

Andrea Tantaros: Is Fox News Channel's Rising Star The Real Deal? [Profile]

Armed with a blue-collar work ethic, political savvy and mental toughness, Andrea Tantaros and her combustible brand of commentary are becoming hot commodities for Fox News Channel. She's certainly helped ensemble shows "Outnumbered," and "The Five," become runaway hits. But is she the real deal or Megyn Kelly Lite? HNGN goes behind the scenes at the network to profile the intriguing firebrand.



Andrea Tantaros (Photo : Courtesy Of Fox News Channel), originally published on HNGN.

IF YOU WANT to know who Fox News Channel's Andrea Tantaros really is, what the firebrand is really like, what drives her or when and how she became a conservative, it's best to get her talking about her family. Ask her about growing up during the Reagan and Bush years in Allentown, Pennsylvania – one of the places liberals denounce as flyover territory, where

people go “to cling to their guns and their religion.” Get her talking about her love of country, and, specifically, about her Greek immigrant father, a self-made man who lived the American dream.

These are all parts of the same precious whole for her, deeply intertwined and impossible to tease apart. She relaxes and smiles – the first of many – in these reflective moments.

The way Tantaros tells it, her father Konstantinos was a handsome young man who “looked like Elvis.” At 18 he came to America from Palernos, Greece, with just \$30 in his pocket. He spent his days at work in a New Jersey diner and his nights in a cardboard box in the diner’s basement. The plan behind the sacrifice was to save enough money to open his own diner.

After meeting and quickly falling in love with an attractive Italian-American Syracuse University coed named Barbara, the two wed and he whisked her across the state border to Allentown to open a welcoming and affordable eatery called the Pied Piper Diner, and also to begin a family.

What the newlyweds and neophyte business owners lacked in terms of a credit history that could have secured them a much-needed business loan, they made up for in sheer determination and sweat equity.

“My mom was the waitress and my dad was the cook,” says Tantaros. “None of the food distributors would distribute to them because they weren’t known. They didn’t have a lot of capital and so they had to go to the Super Fresh with only \$34 and buy the supplies they needed for the breakfast shift.”

They did the breakfast shift, doubling their money and then made the same trek back and forth to the Super Fresh for the lunch and dinner shifts with the same results.

“When they came home that first night, they had \$125,” says Tantaros. “My dad threw the money on the bed and said,

‘Barbara, we’re rich.’ ”

‘I don’t know if I can do this every day,’ she replied through tears, because she was exhausted and missed her family in New Jersey.

“We’re doing this every day – every day,” he said.

At the time of his passing in 2009 at age 65, his accomplishments were astonishing: a close-knit and loving family, 12 restaurants, strip malls, real estate development and community banks. He was also the founding director of East Penn Bank.

“They never took a nickel from the government and never complained,” says Tantaros, fiercely proud. “He told us kids, ‘If I could make it, then you have no excuses and you should be three times as successful as me.’ ”

TANTAROS IS TELLING me all this on the set of her hit daily Fox News talk show “Outnumbered.” Although we met off stage we do the interview seated on the familiar crescent white couch. She is resplendent in a curve-hugging and subtly textured white dress that stops around the knees. This is a departure from the bold colors, particularly rich blues, we’re used to seeing her wear. But it contrasts fantastically with her deeper complexion and inky black hair. Tan stilettos boasting a subtle cheetah pattern (or is it giraffe?) round out the day’s look, and make her seem taller than I remember from a chance meeting several months ago at a publishing party.

The set is empty and she can sit anywhere but she instinctively takes her usual place on my right – one of the two “leg seats,” as they’re known. I’m a seat’s width away in the middle spot normally reserved for each day’s male guest host, the one the show has branded “one lucky guy.” Later when I tell her how well it seems to suit me and hint that I’d love to be one of those “lucky guys,” she ribs me about having a typical male ego.

Even when she's not in debate mode, Tantaros speaks in a succession of clear but rapid bursts, telegraphing a sense of having a lot to accomplish in so little time.

It's obvious now where she inherited that trait as well as how, like Athena, her conservatism sprang fully formed at birth rather than developing gradually over time. It's obvious, too, that a mental toughness and a heightened sense of determination – what used to be referred to as “gumption” – are present in large measures in Tantaros. Even her name, Andrea, hails from the ancient Greek, meaning “strong” and “courageous.”

Those are all desirable qualities to possess by someone whose career trajectory has mostly taken place under high scrutiny in the public eye. Tantaros started her career as an intern in the press office of Pat Buchanan followed by another internship at the once-popular but now defunct CNN debate show “Crossfire.” These intense internships led her to D.C. in 2003, to her role as press secretary in the U.S. House of Representatives, crafting talking points for the Republican majority.

All that is quite a contrast to her college scouting days when she chose Lehigh University over Georgetown, American and George Washington, because their campuses struck her as “too political.” That's something she says her mother still teases her about.

Tantaros has also played pivotal roles in the campaigns of prominent Republicans such as Massachusetts governor Bill Weld, New York District Attorney, now judge, Jeanine Pirro (a current Fox News colleague), and New York congressional committee chairman Thomas Reynolds. In her mid-twenties she was already deputy press secretary to Pennsylvania congressman, now senator, Pat Toomey.

These were opportunities Tantaros says she truly cherished

until she grew tired of articulating the opinions and views of others.

“After a while it gets hard to be the voice for somebody else,” says Tantaros. “What I liked about my job was protecting my boss and sort of circling the wagons and being very loyal. But after a while you think, ‘You know, I want to express my own position.’ ”

Arriving at that mindset, it’s safe to say, was something of an inevitability for someone so opinionated and outspoken. She began the transition to media talking head around 2007 with sporadic appearances on the broadcast network news shows as well as CNN, CNBC and MSNBC, filling the role of token conservative. Tantaros grants that she was allowed to be herself in these appearances but she says the deck was often stacked against her in ways that were obvious. Topics were deliberately changed seconds before going on air and there were plenty of times when she says no one would tell her who she’d be appearing with or debating.

Dan Abrams, who Tantaros says she still likes, did just that once when the topic of his show on “Live With Dan Abrams” was about a New York Times story on Republican Senator John McCain’s alleged affair. Tantaros says she only found out shortly before airtime that she was debating Abrams’ father Floyd, the renowned attorney for the Times.

“I say that the grass is greener here at Fox News because I’ve mowed both lawns. I used to be a guest [at other networks], so I know how I was treated there. And I know how I’m treated here, and it’s very different,” says Tantaros. “If you ask a lot of the Democrats here [at Fox], they feel well respected, like they can make a point and have a respectful debate. And that’s what we do here at Fox News, we present both sides.”

Despite the gamesmanship in those early on-camera appearances, Tantaros managed to prove herself a formidable opponent,

feisty and unpredictable.

Tantaros developed her defensive skills early in life, shutting down or running off loudmouth schoolmates that taunted her little brother, Daniel, who suffered from autism and seizures that required him to wear a protective helmet to adulthood and until his death at 31 in 2013.

For his part, colleague Sean Hannity, one of the FNC's Mount Rushmore talents, thinks the world of Tantaros – so much so that he says he immediately became her friend and mentor. “I knew Andrea was a star from the first day I met her. She has every quality one needs to succeed in television: she is smart, prepared, funny and extremely nice as a person,” he says. “Andrea has never forgotten her humble beginnings, which makes her one of the relatable people on television.”

Being relatable – or “likable” as Fox News network genius Roger Ailes has frequently termed it – is the litmus test his hosts must pass if they are to advance at the network. The other test, no doubt, is being easy on the eyes. If my own pair, along with the outsized Internet inventory of her physical appearance are to be believed, Tantaros has passed that test too.

She laughs politely at first when I run off a list of Google key words associated with a search of her name – ones that include “hot,” “legs,” and “bikini” (The latter is a hoax so don't bother looking). But she tenses and frowns slightly when I follow that up by mentioning the frequent description of her online as a “Greek goddess” and the pages and pages of Internet threads spooling out of control about her physical attributes and posing questions like “Does she have a boyfriend, husband or is she divorced?” And others like, “Tantaros or Guilfoyle – who's the hotter Fox brunette?”

“Oh my God,” she says, taking a long pause.

The point in bringing it all up is not to rankle her, which it

certainly seems to be doing. It's to determine whether, as a professional who happens to be a woman, she's peeved that – on the Internet at least – her accomplishments from a distinguished, multifaceted career are lagging grossly behind all the attention paid to her physical attractiveness.

Network colleagues Bob Beckel and Greg Gutfeld suffer no such pains. This obvious double standard, which exists in the context of living at a time where Google and social media are supposed to define us, validates my question – the one still hanging in the air.

Granted, answering it is somewhat of a delicate balancing act for her. After all, FNC's mega-success is grounded on a nod to research indicating that while viewers indeed want fair and balanced news along with informative and timely analysis, they prefer it delivered by sublimely good-looking people – in particular, beautiful women.

Ailes wasn't the first to capitalize on the research that also indicates female viewers are just as captivated by attractive women as their male counterparts. But by institutionalizing the formula and assembling what's come to be known as that bevy of "Fox News Babes," he's mined broadcast gold. This is stating the obvious, of course, even if acknowledging it aloud at the network is frowned upon, say insiders.

"To be totally honest with you, I don't really focus on that stuff. I mean, do I think a double standard exists? Yes. Do I spend my days obsessing over a double standard? No. I come here to do a job," Tantaros answers. "I'm not easily offended. I think you have to be thick skinned in this business. But you have to be even more so if you are a woman and a conservative because the default place people are going to go to is appearance."

This is no feminist stance she's making, and as a conservative there's little chance she'll throw down the well-worn "war on

women” card you have to prepare for from the left. To the contrary, Tantaros has managed to outrage feminists on multiple occasions. It remains to be seen if they’ll get busy making hay over last week’s tabloid reports that she has been spotted around Manhattan canoodling with badboy rocker Dave Navarro, who is Carmen Electra’s ex-husband. The former Red Hot Chili Peppers and long-time Janes Addiction guitarist also happens to be a one-time porn director.

Feminists were initially upset with Tantaros for once stating that older feminists are not happy with their sex lives because they “run over men, have sex like a man, tell your man what to do, don’t let them open the door.”

“You’re not happy with the product, are you ladies?” she asked, rhetorically.

She followed that one up on another of her show’s episodes, explaining, “Feminists don’t have husbands because women have been encouraged to give “it” up [sex] freely with the rise of feminism – have sex like a man. So, they’re doing this and they’re not making the guy step up to put a ring on it.”

And in the wake of Rolling Stone magazine’s widely reported yet highly manufactured narrative about a college rape crisis, Tantaros sounded the alarm on the dangers of false allegations but went way too far, according to feminists, when – addressing them directly on air – she insisted people pay attention to the “war on boys” on college campuses.

You can’t make those kinds of statements or experience the meteoric rise Tantaros has enjoyed without drawing the ire of critics or making adversaries. A few Fox News insiders say she may have even made some at the network, too, but for very different reasons.

“She is respected and very focused but she also has a tendency to overreact to colleagues and can be dismissive of people at times. Because of that she has sometimes been perceived as

difficult,” says a Fox News source who spoke on condition of anonymity. Another insider, who spoke on the same condition, describes her as “unabashedly ambitious.” The source explains further that more than one of the candidates who co-hosted with her on “The Five,” when it launched, and where she still fills in on occasion, initially found her “grating” – too much talking over co-hosts, too much of a spotlight hog for an ensemble show.

“In fairness, there are only so many program blocks in the day,” says the first source. “Intelligent, opinionated people who also happen to have agents and who are put out there to debate while trying out for a permanent spot are going to get competitive.”

“In television, but especially on ensemble shows, we’re like a family. You’re going to inadvertently step on toes, annoy one another and compete in the beginning,” says Tantaros. “It’s the nature of the business. If you want to win in television you have to play hard and you have to be tough. It’s not for the faint of heart. The minute you stop competing is the minute you stop rating.”

Hannity goes further about his protégé. “Andrea is a great team player who supports the entire network,” he assures.

“The talking over [each other] on a show with five people is going to happen. I mean I know that better than anyone, having worked on one ensemble show and then another. I sort of have a black belt on ensemble shows,” says Tantaros, earlier in the interview. “You sort of get into a rhythm. We have a really good rhythm now, which took us a long time to get on ‘The Five’... but that comes from learning, practice, chemistry and getting to know each other. The more you’re on with people the better the show gets, like a team or a band. The more a band plays together the more harmonious they sound.”

That’s an apt description for the rapid ratings rise of her

current show, "Outnumbered," which Tantaros has been a part of since its launch. She says it was an honor to be hand-selected by Ailes "to be his point person to move onto a couch and literally build a show everyday."

"I was humbled. I still am. I am honored, and I just show up here everyday hoping to do a great job for him," she says.

"OUTNUMBERED," THE HOT hour-long ensemble show, which airs weekdays at noon, also includes network standouts Harris Faulkner, who Tantaros says she's close to and has a real rhythm with, (Faulkner simply calls Tantaros "my girl"), Sandra Smith, who is just back from maternity leave, and, lately, Jedediah Bila or Lisa Kennedy Montgomery. Katie Pavlich, Kirsten Powers, Rachel Campos-Duffy and Melissa Francis, to name a few, have also occupied the "fourth seat," as it's called.

According to Nielsen Research, since the first full month after its launch late last April, "Outnumbered" has grown 57 percent in total viewers and 34 percent in the key 25-54 demo. It's currently averaging 1.3 million in total viewers.

There's more: for nearly six consecutive months, the show has been the number one program in all of basic cable news on weekdays at noon. It outpaces or ties similar programs on broadcast networks, including "The View" and "The Talk" in nine national markets across the country.

Despite drawing the ire of feminists, Tantaros hasn't yet become a focus of the organized left – at least not in the way Hannity, Glenn Beck and radio mega-stars Rush Limbaugh and Mark Levin have done. The reason for that is probably two-fold: For one thing, she doesn't have her own show yet, which limits her speaking time. For another, she's positioned herself at a spot on the Richter scale of verbal grenade lobbers that's closer to Hannity than, say, Ann Coulter.

That's not to say she hasn't lobbed some biggies. Some of what

she's let fly has caught the attention of advocacy groups who by now have learned not to hold their collective breath waiting for their demands – an apology, her termination or both – to be met.

There was the time this past March when she angered black leaders by placing a good deal of the blame for the shooting of two cops from Ferguson, Missouri, on President Obama and Attorney General Eric Holder for having “intervened and flaming racial tensions.”

“Eric Holder has proven time and again he is an Attorney General for the criminal, by the criminal, and of the criminals in the United States of America...,” she said. “You think it’s a coincidence that two cops got shot last night? This was inflamed because of what this administration did. This specific incident.”

Last August the Asian American Journalists Association demanded an apology from Tantaros, on behalf of Muslims, for – in their view – perpetuating “Islamophobia” with remarks they believed demonstrated she was equating the terms “Muslim,” “Islam,” “terrorists” and “ISIS/ISIL.”

“They’ve been doing this for hundreds and hundreds of years if you study the history of Islam,” she said in the outburst. “This isn’t a surprise. You can’t solve it with a dialogue. You can’t solve it with a summit. You solve it with a bullet to the head.”

CURIOUS FOX NEWS viewers like myself may wonder if all that fire is genuine – or if there are times when Tantaros, a self-described “competitive person” who “never backs down,” realizes almost immediately that she’s said something she’ll want to walk back.

“No, because I know the left is going to seize on it. They love to tear me apart when I’m making a really good point. Because they don’t want conservatives and conservative women

to make really smart points," she explains. "It must mean I'm doing something right. That's how I take it. If they didn't care and if I wasn't making a point, they would ignore me. But they're targeting me for a reason."

To her credit, Tantaros stands firm in her beliefs, refusing to apologize for her remarks while shrugging off the criticism and blazing ahead.

At some point during the end of our time together, I ask Tantaros what it is that she wants people to know about her, what they may be surprised to learn.

I'm thinking she'll answer with a tricky curveball, the nose-to-toes kind that buckles the knees. Instead, she throws it straight down the pike and catches me looking for a called strike three.

"The Andrea you see on television is the exact Andrea in real life," she says, drawing out the word "exact" for emphasis. "Everything I say, I mean."

For good measure, though, I offer up something ironic my friend, the late Richard Avedon, world-renowned portrait photographer and director, once cautioned me about the tool of his trade. The camera, he explained, had its own magic that too often elicited an unwelcome element of performance from its subjects. What's genuine often gets frustratingly masked, he said.

Tantaros considers the point briefly but waves it off immediately, calling the analogy flawed. "That's assuming the words coming out of my mouth are scripted and not the real me – as if I'm not believing the words coming out of my mouth," she says. "They're my genuine feelings. It's the real me."

Besides, she adds, "You can't fake it everyday for an hour a day. The mask eventually slips."

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Winter Olympics Special: The Slippery Science of Ice Skating

By Michael Q. Bullerdick



Learning how to ice skate is a tricky bit of business that requires athleticism, a healthy sense of balance, and a high pain threshold. Of course, you also need a decent pair of skates and a pond-sized patch of slippery ice. Those last two items are easier to summon than the rest and they have been for a period going on 3,000 years now. But it might be

surprising to note—especially during the Winter Olympics—that until just a few years ago, physicists didn't fully understand how skating worked. More precisely, they lacked a fundamental knowledge of what exactly makes ice slippery.

Sure, they knew that running a thin blade along smooth ice reduces friction in a way that accounts for a good deal of the gliding that makes skating fun. But that's not all of it. People slip and slide on ice without the benefit of ice skates and even while trying to stand still. Why?

Almost everyone will say that ice is slippery because it's—well—wet. Except that it isn't. Not in a purely scientific sense. Ice only feels wet due to the melting effect caused by your much warmer touch. At the freezing point, which any grade school child can tell you is 32 degrees, water crystalizes, meaning it goes completely solid. Yet despite that transformation, and the absence of a liquid lubrication, you can still slip and skate just as well. That fact becomes obvious at rinks where ice temperatures are kept at about 26 degrees, and in the context of subzero conditions, which any ice skater will tell you makes no difference beyond an upgrade in outerwear.

But if water isn't the thing that puts the "slip" in slippery, what is? In pondering that very question over a century ago, Michael Faraday—one of Albert Einstein's science heroes—wondered if it was possible for water (liquid) and ice (solid) to exist in a state halfway between each other beyond the freezing point. After pressing two ice cubes together and watching them fuse to form a single block, Faraday hypothesized that ice might perhaps contain an intrinsic "solid but liquid-like" invisible molecular layer, and that such a quasi-layer might even hold steady in subzero temperatures.

Following Faraday's lead, scientists began turning their attention to pressure and friction. The resulting theory,

called the “pressure-melting effect,” asserted that a skater’s weight would exert intense pressure on the point where the blade contacted the ice. In turn, this pressure would generate just enough heat to melt a thin layer of ice for use as a lubricant. This process, the theory continued, would remain undetectable to the naked eye because the thin film of water would instantly refreeze with each glide step.

Not surprisingly given its plausibility, the pressure-melting effect is still routinely referenced as fact. But the theory simply doesn’t hold water—literally or figuratively. For one thing, it fails to completely explain the important point about why people who wear wide-soled shoes still slide on ice even while attempting to stand still, although reduced friction plays a part. For another, there’s the work of Robert M. Rosenburg. In his 2006 article in *Physics Today*, the emeritus professor of chemistry at Lawrence University proved that the average skater exerts a pressure of only 50 pounds per square inch, which results in a melting temperature of only .03 degrees at contact point. That’s nowhere near a steep enough drop to melt ice.

As it turns out, the critical mystery lubricant is not water but—as Faraday had surmised—the ice itself. More specifically, it’s the tiny ice molecules that comprise the top layer of any frozen block. Although these molecules are bound to the ones below them within the larger mass, they are not as solidly compressed. As a result, they can readily fuse with new ice layers, as Faraday demonstrated with his ice cubes, and they are loose enough to get pushed free and roll around, making them as efficient a lubricant as water molecules.

As difficult as it is to believe, that critical point wasn’t proven until 1996, when Gabor A. Samorjai, a surface chemist at the Lawrence Berkeley National Laboratory, bombarded three thin ice layers with low energy electron diffraction, a technique used to determine crystalline structures. The procedure should have yielded similar scattering signatures

for all three layers of ice molecules but Somorjai's tests revealed only two. That's because the molecules in the upper third layer, although solid, were behaving much like a liquid, vibrating at amplitudes three or four times faster than those in the lower layers. In short, Somorjai had confirmed the existence of Faraday's intrinsic, "liquid-like" layer of ice. What's more, he also confirmed, as Faraday had surmised, that such a layer was present even in subzero temperatures. Somorjai's tests went as low as minus 235 degrees.

That's far too drastic a temperature for ice-skaters to risk their lives testing but sporting goods manufacturers are currently using the lab findings to experiment with materials, finishing techniques, blade curvatures and edge cuts of their skates. And research development departments across various industries are doing the same, referencing the findings to improve stability, grip and the stopping power of tires and footwear that are set to hit the market in the coming years. Until that happens—or unless you're an ice skater—it's probably best to keep off the ice.

Can Death Row Last Meals Reveal Guilt or Innocence?



By Michael Q. Bullerdick

Although it's true death row guards once routinely wagered on what a condemned man might select for his last meal, the morbid game was abandoned long ago, less out of empathy than boredom. That's because, for the better part of a half-century or so, the penultimate menu has been fairly predictable: fried chicken, a cheeseburger or steak cooked medium rare and served with some kind of potato (almost always French fries), followed by pie à la mode (apple or pecan) or a bowl of ice cream. The real gamble, it seems, is not *what* an execution-bound inmate will eat—but *if* they'll eat. And that decision, Cornell University researcher Kevin Kniffin recently revealed, can be a reliable "tell" of whether an inmate knows or has convinced himself that he's innocent.

The idea that our conscious or subconscious mind could impact such matter-of-fact decisions is not as peculiar as it seems at first glance. Researchers long ago discovered a link between emotional states and the act of consumption, including which personality types drink and eat more when depressed versus those who do the opposite while in the same emotional state. What's more, researchers have also shown how foods can be imbued with significance depending on social context and deeply ingrained belief systems. Holiday meals exemplify the point perfectly. A turkey dinner is just that—but serve it to family and friends on Thanksgiving and it becomes something special. Similarly, a pint of chocolate ice cream can seem deeply romantic if you have someone to share it with on Valentine's Day, but it can become a pitiful means to drown your sorrows if you're depressed about being alone. Pairing a cracker with a sip of wine could hardly be described as anything more than a meager snack, but consuming the same during Sunday church service represents the ritualistic means for entering into communion with God to billions of devout Christians worldwide.

To those on death row, a last meal represents far more than a

last chance to eat. Viewed from a psychological perspective, it's both a powerful final sensory experience and a rare opportunity to assert one's will after being experiencing a severely restrictive form of incarceration. Given all that, a last meal should be extremely appealing to both the innocent and the guilty. But that's not always the case. In fact, a significant number of inmates choose to assert their will by rejecting their last best perk. Why—and what's to be gained? Could such refusals be rooted in the level of remorse we like to think guilty people experience, especially during their final hours? Or is it rooted in the despair and abject fear that the innocent must suffer while execution looms?

For his part, Kniffen hypothesized that those who knew themselves to be innocent— or had truly convinced themselves they were—would request lighter meals or reject them outright due to emotional turmoil arising from a profound sense of injustice. In such cases, he suspected they might have trouble bringing themselves to eat due to feelings of frustration, anger and terror coalescing in “a desire to withhold consent for the proceedings,” Kniffen wrote in describing his findings in the journal *Laws*. Contrastingly, Kniffen theorized that inmates who had accepted or confessed their guilt would likely feel some measure of relief and be able to indulge in the same way that Marion Pruet managed it. Preutt, a spree killer executed in Arkansas in 1999, confessed his murderous misdeeds and then ordered a high-calorie last meal, explaining that he could enjoy it because he had “made his peace.”

To test his hypothesis, Kniffen reviewed the records of 247 executions that occurred in the United States between 2002 and 2006 and correlated last meals (acceptance or rejection) with the last words of inmates who either “(1) denied guilt; (2) admitted guilt or apologized; or (3) made a minimalist statement in which they neither denied nor admitted guilt or declined to speak.” In line with his theory, Kniffin's analysis revealed that those who had denied guilt were 2.7

times more likely to decline a last meal than those who admitted guilt. A secondary finding revealed that those who admitted guilt were more likely to request brand name foods and last meals that were 34% higher in calories—proving, at least, that confession may be as good for the appetite as it is for the soul.

An additional implication of Kniffen's findings may further complicate the much-debated subject of legal competency—an individual's ability to understand the consequences of his actions and accept his penalty. In fact, an anecdote involving executed killer Ricky Ray Rector's last meal has already factored into the issue of how competency should be assessed and managed when it comes to capital punishment. On execution day in Arkansas, Rector had reportedly asked guards that were taking him to the lethal injection chamber to save his slice of pecan pie for when he returned. Rector had been sentenced to execution over the shooting death of a police officer. His attorneys argued, however, that his subsequent botched suicide attempt, which had resulted in an accidental lobotomy, made the death penalty highly unwarranted since Rector's mental faculties were insufficient to grasp his circumstances or testify and because the bullet to his brain had rendered him docile and incapable of future violence. His team lost the argument and the case, followed by several appeals, before Rector was put to death on January 24, 1992. Given his unnerving request, however, they may have had a valid point.

Of course it would be folly to require that judges and state governors consider granting last-minute stays of execution on the basis of an inmate's decision to decline a last meal. Kniffin himself rejects such a notion as "an over merited implication of his findings that could routinely "encourage the denial of a last meal" by inmates seeking to game or mock the justice system. Texas death row inmate Lawrence Russell Brewer did just that, ordering an extravagant meal and then refusing to touch a bite of it before his 2011 execution for

the racially motivated dragging death of James Byrd, Jr.

To the extent that Kniffen's research can be used to determine *absolute* guilt or innocence, he's quick to caution it "can only provide a dimension of *ad hoc* analysis." He doubles down on the point in his conclusion, writing, "It is possible these findings could influence future considerations involving executions.... [But the data] should be most useful for understanding and assessing the innocence and perceived innocence of people who have been executed in the past."

That may be so but there's no doubt the findings will add to the complications and contentiousness of future death row appeals, especially cases such as Ricky Ray Rector's, that seem to challenge the legitimacy of an execution.