

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

JACK E. ALDERMAN

Plaintiff,

v.

JAMES E. DONALD, in his capacity
as Commissioner of the Georgia
Department of Corrections; HILTON
HALL, in his capacity as Warden,
Georgia Diagnostic and Classification
Prison; DOES 1-50, UNKNOWN
EXECUTIONERS, in their capacities
as employees and/or agents of the
Georgia Department of Corrections

Defendants.

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CIVIL ACTION
FILE NO. 1:07-CV-896-BBM

**DEFENDANTS' RESPONSE TO
PLAINTIFF'S NOTICE OF FILING**

COME NOW James E. Donald, Commissioner, Georgia Department of
Corrections, and Hilton Hall, Warden, Georgia Diagnostic and Classification
Prison,¹ by counsel, the Attorney General for the State of Georgia, respond to
Plaintiff's Notice of filing.

¹ Plaintiff has also specified numerous unknown, unnamed party Defendants in this lawsuit. (R1-1, ¶ 4). To the extent that any such individuals have been properly named and served, it is the intent of counsel to represent the individuals. To the extent that there has not been proper service, a "special appearance" is being made for the purpose of presenting this response on their behalf.

1.

On June 13, Plaintiff filed copies of correspondence written to the court, and to counsel for the Defendant. (R1-21). The gravamen of the correspondence is Plaintiff's complaint and acrimony over not being advised of internal Department functions, or not being preemptively provided discovery prior to the commencement of the discovery period. Id. Consequently, Plaintiff makes speculative accusations, and casts aspersions on counsel for the Defendants. Id. Finally, Plaintiff takes the opportunity to reargue his position in the case. Id.

2.

Pretermitted the propriety of the Plaintiff's filing, See Local Rule 7.4, Defendants simply note that Plaintiff cited no authority for the novel proposition that he is entitled to be informed of the internal activity of the Department of Corrections.

Further, with regard to the Protocol, Plaintiff could have obtained a copy in the same manner that the local media obtained a copy.² However, as it is a public document and Defendants have nothing to hide, for what it is worth in consideration of a motion to dismiss for failure to exhaust, it is attached to the instant pleading.

² Plaintiff's New York counsel may not have been aware of this fact; however, Plaintiff is also represented locally by King & Spalding LLP, and the Georgia Resource Center.

3.

Plaintiff further accuses Defendants of obstruction or delaying this case in failing to respond to Plaintiff's grievance and by modifying the protocol despite the existence of the instant litigation. The purpose behind the grievance system is to provide prison officials an opportunity to review matters internally prior to them being addressed by the courts. Alexander v. Hawk, 159 F.3d 1321 (11th Cir. 1998). Defendants should not be criticized for utilizing the grievance procedure for the purpose for which it was designed.

Respectfully submitted this 15th day of June, 2007.

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(Signatures continue on next page)

/s/ Eddie Snelling, Jr.
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CERTIFICATION AS TO FONT

Pursuant to N.D. Ga. Local Rule 7.1 D, I hereby certify that this document is submitted in Times New Roman 14 point type as required by N.D. Ga. Local Rule 5.1(b).

/s/ Eddie Snelling, Jr.
Georgia Bar No. 665725
Senior Assistant Attorney General

CERTIFICATE OF SERVICE

I hereby certify that on June 15, 2007 I electronically filed **DEFENDANTS' RESPONSE TO PLAINTIFF'S NOTICE OF FILING** with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to the following attorneys of record:

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Jason R. Edgecombe
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Thomas H. Dunn
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And, prior to filing the same, by depositing a copy thereof, postage prepaid, in the United States Mail, properly addressed upon:

James Ringer
Michael A. Siem
Elizabeth K. Quinn
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/s/ Eddie Snelling, Jr.
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**GEORGIA DEPARTMENT OF
CORRECTIONS**

LETHAL INJECTION PROCEDURE

JUNE 7, 2007

GEORGIA DEPARTMENT OF CORRECTIONS

EXECUTION PROCEDURES

REQUIRED DISTRIBUTION

Copy #1	Governor State of Georgia
Copy #2	Attorney General State of Georgia
Copy #3	Commissioner
Copy #4	Corrections Division Director
Copy #5	Facilities Director
Copy #6	Northern Facilities Operations Manager
Copy #7	Warden Georgia Diagnostic and Classification Prison
Copy #8	Warden Metro State Prison
Copy #9	General Counsel Legal Services

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UNDER DEATH SENTENCE

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I. RECEPTION OF UNDER DEATH SENTENCE (UDS) CASES

1.0 THE SENTENCE

- 1.1 Upon a verdict or judgement of death made by a jury or a judge, it is the responsibility of the Clerk of Court, in which said sentence is pronounced, to forward a certified copy of said sentence to the Warden of the Georgia Diagnostic and Classification Prison not less than ten (10) days prior to the first day of the seven (7) day execution period as fixed by the court (OCGA 17-10-33).
- 1.2 Where the date for execution has passed for any reason, i.e., appeal, habeas corpus, State Board of Pardons and Paroles, etc., the judge of the Superior Court of the county where the case was tried shall have the power and authority to fix a seven (7) day period for the execution of the original sentence. Such order shall fix the seven (7) day period not less than ten (10) nor more than twenty (20) days from the date of such order. Such order shall be sent immediately to the Warden of the Georgia Diagnostic and Classification Prison (OCGA 17-10-40).
- 1.3 Upon notification, the Warden of the Georgia Diagnostic and Classification Prison will immediately notify the Commissioner and forward a copy of the sentence (Execution Order) or other orders.
- 1.4 Upon notification as described in 1.3, the Commissioner will forward a copy of the execution order to the Governor (Attention: Legal Counsel, Governor's Office) and the Chairman of the State Board of Pardons and Paroles.

2.0 DELIVERY OF THE CONDEMNED PERSON

- 2.1 In all cases in which the defendant is sentenced to be executed, it shall be the duty of the trial judge in passing sentence, to direct that the defendant be delivered to the Commissioner of the Georgia Department of Corrections for execution at such state prison as may be designated by said Commissioner, (OCGA 17-10-38).
- 2.2 It shall be the duty of the sheriff of the county in which such convicted person is so sentenced to convey such convicted person to said state prison not more than twenty (20) nor less than two (2) days prior to the time fixed in the sentence for execution of the condemned person unless otherwise directed by the State Board of Pardons and Paroles, or unless a stay of

execution has been caused by appeal, granting of a new trial, or other order of a court of competent jurisdiction, and the expense for transporting of said person to the state prison for the purpose of execution shall be paid by the Ordinary of the County wherein the conviction was had, or the Board of County Commissioners, the County Commissioner, or other person or persons having charge of the county funds, out of any funds on hand in the treasury of such County, (OCGA 17-10-33).

- 2.3 The Commissioner will issue assignment orders to the Sheriff of the County of conviction and forward copies of the Order and sentencing documents to the state prison. Delivery of the condemned person by the Sheriff will be arranged and coordinated by the Commissioner between the Sheriff of the County concerned and the Warden of the prison.
- 2.4 Persons under death sentence incarcerated at institutions other than the institution designated by the Commissioner as the execution site will be transferred to the execution site approximately two (2) days prior to the scheduled execution date. Details of such transfer will be coordinated by the Commissioner.

3.0 ADMISSION PROCESSING

Upon arrival of the condemned person at the Georgia Diagnostic and Classification Prison or Metro State Prison, he/she will be processed through regular inmate admission procedures, to include security search, medical examination, fingerprint, photograph, personal history information, etc., to include a complete diagnostic evaluation, a copy of which will be provided to the Commissioner of the Department of Corrections, and the State Board of Pardons and Paroles.

4.0 CONFINEMENT

The condemned person will be confined in a cell designated by the Warden. Appropriate safeguards and security measures will be maintained as directed by the Warden. Pending the invoking of the Death Watch, the condemned person will be maintained in accordance with Departmental Rules and Regulations, special regulations for persons under death sentence, and specific court order. Persons delivered to the execution site less than thirty-six (36) hours prior to the time of execution, (refer to Paragraph 2.2), will be processed immediately and assigned to the Death Watch Cell.

II. HOLDING AND PREPARATION FOR EXECUTION

5.0 PREPARATION FOR EXECUTION AND TIME OF EXECUTION

The order of the court will specify a time span for the execution. A specific date and time within the designated time span will be established and announced by the Commissioner to the appropriate personnel on a need to know basis. The date and time for execution should be finalized seven (7) days in advance.

6.0 NOTIFICATION

Upon receipt, the Warden or his designee shall read to the condemned inmate the Order of Execution issued by the court of conviction. The condemned will sign the Order acknowledging notification of the Order and the signature of the condemned will be witnessed by the staff member and same will provide the condemned with a copy of the Order. If the condemned refuses to acknowledge receipt of the Order of Execution, the Warden or designee shall read the Order of the Court and acknowledge receipt for the condemned, in writing, which shall be witnessed by a staff member other than the Warden and attached to the Order.

7.0 DEATH WATCH

The condemned shall be moved to a designated cell, and observation shall begin thirty-six (36) to twelve (12) hours but an optimal eighteen (18) hours prior to the scheduled execution. A minimum of two (2) officers shall be assigned to observe the condemned at all times during Death Watch. If the condemned is a female, security will be maintained by female security personnel. Duties shall be established by the Deputy Warden of Security and the Warden. No other correctional staff, or civilian personnel, except medical personnel, shall be allowed in the Death Watch area without approval of the Warden or designee. No inmates are allowed in the Death Watch area.

7.1 Observation

- 7.1.1** Security of the Execution Chamber and the Execution Witness Room is the responsibility of the Warden. Security briefings shall be held as appropriate.
- 7.1.2** The officer in charge on each shift shall supervise the use of all items retained by the condemned and shall maintain a log of all activities of the condemned to include, but not limited to, the times of feeding, showering and all other occurrences.
- 7.1.3** All meals for the condemned during the Death Watch shall be prepared/procured and delivered by the Food Service Director, or designee. The activity log sheet shall reflect all names of persons delivering meals, menu items served the condemned and whether they were consumed or returned, to include date and time.

- 7.1.4 A communication check, by telephone/radio, shall be made every thirty (30) minutes, on a continuous basis, during this period by the Death Watch Officer to the institution's control center. This communication check shall be logged.
- 7.1.5 Medical
- 7.1.5.1 Sick call will be in accordance with institution Rules and Regulations prior to the Death Watch period. During the Death Watch, sick call will be in the Death Watch area.
- 7.1.5.2 Request for medical attention by the condemned, in addition to sick call, will be provided in the Death Watch area unless determined inappropriate by the Medical Authority. A medical determination to examine or treat the condemned in other than the Death Watch area should be coordinated with the Warden as soon as possible.

8.0 PERSONAL PROPERTY OF THE CONDEMNED

- 8.1 The condemned shall personally take inventory, pack and seal his personal property at the beginning of the Death Watch.
- 8.2 The inventory process and sealing of personal property shall be performed under the supervision of an institutional officer and another staff person designated by the Warden.
- 8.3 The condemned shall sign a completed inventory sheet which shall be witnessed by the officer and the other staff member.
- 8.4 The condemned shall indicate, in writing, on the completed inventory sheet the recipient of all personal property.

9.0 STATE ISSUED ITEMS

9.1 The condemned shall be furnished with the following state-issued items while under Death Watch:

- 1 Mattress
- 1 Pillow
- 1 Pillowcase
- 2 Blankets (as necessary)
- 2 Sheets
- 2 Towels
- 1 Comb (provided as needed)
- 1 Bar of Soap
- 1 Shirt
- 1 Jacket (provided as needed)
- 1 Pair of Pants
- 1 Pair of Boxer Shorts
- 1 Pair of Socks
- 1 Pair of Shower Shoes
- 1 Religious Material
- 1 Toothbrush and Tube of Toothpaste (provided as needed)
- 1 Use of Electric Razor (Cordless)

9.2 The condemned may be provided the following upon request:

- 1 Television Set to be Located Outside the Cell
- 1 Radio to be Located Outside the Cell
- Playing Cards
- Stationery
- Newspapers and Magazines (as approved by the Warden)
- Items available in the Inmate Store at condemned's expense, excluding those items in metal, glass containers, or hard plastic.
- Personal Items Approved by the Warden or Designee (limited to essential needs)

9.3 Any variation from the above list shall be approved by the Warden or designee, in writing, and attached to the activity log.

9.4 The condemned will not be provided with the following:

- Razors or Blades (other than cordless electric)
- Belts
- T-Shirts

10.0 FUNERAL ARRANGEMENTS

At the beginning of the Death Watch, if not previously done, the condemned may specify, in writing, his or her request for funeral arrangements. This information shall be conveyed if necessary to the inmate's family, or others as appropriate, by the Warden or his designee at least twelve (12) hours prior to the scheduled execution.

11.0 DESIGNATION OF STAFF

11.1 The following shall be present at each execution and shall be notified by the Warden and acknowledged a minimum of twelve (12) hours in advance of the time and date of the execution. Notification shall include date and time of execution, and place to report for assignment. The Warden has the authority to waive the twelve (12) hour requirement on an emergency basis.

- 11.1.1** Warden or Deputy Warden who shall ensure that the court ordered execution is carried out.
- 11.1.2** Two (2) assistants or more as directed by the Warden.
- 11.1.3** Two (2) physicians – to determine when death supervenes.
- 11.1.4** One (1) physician - to provide medical assistance during the execution process (may be one of the physicians in 11.1.3).
- 11.1.5** Intravenous (IV) Team, to consist of two (2) or more trained personnel, including at least one nurse, to provide intravenous access.
- 11.1.6** Six (6) Correctional Officers to serve as a special escort team who will apply restraints to the condemned during the execution process.
- 11.1.7** Injection Team to consist of three (3) trained staff members to inject solutions into the intravenous port(s) during the execution process.
- 11.1.8** One (1) Chaplain to administer to the spiritual needs of the condemned and to provide a prayer on the condemned's behalf upon request.
- 11.1.9** Security personnel as appropriate.

11.2 Restrictions:

No photographic, audio, recording, or computerized equipment will be permitted in the execution chamber or witness room except as specifically authorized by the Warden. All pencils, note pads, etc. will be issued and controlled by designated GDC staff.

12.0 WITNESSES WHO MAY BE PRESENT

Witnesses to the execution beyond those specifically prescribed by law or elsewhere in this procedure must be approved by the Commissioner prior to the day of the scheduled execution.

12.1 Space limitations may limit the number of witnesses to be present in the execution witness room. Witnesses will be selected as outlined below:

12.1.1 Five (5) witnesses selected by the condemned. These witnesses may not consist of inmate or victim family members unless approved by the Commissioner of the Georgia Department of Corrections.

12.1.2 Five (5) witnesses representing the news media organizations. Media representatives shall be determined as follows:

12.1.2.1 The Georgia Bureau Chief of the Associated Press Wire Services may designate one news reporter to be its media representative.

12.1.2.2 The Georgia Press Association, through its Executive Director, may designate two pool newspaper reporters to be its media representatives, including one pool reporter from a newspaper published within the county in which the condemned was convicted.

12.1.2.3 The Georgia Association of Broadcasters, through its President, may designate two pool news reporters to be its representatives for the electronic media, including one television or radio reporter from the county in which the condemned was convicted.

- 12.1.2.4 The names of the news reporters representing the above mentioned classes or news media and designated alternates, shall be communicated telephonically to the Commissioner of the Department of Corrections at least twenty-four (24) hours prior to an execution.
- 12.1.2.5 All approved media witnesses will be certified in writing by the Commissioner to the Warden of the Georgia Diagnostic and Classification Prison.
- 12.1.2.6 In the event that more than one execution is carried out in a single day, the same media representatives shall be the witnesses for those executions. The newspaper and broadcast representatives from the county of conviction will change if the offenders to be executed are from different counties.
- 12.1.2.7 Upon entering the Georgia Diagnostic and Classification Prison, each media representative must present sufficient evidence to establish his/her identity to the Warden or designee that he/she is entitled access to the press conference interview. This shall include a current photo I.D. Pencils, pens, notebooks, etc., will not be allowed; these items will be provided by Department of Corrections staff. Facility policy prohibits witnesses wearing or bringing jewelry or other personal items into the facility.
- 12.1.3 Not less than five (5) witnesses approved in writing by the Commissioner of the Department of Corrections.
- 12.1.3.1 The Commissioner of the Department of Corrections may approve five (5) or more witnesses to be present in the witness room. These witnesses may include officials with the Executive, Judicial or Legislative Branch of Government, or private citizens. The Commissioner's Office shall maintain a tentative list of witnesses and keep the list updated.

12.1.3.2 The Commissioner may approve one or more witnesses representing the victim(s). Requests of this nature will be received by the Commissioner no later than twelve (12) business hours prior to the day of the scheduled execution.

12.1.3.3 All approved witnesses will be certified in writing by the Commissioner to the Warden of the Georgia Diagnostic and Classification Prison prior to the time of the scheduled execution, if possible. Prior to the time of the execution, the Warden shall confirm participation.

12.2 Witnesses: Request of the Condemned

If the condemned person so desires, the following may be present at such execution: his/her counsel, relatives, clergymen and friends, (OCGA 17-10-41), pursuant to approval as outlined in 12.1.1. The condemned may update the names of those he/she desires to be present at the execution with the Commissioner's approval. These names shall be recorded in writing, witnessed and maintained by the Warden or designee.

12.2.1 Not later than twelve (12) hours prior to time of execution those witnesses requested by the condemned shall be contacted by the Warden or designee in the most expeditious and appropriate method of communication to confirm the request and advise them of the time and date of the execution, assembly, orientation and escort procedures to the execution witness room.

12.3 Witnesses - Other

12.3.1 Those witnesses to the execution required by law shall be under the supervision of the Warden of the institution or designee and shall appear at the institution at a time and place as directed by the Warden.

12.3.2 Those witnesses requested by the condemned shall appear at the institution no later than two (2) hours prior to the execution for orientation and escort to the execution witness room (refer to Paragraph 12.2).

12.3.3 Those witnesses to the execution who are approved by the Commissioner of the Georgia Department of Corrections shall appear at the institution no later than two (2) hours prior to the execution for orientation and escort to the execution witness room.

13.0 MEDIA INFORMATION AND PUBLIC INFORMATION OFFICE

- 13.1 News media representatives shall not be allowed to visit any inmate at the institution during the Death Watch.
- 13.2 Briefings for news media representatives shall be conducted as appropriate during the Death Watch and immediately after the execution by the Public Information Officer or designee at a time and place designated by the Warden of the institution.
- 13.3 Broadcast reporters will be allowed to broadcast live from a pre-designated area on the grounds of the institution during the hours designated by the Warden on the day of the execution. A delay in the execution may require that these hours be adjusted accordingly.

14.0 VISITATION

The condemned shall be allowed contact visits the day prior to and the day of the execution with family, friends, private clergy and his legal representatives as approved by the Warden. Except as otherwise noted below, normal visitation policies will apply.

- 14.0.1 If possible, all visitors should be processed into the institution at one time and placed in the room provided. A maximum of five (5) visitors at a time shall be allowed in the institution at one time.
- 14.0.2 The condemned may eat an institutional meal while in the visiting room with his visitors. Visitors may purchase an institutional meal which may be consumed in the visitation area in the presence of the condemned.
- 14.0.3 Attorney(s) shall be allowed to visit the condemned upon approval of the Warden or designee.

15.0 VICTIM'S FAMILY/RELATIVES

A staff member will be designated to care for any of the victim's family who remain within the institution during the execution. A room shall be designated for this purpose.

16.0 TELEPHONE

Telephone access shall be provided to the condemned, with the following limitations:

- 16.1 Telephone calls shall be in accordance to institutional rules and regulations prior to Death Watch.

- 16.2 At least one (1) fifteen (15) minute call per day during Death Watch, unless otherwise approved by the Warden; a phone will be provided to the condemned, unless otherwise restricted by the Warden.
- 16.3 All telephone calls shall be made collect, unless the Warden makes exceptions.
- 16.4 All telephone calls are to be made between the hours of 8:00 a.m. and 6:00 p.m. unless otherwise approved by the Warden.
- 16.5 Incoming calls for the condemned will be referred to the Warden or designee for screening and approval. Such calls will be denied unless the purpose involves family and/or legal matters requiring the condemned's involvement

III. DAY OF EXECUTION

17.0 DAY OF EXECUTION

17.1 Within Three (3) Hours of Execution

- 17.1.1 A communications check will be performed.
 - 17.1.1.1 Telephone - Telephone circuits and private lines between the Command Center (CP1), Execution Chamber (CP2), and the Front Gate (CP3) will be checked.
 - 17.1.1.2 The Execution Chamber and Witness Room will be inspected as designated by the Warden.
 - 17.1.1.3 Radio - A radio check between the Command Center, Execution Chamber and Front Gate will be initiated.

17.2 Within Two (2) Hours of Execution

- 17.2.1 Chemicals will be delivered to the H-5 Prep Room by the Deputy Warden of Security or Correctional Major.
- 17.2.2 The IV Team will perform a check of all necessary equipment and instruments.

- 17.2.3 Communications Check - The same procedure will be followed as at three (3) hours prior to the execution as specified in Paragraph 17.1.1.
- 17.2.4 Execution Chamber and Witness Room - These areas will be inspected as directed by Warden.
- 17.2.5 The condemned will be prepared in accordance with prior responsibilities previously designated by Warden:
- 17.2.5.1 The condemned may visit with clergyman.
- 17.2.5.2 An opportunity for the condemned to make last statement will be provided. (Statement shall be recorded by designated staff.
- 17.2.5.3 A shower and clean clothing will be provided to the condemned.
- 17.2.6 A designated staff member shall confirm the presence of witnesses required by law to attend the execution. Any final instructions shall be issued by the Warden.
- 17.2.7 A designated staff member shall confirm the presence of the witnesses designated and approved by the Commissioner. Instructions will be issued to the witnesses to assure an understanding of their conduct in the Witness Room and while being escorted to and from the Witness Room. All witnesses are to have previously acknowledged, in writing, their understanding and agreement to abide by the rules, regulations and procedures of the Agency.

17.3 Within One (1) Hour of Execution

Within one hour of the time of execution, designated members (2) of the special escort team will commence the following:

- 17.3.1 The IV Team will perform a check of all necessary equipment and instruments.
- 17.3.2 The designated staff members will prepare lethal injection syringes.
- 17.3.3 Medical staff will perform a self-test on the heart monitor.
- 17.3.4 The condemned is offered a mild sedative by a physician.

- 17.3.5 Special Escort Team members will ensure all straps are in place and functional on the execution gurney.
- 17.3.6 Communications Check: The same procedures will be performed as at three (3) hours prior to the execution as specified in Paragraph 17.1.1. The telephone lines between the Command Center (CP1), the Execution Chamber (CP2) and the Front Gate (CP3) are to remain open thirty (30) minutes prior to execution time.
- 17.3.7 Execution Chamber and Witness Room will be inspected as directed by Warden.
- 17.3.8 Attendees and those required by law to attend executions are to be issued additional instructions and escorted to the Execution Chamber and Execution Witness Room as appropriate. The condemned's witnesses, media representatives and the State's witnesses shall be processed, instructed and transported separately as referenced in this section.
- 17.3.9 The presence of witnesses requested by the condemned, those approved by the Commissioner, and approved media representatives will be confirmed.
- 17.3.10 The condemned is escorted to the lethal injection gurney by member(s) of the Special Escort Team, twenty (20) minutes prior to the time of the execution.
- 17.3.11 The Special Escort Team will attach restraints to arms, legs and body of the condemned.
- 17.3.12 The IV team will provide two (2) intravenous accesses into the condemned. If the veins are such that intravenous access cannot be provided, a physician will provide access by central venous cannulation or other medically approved alternative.
- 17.3.13 The heart monitor leads will be applied to the condemned by a nurse from the IV Team.
- 17.3.14 The witnesses will be escorted to the Execution Witness Room.
- 17.3.15 The Warden will introduce himself to witnesses and issue final instructions regarding the execution.

- 17.3.16 The Warden will ask the condemned if he has anything to add to the final statement. Such additional statement will be limited to two (2) minutes. Statement shall be recorded by designated staff. A prayer is offered if condemned requests, which is limited to two (2) minutes.
- 17.3.17 The condemned is read the Execution Order of the Court.
- 17.3.18 Execution officials take their places.
- 17.3.19 The Attorney General advises the Commissioner as to whether or not to proceed. The Commissioner instructs the Warden as to whether or not to proceed.
- 17.3.20 The Warden orders that the execution begin.
- 17.3.20.1 The Injection Team will begin the injection process.
- 17.3.20.2 The first team member will inject two (2) syringes containing 1 gram each of sodium pentothal (labeled #1 and #1a respectively), followed by one (1) syringe of saline (labeled #2), ensuring a steady, even flow of the chemical.
- 17.3.20.3 The second team member will inject one (1) syringe containing 50 milligrams of pancuronium bromide (labeled #3) followed by one (1) syringe of saline (labeled #4), ensuring a steady even flow of the chemical.
- 17.3.20.4 The third team member will inject one (1) syringe containing 120 milliequivalents of potassium chloride (labeled #5) followed by one (1) syringe of saline (labeled #6), ensuring a steady even flow of the chemical.
- 17.3.20.5 An IV nurse will monitor the progress of the injection in the Execution Chamber during the execution process to ensure proper delivery of chemicals and to monitor for any signs of consciousness.

If the IV nurse in the execution chamber observes a problem with intravenous flow, he/she will inform the attending physician, who will inform the Warden as to whether or not using alternative intravenous access is appropriate. The Warden will give the appropriate instructions to the Injection Team.

17.3.20.6 The designated physician will advise the Warden when the heart monitor shows no further heart activity. The Warden, and two physicians who will check the condemned to determine if death has occurred, will enter the Execution Chamber.

17.3.20.7 If condemned shows residual life signs within a reasonable period after all injections have been completed, steps 17.3.20.1 through 17.3.20.4 will be repeated upon order of the Warden.

17.3.21 The fact of death is then announced to the witnesses by the Warden. The curtains to the Execution Chamber are then closed.

17.3.22 The witnesses and media representatives are escorted from the Execution Witness Room. Media representatives will be immediately escorted from the prison to the press area.

17.3.23 The IV lines are detached by the IV Team, the straps are removed by the Special Escort Team, and the body is removed from the gurney. The body is placed in a body bag and placed on a stretcher provided by the State Crime Lab. The body is taken by van to the State Crime Lab for a postmortem examination.

17.3.24 Press release: The Public Information Officer for the Department of Corrections will advise news media that Order of the Court has been carried out.

17.3.25 The Warden or designee and attending physicians prepare certificate of execution and certify the fact of execution. The certificate is to be forwarded to the Clerk of Superior Court of the county in which sentence was pronounced. A copy is forwarded to the Commissioner.

17.3.26 The last statement of the condemned is forwarded to the Central Office, as appropriate.

17.3.27

Interment: The body may be released to the relatives at their expense or should the nearest relative of the condemned so desire, the body will be carried to the former home of the person so executed, if in the State of Georgia. The expense of such transportation to the former home shall be paid by the Ordinary, County Commissioners, or person(s) having the charge of county funds in which the person was convicted. (OCGA 17-10-43).

17.3.27.1

If the relatives do not claim the body of the executed person, interment will be in accordance with GDC Rule 125-2-4.20.

17.3.27.2

Staff participants will be seen by the Critical Incident Debriefing Team within seventy-two (72) hours of each execution or as soon as possible.

ANNEX I

IV TEAM - INSTRUCTIONS

SET UP PROCEDURE:

1. The Warden or designee will have two (2) intravenous infusion devices placed in veins of the condemned and a saline solution available for an infusion medium. Those persons engaged in this activity will be referred to as the IV Team.
2. An IV administration set shall be inserted into the outlet of the bag of Normal Saline IV solution. Two (2) IV bags will be set up in this manner.
3. The IV tubing shall be cleared of air and made ready for use.
4. The standard procedure for inserting IV Access will be used.
5. The IV tubing for both set-ups will be connected to the receiving port of the IV access. One for the primary vein, the other for the secondary vein.
6. At this point, the administration sets shall be running at a slow rate of flow (KVO), and ready for the insertion of syringes containing the lethal agents. The Warden or his designee, shall maintain observation of both set-ups to ensure that the rate of flow is uninterrupted. **NO FURTHER ACTION** shall be taken until the prearranged signal to start the injection of lethal agents is given by the Warden or designee.

ANNEX II

CROWD CONTROL ON EXECUTION DAY

1. All visitors to the Georgia Diagnostic and Classification Prison on Execution Day shall be requested to state the purpose of their visit upon entering the guardlines and to furnish appropriate identification prior to being allowed to enter.
2. Visitors to the prison grounds shall be directed to one of the following areas and given the appropriate colored arm bands:
 - 2.1 Those Opposing The Death Penalty (Green Arm Band)
 - 2.2 Those Supporting Death Penalty (Blue Arm Band)
3. Media representatives shall be directed to a specified area and given a yellow arm band.
4. Regular inmate visitation will be canceled.
5. Departmental visitors shall be limited to staff that have an official execution function that specifically requires them to be present at the institution.

ACTIVITY LOG – DEATH WATCH

NOTE: ALL ENTRIES MUST INCLUDE THE DATE, TIME AND THE OFFICER'S SIGNATURE. ALL ENTRIES MUST BE LEGIBLE.

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

ANNEX IV

CONTROLLED CHEMICAL HANDLING PROCEDURES FOR EXECUTION BY LETHAL INJECTION

The following procedures will be utilized to obtain controlled chemicals, transport the chemicals to the Execution Chamber at the Georgia Diagnostic and Classification Prison (GDCP), dispose of and/or return unused chemicals to the GDCP Pharmacy.

1. The certificate issued by the Drug Enforcement Agency (DEA), United States Department of Justice will be posted in the medical room of the GDCP Execution Chamber. A copy of the certificate will be kept on file at the GDCP Pharmacy.
2. All controlled materials, blank "Controlled Chemical Disposition Record" forms and a lockable transport case will be kept in the GDCP Pharmacy.
3. The designated key ring, located in the Tunnel Entrance Restricted Key Box, will be utilized to gain access to the chemical storage containers, transport case and the temporary chemical storage containers located in the Execution Chamber. Access to this key ring and the receipt and/or transportation of chemicals is restricted to: Deputy Warden for Security, Correctional Major, and designated Pharmacist. In an emergency, the Warden of GDCP may designate another official this duty.
4. On the day of a scheduled execution, one of the authorized staff members will draw the proper keys, proceed to the pharmacy and procure the appropriate amount of chemicals.
5. The appropriate amount of chemicals to be issued is as follows: Sodium Pentothal – 6 packages each containing 1gram of chemical. Pancuronium Bromide – 15 vials each containing 10 milligrams. Potassium Chloride – 9 vials each containing 40 milliequivalents. Note: The Pancuronium Bromide is normally refrigerated. It may be left un-refrigerated for no more than 24 hours.
6. During the procedures outlined in step #4, the "Controlled Chemical Disposition Record" will be initiated at this time. The Pharmacy will keep a temporary copy upon issuance. The original will be kept with the chemicals in the transport case. The appropriate sections will be completed as needed.
7. Chemicals will be delivered to the Execution Chamber and locked in the chemical storage container. Pancuronium Bromide will be stored in the locked refrigerator.
8. Within one hour of the scheduled execution, the chemicals will be drawn into the 60cc syringes to be used by the injection team by a trained staff member supervised by a nurse.

9. Chemicals will be drawn up as follows:

Sodium Pentothal – 1g each - Syringe #1 and #1a.
Pancuronium Bromide – 50mg – Syringe #3
Potassium Chloride – 120meq – Syringe #5
Saline Solution – 60cc each - Syringe #'s 2, 4 and 6.

10. A secondary set of seven syringes will be prepared in the manner as outlined above.
11. The remaining chemicals, along with seven empty 60cc syringes will be locked in the transport case and placed in the mechanical room in the event they are needed.
12. At the conclusion of the execution, the amount of each chemical injected into the condemned inmate is to be recorded on the Controlled Chemical Disposition Record form, along with the date, time, inmate name and number.
13. Any chemical loaded into a syringe that is not used will destroyed by flushing chemicals down the sink located in the medical room of the execution chamber. This must be witnessed and the section completed and signed on the Controlled Chemical Disposition form.
14. Any unused chemicals will be returned to the pharmacy via the transport case and the remainder of the Controlled Chemical Disposition Record form will be completed.
15. The original Controlled Chemical Disposition Record form will be retained by the Pharmacy. A copy will be sent to the Warden's office for inclusion into the Execution file.
16. An inventory will be kept by the Pharmacy of each chemical used and returned. The Controlled Chemical Disposition form and the inventory logs will be kept in a red binder attached to the chemical storage container.
17. The attachments 1 through 4 will be completed and submitted as required.

Attachments:

- (1) Controlled Chemical Disposition Form
- (2) Inventory Log for Sodium Pentothal
- (3) Inventory Log for Pancuronium Bromide
- (4) Inventory Log for Potassium Chloride

**CONTROLLED CHEMICAL DISPOSITION RECORD
(LETHAL INJECTION)**

ANNEX IV – ATTACHMENT 1

GEORGIA DEPARTMENT OF CORRECTIONS – GDCP

CHEMICALS DISPENSED BY GDCP PHARMACY

Name of Chemical – Amount	Date Issued	Lot #	Expiration	# of Vials
PENTOTHAL 6 GRAMS				
PANCURONIUM BROMIDE 150 MGM				
POTASSIUM CHLORIDE 360 MEQ				

ISSUED BY: (SIGN AND PRINT NAME)	RECEIVED BY: (SIGN AND PRINT NAME)	DEPT/LOCATION
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CHEMICALS ADMINISTERED BY INJECTION TEAM

DATE	TIME	INMATE NAME/NUMBER	CHEMICALS	QTY
			PENTOTHAL	
			PAVULON	
			POTASSIUM CHLORIDE	

CHEMICALS DESTROYED

CHEMICALS DESTROYED	QTY	# OF SYRINGES	DATE DESTROYED	DEPT/LOCATION
PENTOTHAL				
PANCURONIUM BROMIDE				
POTASSIUM CHLORIDE				

DESTROYED BY: (SIGN AND PRINT NAME)	WITNESSED BY: (SIGN AND PRINT NAME)	DEPT/LOCATION
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CHEMICALS RETURNED TO GDCP PHARMACY

DATE RETURNED	CHEMICAL RETURNED	QTY RETURNED	# OF VIALS
	PENTOTHAL		
	PANCURONIUM BROMIDE		
	POTASSIUM CHLORIDE		

RETURNED BY: (SIGN AND PRINT NAME)	RECEIVED BY: (SIGN AND PRINT NAME)	DEPT/LOCATION
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CONTROLLED CHEMICAL INVENTORY LOG

ANNEX IV – ATTACHMENT 2
CHEMICAL – SODIUM PENTOTHAL

GEORGIA DEPARTMENT OF CORRECTIONS – GDCP

[illegible]

