

Court to release audio in death case

Posted on Thu, Dec. 20, 2007

The Associated Press

WASHINGTON --

The Supreme Court said Thursday it will quickly release audio tapes after the Jan. 7 argument over the death penalty.

The death row cases of Kentucky inmates Ralph Baze and Thomas Clyde Bowling Jr. present the question of whether the mix of drugs and the way they are administered in executions in three dozen states violate the Constitution.

The last time the court considered a challenge to a method of execution was in 1879, when it upheld the use of a firing squad in Utah.

The immediate, same-day release of audio tapes following arguments in major cases started in the 2000 presidential election, when the justices decided appeals of the Florida recount controversy in favor of George W. Bush.

On Dec. 3, the court provided same-day audio from arguments over the rights of prisoners who have been detained by the U.S. military at Guantanamo Bay, Cuba.

The court records arguments and ordinarily releases them at the end of each term. With television cameras barred from the court and reporters prohibited from using tape recorders, the availability of audio provides the public a chance to hear the justices at work.

The case is *Ralph Baze and Thomas C. Bowling, Petitioners v. John D. Rees, Commissioner, Kentucky Department of Corrections, et al.*, 07-5439.