



OUR VIEW: Courts should block the execution of William Glenn Boyd, and if they don't, Gov. Robert Bentley should

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If someone doesn't intervene, William Glenn Boyd will be executed Thursday for a terrible crime he committed a quarter century ago.

To some, no doubt, putting Boyd to death represents justice and a fitting end to an awful saga. In particular, those who loved Fred and Evelyn Blackmon might welcome Boyd's execution, and we can't blame them for that.

Boyd, who once dated Mrs. Blackmon's daughter, lured the Anniston couple to their deaths by claiming the girl was in danger. He claimed she was being held hostage and would be killed unless the Blackmons paid a ransom. After getting Fred Blackmon to go to the bank to cash a \$5,000 check, Boyd and an accomplice forced the Blackmons into their own Cadillac, drove them to a remote spot near the Coosa River, and shot them as they pleaded and fought for their lives. The killers returned to the scene later, put Fred Blackmon in the trunk of his car, and rolled it in the river. They used an ax to get Mrs. Blackmon's body into a barrel before rolling it into the river as well.

It was a mean, senseless crime.

Boyd was 20 years old. His 19-year-old codefendant, Robert Milstead, made a deal with prosecutors. He pleaded guilty, testified against Boyd and got life in prison without parole. Boyd, obviously, was sentenced to death.

But should he have been? Not according to most of the jurors who heard the evidence against him and convicted him of the crime. The fact-finders in this case voted 7-5 that Boyd should be sentenced to life in prison with no shot at parole.

In almost every other state, that would have ensured no execution could take place. In Alabama, trial court judges, who are elected and subject to political pressure, can disregard a jury's recommendation for life and condemn a defendant to death. Worse, the power has been used so liberally that it accounts for 20 percent of the people on Alabama's Death Row.

The judicial override is among the worst of Alabama's death-penalty practices, and state lawmakers should abolish it. In the meantime, though, courts should not allow the state to carry out death sentences imposed this way. And if courts won't intervene, Gov. Robert Bentley should.

This is the first execution scheduled since Bentley has become governor, and he should do a much better job than his predecessors of wielding his responsibility to be the last fail-safe for inmates who have been sentenced to die.

State law gives governors this awesome power to spare lives for a reason. As good as our justice system is, it isn't perfect. Innocent people can be convicted, and guilty people can face widely disparate consequences for similar crimes. When the punishment involves taking life, Alabama's governor can simply say no.

Bentley can do that for Boyd, without excusing him for his awful crime and without putting society in danger. If Boyd's life is spared, he will still spend the rest of his days behind bars -- which is what most jurors in his case wanted anyway.

Bentley should follow the jury's advice. He should use his executive power, for life.

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