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# TEXAS DEATH PENALTY Blog

## About This Blog

This blog is the leading forum for people on all sides of the debate to discuss issues related to the death penalty. It includes news from Dallas Morning News reporters as well as commentary from members of the editorial board, which opposes the death penalty.

## Letters to the Editor

We welcome and read all letters from readers. Letters are selected for publication based on their clarity and brevity. They also are chosen to represent a diverse set of views on as many issues as possible.

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## August 2010

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< Q&A rejected by John Bradley | Main | Keller appeals, argues that warning is unconstitutional >

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## We know enough about Bruce Webster to execute him

4:46 PM Wed, Jul 28, 2010 | Permalink | Yahoo! Buzz  
Guest blogger E-mail News tips

The following guest blog post is written by Dudley Sharp, a death penalty supporter and victims' rights activist from Houston.

RE: Editorial: "Mental retardation and the death penalty, Dallas" Morning News (DMN), July 21, 2010

The DMN wrote this editorial about Bruce Webster, an inmate on federal death row for a brutal abduction, rape and murder.

The DMN left a number of important facts out of the article, which, unnecessarily, left their readers in the dark.

### At trial (1996), the defense provided five medical experts regarding Webster's mental capacity.

The prosecution provided 2 medical experts "who did not believe Webster was retarded and, moreover, that the methodology used by defense experts to gauge his mental capacity was critically flawed and misleading." (2005)

"The government presented numerous other witnesses, including correctional and probation officers, former teachers, and fellow inmates, whose testimony contradicted Webster's claim of retardation." (2005)

"we (the 5th Circuit) determined that "[t]he government presented substantial evidence to support the finding," (2005)

Contrary to what 1 of the 3 judges stated in 2010 (2), there is no reason to believe that the addition of 3 more medical opinions of mental retardation (newly found from 1993), from social security personnel, would have benefited Webster at trial, particularly in light of the fact that the judge and jury at trial rejected the similar claims with the prevailing evidence finding against Webster.

The court will likely find against Webster based upon that.

However, the dilemma this has created may result in a change to case law, that being that new evidence, other than innocence, must be considered, if the new evidence would have resulted in the case not being death eligible, for other reasons. We will have to wait and see.

Even if that is the SCOTUS ruling, such likely will not spare Webster, just as Atkins (Atkins v Virginia) has not been so spared.

See also: <http://www.ca5.uscourts.gov/opinions/%5Cpub%5C09/09-11039-CV0.wpd.pdf>

## Leave Comment

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6 comments Sort: Newest to Oldest

**Dentx** Score: 2  
2:51 PM on August 2, 2010  
Knowing that DMN has editorialized their opposition to capital punishment, and observing they hope to sway public opinion, you would suspect they would choose better examples to make their case.

"He beat the Arlington girl with a shovel, dragged her into a grave in Arkansas, stripped her, doused her with gasoline and burned her alive."

Maybe we could let him out and the DMN editors could provide him with a column. He could be their point man on the ills of society and the fallacy of the death penalty.

They could even put him up at their personal residences with all their families.

Taken into context I suspect the DMN editorial board is even more retarded than Bruce Carneil Webster.

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- >> Undercover Dallas officers call for patrol to aid boy left in hot car
- >> Postal inspectors investigate mailing of white powder to Dallas-area businesses, churches
- >> Dallas County accused of illegally shackling pregnant inmates during labor
- >> Puppy dies after being set on fire on Oak Cliff street

## Spotlight

**Opinion blogs:** Dallas Morning News editorial board members post on several blogs that reflect their top issues.

**DNA Exonerations:** Faulty eyewitness identifications put many Dallas County exonerees behind bars.

**Homicide map:** Get locations, stories, police reports and other information on Dallas homicides in 2009.

- Profiles of DPD cold cases

**Cold Case:** Videos and stories of unsolved murder cases being investigated by the Dallas Police Department.

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