



The family of a prisoner who was executed in Ohio on Thursday using an untested combination of medical drugs that appeared to cause him prolonged distress are planning to sue the state for inflicting cruel and unusual punishment, in violation of the US constitution.

Dennis McGuire, 53, was put to death using an untested two-drug protocol involving the sedative midazolam and painkiller hydromorphone. Before the execution, which took an abnormally long 25 minutes, Ohio courts were warned by an anaesthesiologist who served as an expert witness for McGuire that the procedure and the doses of drugs to be used would inflict untold suffering upon the inmate. The state decided to go ahead.

McGuire was executed for the 1989 rape and murder of Joy Stewart, who was 22 years old and about 30 weeks pregnant. Her unborn child also died. Before the execution, members of Stewart's family said in a statement that the manner of McGuire's death would be more humane than the brutal way he had killed her.

McGuire's daughter Amber, son Dennis and daughter-in-law Missie were present in the death chamber at the Southern Ohio Correctional facility in Lucasville and watched as he struggled to breathe and tried to sit up over a period as long as 15 minutes.

[More...](#)