

Kentucky governor signs death warrant despite medical association guidance

Fred Charatan *Florida*

A newly elected state governor, a doctor, has been criticised by a group of medical students for signing a prisoner's death warrant, because guidelines from the American Medical Association say that doctors should not actively take part in executions or do anything that "would directly cause the death of the condemned." The case is causing a furore, partly because the governor is a doctor and partly because the prisoner is thought to have an IQ of only 74.

Republican governor Ernest Fletcher last month signed the death warrant of convicted murderer Thomas Bowling, aged 51. The execution by lethal injection was scheduled for 30 November but was postponed when a circuit court and

Kentucky Supreme Court both issued stays of execution. Mr Bowling's lawyer, Susan Balliet, had raised questions about the constitutionality of Kentucky's method of execution, which is by giving intravenously 2 g of pentobarbital.

The case also raises questions about the legality of executing someone who has a low IQ and learning difficulties. Mr Bowling, who was convicted largely on circumstantial evidence of shooting to death the husband and wife owners of a dry cleaning business outside their store in 1990, had an IQ of 74 at the age 14, and had to repeat ninth grade in school three times.

The US Supreme Court ruled in June 2002 that states cannot execute people who are

"mentally retarded," but did not define mental retardation.

It is the guidelines of the American Medical Association regarding medical ethics, however, which are being used against Dr Fletcher by a group of medical students at the University of Kentucky. They have called upon the governor, who earned his medical degree at the University of Kentucky in 1968, and is still licensed as a doctor in the state, to uphold medical ethics.

The association's guidelines say that doctors should not actively take part in an execution or take any "action which would directly cause the death of the condemned" or "which would assist, supervise or contribute" to the death of the inmate. Under state law, doctors licensed in Kentucky are required to follow

the association's ethical guidelines, according to the Medical Licensure Board.

Executive counsel John Roach, however, said that the governor did not violate association guidelines or other ethical standards. "By signing a death warrant, in no way is Governor Ernest Fletcher participating in the conduct of an execution," Roach said. "Governor Fletcher's role under the law is consistent with the roles of judges fulfilling their legal duty and jurors fulfilling their legal obligations regardless of their professions."

Dr Fletcher was a family doctor, but has not practised medicine since he was elected to Congress in 1998. He is the only person who can commute Mr Bowling's death sentence, to life in prison without parole. Last week, Kentucky's Department of Corrections had halted preparations for the execution, in compliance with the two court orders.

Can medical students learn empathy at the movies?

Roger Dobson *Abergavenny*

Doctors are often portrayed in films as materialistic and arrogant, but some films could be a useful addition to the medical school curriculum, an analysis of 150 films shows. The report, in *Archives of Disease in Childhood* (2004;89:1084-8), says, "Materialism and a love of money have pervaded cinematic portrayals of doctors dating back to the 1920s, and continue to be prominent in recent movies."

It cites as an example the materialistic approach to medicine shown by Dr Jim Nookey, a character in *Carry on Again Doctor* (1969). The character sums up his philosophy by saying, "Specialise, that's what I'd like to do—specialise. The whole Harley Street bit with bags of lovely filthy rich women patients."

Compiled by Glenn Flores, a paediatrician at the Medical



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College of Wisconsin, the report looks at how doctors are portrayed and names the top 10 most useful films for medical education. The medical specialties most favoured by doctors in films are surgery (33%), psychiatry (26%), and family or general practice (18%). Paediatrics accounts for a modest 2%, and not all references to it are positive: "Paediatrics can't just dump their overload on us. Tell them to cut down on their lunchtime and tennis. Maybe they'll have more time to practise medicine" (*Sunchaser*, 1996).

The report names the best medical film as *Red Beard* (1965),

from Japan, in which an arrogant young man learns the true meaning of being a doctor from a mentor who cares for the poor. Runner-up was *The Hospital* (1971). The top 10 most useful films for medical education are headed by *The Doctor* (1991), which stars William Hurt as a "hotshot surgeon with a detached demeanour" who learns about empathy and compassion when he contracts cancer. In second place was *Arrowsmith* (1932), which "definitely explores a doctor's motivations and struggles with a clinical versus research career and is thus inspirational and enlightening for medical students." In third place was *The Citadel* (1938).

Best humorous films were *M*A*S*H* (1970), *Body Parts* (1991), and *High Anxiety* (1977). "Doctor movies continue to fascinate because they can be humorous, thought provoking, informative of the public's perception of doctors, and they never cease to entertain. Movie doctors provide insightful and realistic portraits of the challenges, rewards, and excitement of being a doctor," concludes the report.

Best portrayal of doctors in films

- 1 *Red Beard* (1965)
- 2 *The Hospital* (1971)
- 3 *Article 99* (1991)
- 4 *State of Emergency* (1993)
- 5 *Miss Evers' Boys* (1997)
- 6 *The Elephant Man* (1980)
- 7 *Panic in the Streets* (1950)
- 8 *Spellbound* (1945)
- 9 *Death and the Maiden* (1994)
- 10 *Guess Who's Coming to Dinner* (1967)

Most useful films for medical education

- 1 *The Doctor* (1991)
- 2 *Arrowsmith* (1932)
- 3 *The Citadel* (1938)
- 4 *Not as a Stranger* (1955)
- 5 *Pressure Point* (1962)
- 6 *Whose Life is it Anyway?* (1981)
- 7 *Miss Evers' Boys* (1997)
- 8 *The Interns* (1962)
- 9 *Critical Care* (1997)
- 10 *And the Band Played On* (1993)