlookgood · 27 November, 2020

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Sounds good to me. It won't happen in California. They would insist that the electric chair could only be powered by renewable energy. Solar or wind.

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D demsrdirty · 27 November, 2020

...

Big deal, Biden and the crew, will probably end up releasing them anyway...

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U USA1ST77777 · 27 November, 2020

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Why is America so preoccupied about how a criminal is put to death? Personally I think every murder should be put to death in the exact manner they killed their victim.

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P pga221 · 27 November, 2020

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Why do they have a hard time finding drugs that are lethal? Hollywood seems to have no problem finding the combination that is effective.

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yankeeliberty · 27 November, 2020

...

Every once in a while, we read about some poor family whose propane heater flue has malfunctioned and produced CO that killed them all. The pathologists always say "They wouldn't have known. It's just like you peacefully fall asleep and don't wake up."

Yet we use 4 relatively exotic drugs, and ofte...[See more](#)

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A Abtony · 27 November, 2020

...

Could someone please explain what the problem would be with death by carbon monoxide? As I understand it, the murderer just relaxes, dozes off and turns blue. 'Not that I actually have any problem with a good old-fashioned rope dance. But all these Rube Goldberg execution machines are just beyond ...[See more](#)

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A Arubaha · 27 November, 2020

...

Great news. Let's add some more. Let the punishment fit the crime. Bludgeoning, suffocation, starvation. There is no end to the horrific ways that I have read about people, and unfortunately often times, children, being murdered. A simple needle in the vain is way to humane of a way to go for...[See more](#)

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o OliveBee · 27 November, 2020

...

Question: why do we sterilize the needles used for lethal injections?

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D dickgozinia · 27 November, 2020

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George Carlin's was the best. Public beheadings, done at sports arenas. And have the head roll down a ramp to a series of holes at the end. And have the spectators place bets on which hole it ultimately falls.

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perry01 · 27 November, 2020

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Good this decision is way over do. The revolving door theory for prisons isn't quite making it anymore....

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c concernedcitizen3000 · 27 November, 2020

...

Racial thing? For saying criminals should be punished? Not sure that's racist.

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pattypat · 27 November, 2020

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Right. And frankly I really do not get the 'how' we put them to death thing. Drop em off a roof. I don't care. Just git er done.

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T TomOkc · 27 November, 2020

...

The death penalty is only sought for offenders who have killed. It is not even requested in most homicide trials. It is reserved for the "worst" offenders. Although, It should be applied for any premeditated homicide.

Oh, and that "botched" execution in Oklahoma was not botched. The mur...See more

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artsong · 27 November, 2020

...

Options are fine but the real problem is "speed". These people should be eliminated much quicker to give the families of the victims closure.

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B bidenisnotmypresident · 27 November, 2020

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Not only that, the taxpayers are paying for them .

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U USA1ST77777 · 27 November, 2020

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Once a court decides on the fate of a murder he/she should immediately be put to death. Why should we pay for their comfort any longer than necessary.

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J JohnC.Frémont · 27 November, 2020

...

Fry the worst of them until their eyeballs catch on fire. Personally that would be a good thing to happen to the Antifa murderers who killed a couple Trump supporters this year. The death penalty is a deterrent no matter what the anti-death penalty crowd says. They should not be dispatched compl...[See more \(Edited\)](#)

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❖  gam-esq(-250k_likes_thanks_to_fox) · 27 November, 2020

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There you have it, folks - the feel good story of the day!!!

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U USA1ST77777 · 27 November, 2020

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We should have public executions that show every graphic detail.

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moontiger674 · 27 November, 2020

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It's about time. If someone does the crime they deserve the punishment. Too many groups out there who feel sorry for the criminal and think nothing of the victim and their families.

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U USA1ST77777 · 27 November, 2020

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Democrats have given criminals so much hope they aren't deterred any longer and crime continues to escalate in every major city.

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