



Media Advisory

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ACLU Calls on Montana District Court to Rule State Execution Protocol Unconstitutional

HELENA, MT — The American Civil Liberties Union will appear before District Court Judge Jeffrey Sherlock Wednesday to present a motion for summary judgment in our case challenging the Montana Department of Corrections lethal injection protocol as unconstitutional.

The lethal injection protocol fails to provide adequate safeguards to ensure that executions are carried out in a humane manner as required by the Eighth Amendment of the U.S. Constitution and the Montana Constitution. It is vague and does not require adequate medical training or experience for executioners. The protocol also fails to comply with state law. The Montana statute governing executions calls for a two-drug process, but the Department of Corrections protocol calls for three drugs, including one which is no longer produced in the U.S. and is banned for importation by the FDA.

The ACLU is calling on the court to rule the Montana Execution Technical Manual unconstitutional.

WHAT: Summary judgment hearing in the lethal injection case *Smith v. Ferriter*

WHO: Arguments will be heard by District Court Judge Jeffrey Sherlock.
Attorneys in the case will be available for comment after the hearing.

WHEN: Wednesday, August 1, 2012
11 a.m.

WHERE: Lewis and Clark District Court
228 Broadway
Helena, Montana

| More information is available at www.aclumontana.org.