

# Kentucky execution stayed; advocates try to block Virginia execution

WASHINGTON - The execution of a death-row inmate in Kentucky remained on hold indefinitely after a Kentucky judge stopped it over questions raised about the man's below-average mental abilities and possible problems with the state's execution process.

Meanwhile, Virginia's governor turned down the clemency petition of Teresa Lewis, who on Sept. 23 could become the first woman executed in the commonwealth since 1912.

The two cases are among a handful of pending executions coming to the end of their appeals this fall, after nationwide delays caused in part by court-mandated changes in procedures for lethal injection.

On Sept. 10 in Frankfort, Ky., Franklin County Circuit Court Judge Phillip Shepherd blocked Gregory Wilson's scheduled Sept. 16 execution, saying "the court has found serious questions about whether all statutory and constitutional requirements have been met."

Wilson's pending execution had been the subject of appeals to Kentucky's governor and courts by death penalty opponents, including Pope Benedict XVI, the Catholic bishops of Kentucky and the U.S. Conference of Catholic Bishops.

Wilson, 53, was convicted in 1988 of abducting, raping, robbing and murdering Debbie Pooley, an assistant restaurant manager. He has appealed his death sentence on a variety of grounds ranging from incompetent defense counsel to low IQ, but courts have repeatedly turned them back.

Complicating his situation is a nationwide shortage of one of the drugs used in the lethal injection process. Kentucky has one dose available and its scheduled expiration date is Oct. 1. Manufacturers do not expect to have more available until

next year.

In his order, Shepherd raised questions about whether the state had adequately weighed whether Wilson is even eligible to receive the death penalty because of his low IQ. The Supreme Court ruled in 1992 that people whose IQ level establishes them as mentally disabled are not eligible for death sentences.

In Virginia, the state Catholic conference put out an alert asking people to petition Gov. Robert McDonnell to change his Sept. 17 decision to deny clemency to Teresa Lewis.

Lewis was convicted of planning the 2002 murders of her husband and 25-year-old stepson. The two men who killed the victims received sentences of life imprisonment. Lewis's attorneys argue that her IQ of 72 puts her almost at the level of disability that would exempt her from a death sentence.

Her supporters also say she suffers from a personality disorder that was manipulated by the man she was seeing, Matthew Shallenberger, so that she would go along with the murder of her husband. The Catholic conference alert said that Shallenberger later admitted to duping Lewis into believing he was in love with her and that they would take the money from life insurance policies and run away together.

The alert notes that Lewis acknowledges her crime and would expect to serve the same sentence as those who committed the murders.