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## Ohio killer's execution takes almost 25 minutes

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The Associated Press



Dennis McGuire

LUCASVILLE, Ohio — A condemned man appeared to gasp several times and took an unusually long time to die — almost 25 minutes — in an execution carried out Thursday with a combination of drugs never before tried in the U.S.

Dennis McGuire's attorney Allen Bohnert called the murderer's death "a failed, agonizing experiment" and added: "The people of the state of Ohio should be appalled at what was done here today in their names."

An attorney for McGuire's family said it plans to sue the state over what happened. Dayton defense lawyer Jon Paul Rion said the family is deeply disturbed by the execution, which it believes violated his constitutional rights.

McGuire's lawyers had attempted last week to block his execution, arguing that the untried method could lead to a medical phenomenon known as air hunger and cause him to suffer "agony and terror" while struggling to catch his breath.

McGuire, 53, made loud snorting noises during one of the longest executions since Ohio resumed capital punishment in 1999.

Nearly 25 minutes passed between the time the lethal drugs began flowing and McGuire was pronounced dead at 10:53 a.m. at the Southern Ohio Correctional Facility in Lucasville.

Executions under the old method were typically much shorter and did not cause the kind of sounds McGuire made.

Ohio prisons spokeswoman JoEllen Smith had no comment on how the execution went but said that a review will be conducted as usual.

Prison officials gave intravenous doses of two drugs, the sedative midazolam and the painkiller hydromorphone, to put McGuire to death for the 1989 rape and fatal stabbing of newlywed Joy Stewart, 22, who was about 30 weeks pregnant. The body of Stewart, of West Alexandria, a town about 20 miles west of Dayton, was found a day after she disappeared.

Her unborn child also died.

The execution method was adopted after supplies of a previously used drug, pentobarbital, dried up because the manufacturer declared it off-limits for capital punishment.

In pressing for the execution to go ahead, state Assistant Attorney General Thomas Madden had argued that while the U.S. Constitution bans cruel and unusual punishment: “You’re not entitled to a pain-free execution.”

Stewart’s slaying went unsolved for 10 months until McGuire, who was jailed on an unrelated assault and hoping to improve his legal situation, told investigators that he had information about the death.

His attempts to pin the crime on his brother-in-law quickly unraveled, and he was accused of the killing.

More than a decade later, DNA evidence confirmed McGuire’s guilt, and he acknowledged his responsibility in a letter to Gov. John Kasich last month.

“We have forgiven him, but that does not negate the need for him to pay for his actions,” Stewart’s family said in a statement after the execution.

The statement also noted the lives McGuire took nearly 25 years ago.

“The last time I saw her, she was beaming with happiness and couldn’t wait to meet her baby,” it said.

The letter added that McGuire “is being treated far more humanely than he treated her.”

*Material from the Los Angeles Times and The Dayton Daily News is included in this report.*