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June 17, 2013

Michael Rubenstein
Liskow & Lewis
1001 Fannin Street, Suite 1800
Houston, Texas 77002

Gary Clements
Capital Post-Conviction Project of Louisiana
1340 Poydras Street, Suite 1700
New Orleans, Louisiana 70112

Re: Hoffman v. Cain, et al; Middle District of Louisiana; Docket No. 12-796-JJB-SCR

Dear Mr. Rubenstein and Mr. Clements,

Please find enclosed a copy of the *Louisiana Execution Protocol,* in accordance with Judge Riedlinger's ruling.

If you have questions please do not hesitate to contact my office.

With kindest regards, I remain

Sincerely,

SHOWS, CALI & WALSH, LLP

Jacqueline B. Wilson

LOUISIANA STATE PENITENTIARY

EXECUTION MANUAL HOLDERS

GOVERNOR'S OFFICE/EXECUTIVE COUNSEL

DPS&C HEADQUARTERS/SECRETARY'S OFFICE

LOUISIANA STATE PENITENTIARY/WARDEN'S OFFICE

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Governor's Office

Executive Counsel, Gary Graphia gary.graphia@la.gov	225-342-8212 [redacted] (Cell)
Chief of Staff, Paul Rainwater	225-342-7188
Communications Director, Kyle Plotkin	225-342-8006
Mansion	[redacted]

Corrections Headquarters

Secretary, James M. Le Blanc	225-342-0553/1597 fax 342-2486 cell [redacted]
Deputy Secretary, Genie Powers	225-342-6744
Chief of Operations, Jeff Travis	225-342-9711
General Counsel, Billy Kline	225-342-1890
Director of Communications, Pam LaBorde	225-219-0499

Law Enforcement/Support Agencies

West Feliciana Parish Sheriff's Office	225-784-3136 (Dispatch) 225-635-3241 (General)
West Feliciana Parish Coroner	225-635-3811

Louisiana State Penitentiary

Main Switchboard for all extensions	225-655-4411
Fax – Warden's Office	225-655-2319
Fax – Command Center (Training Academy)	225-655-2254
Fax – Camp F (Execution Bldg)	225-655-2668
Command Center (Training Academy	225-655-2250
Camp F Office (Execution Bldg)	225-655-2123
Warden Cain's Cellular Telephone	[redacted]
Execution Room (HIGHLY CONFIDENTIAL)	[redacted]
Media Telephones – Command Center	225-655-2713 225-655-2714 225-655-2715 225-655-2716 225-655-2717

1-10-13

Chain of Command

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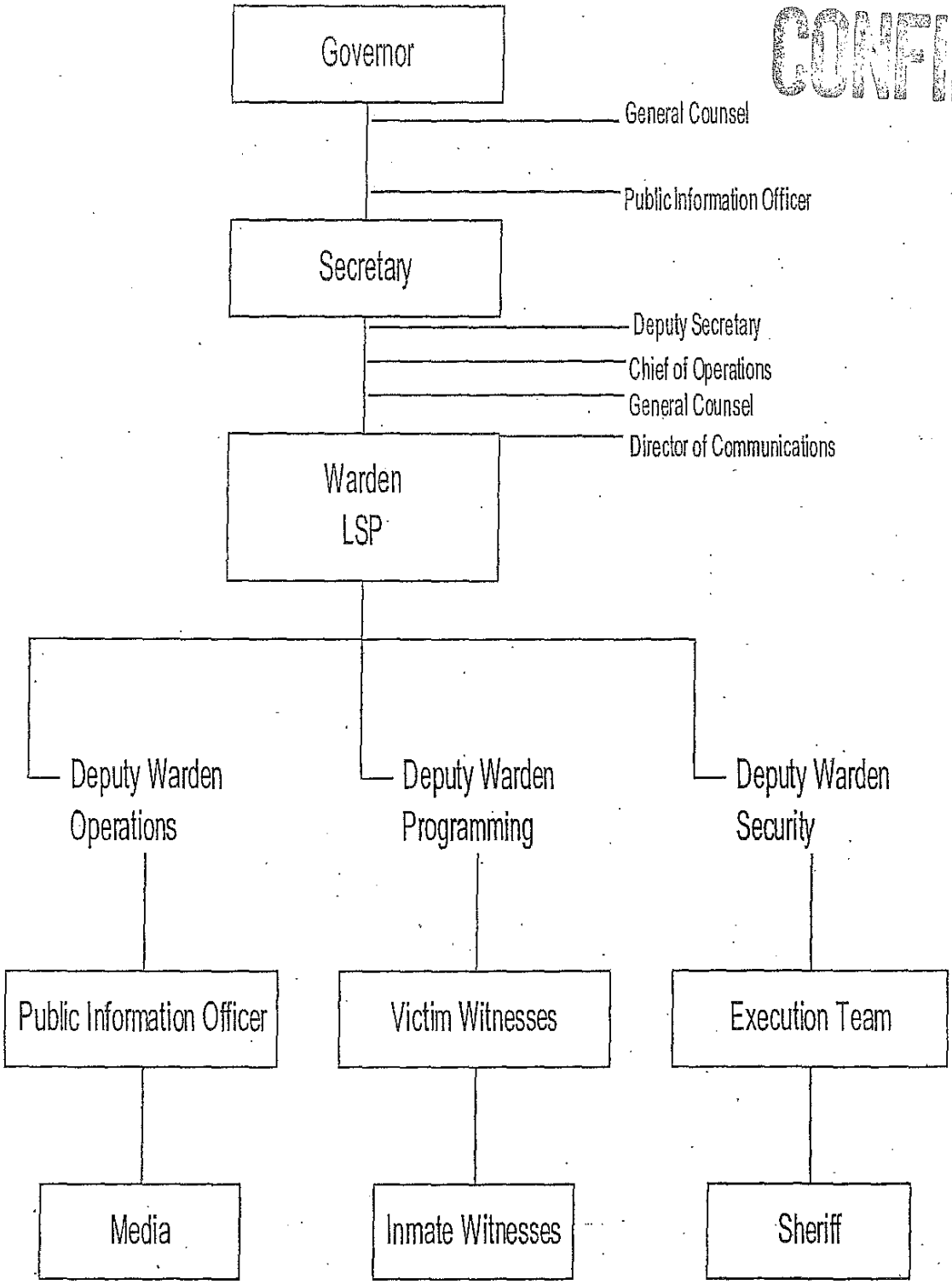

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Dr. Jason Collins – LSP Medical Director

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Terri Cannon – LSP Attorney

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Office	225-655-2076

STATE OF LOUISIANA
DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS
CORRECTIONS SERVICES

Department Regulation
No. C-03-001

01 August 2012

FIELD OPERATIONS
Adult Institutions
Death Penalty

1. **AUTHORITY:** Secretary of the Department of Public Safety and Corrections as contained in Chapter 9 of Title 36 and La. R.S. 15:567 through 15:571.

2. **REFERENCES:** La. R.S. 46:1844(N) and Department Regulation Nos. A-01-013 "Forms Management Program" and C-01-013 "Public Information Program and Media Access."

3. **PURPOSE:** To set forth the procedures to be followed for the lethal injection of those condemned offenders sentenced to death.

4. **APPLICABILITY:** Deputy Secretary, Chief of Operations and the Wardens of the Louisiana State Penitentiary and the Louisiana Correctional Institute for Women. The Secretary and the Wardens of the Louisiana State Penitentiary and the Louisiana Correctional Institute for Women are responsible for ensuring that appropriate unit written policy and procedures are in place to comply with the provisions of this regulation.

5. **POLICY:** It is the Secretary's policy that the Department shall carry out the death penalty in accordance with the provisions of the Louisiana Revised Statutes. All execution processes shall be performed in a professional, humane, sensitive and dignified manner. Executions shall be conducted at the Louisiana State Penitentiary. The Warden of that facility is responsible for carrying out the death sentence on the date established by the sentencing court.

6. **INCARCERATION PRIOR TO EXECUTION:**

   Male offenders sentenced to death shall be incarcerated at the Louisiana State Penitentiary (LSP) at Angola, Louisiana. Female offenders sentenced to death shall be incarcerated at the Louisiana Correctional Institute for Women (LCIW) at St. Gabriel, Louisiana. Until the time for execution, the Warden shall incarcerate the offender in a manner affording maximum protection to the general public, the employees of the Department and the security of the institution. Female offenders shall be transported to the Louisiana State Penitentiary for execution as directed by the Secretary.

7. **MENTAL COMPETENCY:**

   Pursuant to the provisions of La. R.S. 15:567.1, a person who is not competent to proceed to execution may not be executed. A person is not competent to proceed to

execution when he lacks the competence to understand that he is to be executed and the reason he is to suffer that penalty. Any person sentenced to death may raise the issue of his mental incompetence to proceed to execution by filing an appropriate petition in the sentencing court. A person acting as petitioner's "next friend" or the Secretary of the Department of Public Safety and Corrections may also file the petition. The petition shall contain the information enumerated in La. R.S. 15:567.1(C.) The sentencing court shall then determine the offender's mental competency in accordance with La. R.S. 15:567.1.

8. DEATH WARRANT:

Upon receipt of a death warrant, the Secretary shall send written notification including a copy of the warrant to the following:

A. The Warden at LSP;

B. The Warden at LCIW (if appropriate);

C. The condemned offender, through the appropriate Warden's Office;

D. The Governor, through the Governor's Executive Counsel shall be mailed the certified copy of the warrant, return receipt requested and the return receipt filed in the condemned offender's record;

E. The Clerk of each Court of Appeal; and

F. The Chairman of the Louisiana Board of Pardons.

9. COMMUNICATIONS:

The Secretary shall establish a direct and encrypted communication system with the Governor's Office that ensures the secure communication of information relative to the condemned offender.

A. The Warden at LSP shall establish a primary and secondary line of communication with the Secretary for notice of case status and/or other significant legal changes.

B. Testing of primary and secondary communications shall be conducted in accordance with LSP internal procedures.

C. In the event that both the primary and secondary communications are inoperable, the execution shall be delayed until communications are established.

10. MEDIA:

A. Pursuant to the provisions of Department Regulation No. C-01-013 "Public Information Program and Media Access," the media may contact the Warden's

office to request interviews. If the Warden, condemned offender and attorney (if represented by counsel) consent, the interview shall be scheduled for a time convenient to the institution.

B. Should the demand for interviews be great, the Warden may set a day and time for all interviews and may specify whether the interviews shall be conducted individually or in "press conference" fashion.

C. No employee, including employee witnesses to the execution, except the Secretary or the Warden or their designees, shall communicate with the press regarding any aspect of the execution except as required by law.

11. VISITS:

A. Prior to the scheduled execution, the Warden may approve special visits for the condemned offender.

B. The condemned offender shall not be required to visit with non-staff visitors that the condemned offender does not wish to see.

C. The condemned offender shall be allowed visits with family, friends and/or private clergy, as approved by the Warden at LSP. Visits will normally terminate by 3:00 p.m. on the day of the execution, except visits with a priest, minister, religious advisor or attorney which will terminate at the discretion of the Warden at LSP or designee.

12. PRE-EXECUTION ACTIVITIES:

A. The Warden shall select an appropriate area to serve as a press room.

B. Approximately thirty calendar days prior to the scheduled execution date, the LSP Execution Team shall begin conducting training sessions no less than once per week until the scheduled date of the execution.

C. Approximately fourteen calendar days prior to the scheduled execution date:

1) The Secretary or designee shall give either written or verbal notice (followed by written notice placed in the United States mail within five days thereafter) of the date and time of the execution to the victim's parents, or guardian, spouse and any adult children who have indicated that they desire such notice. The named parties shall be given the option of attending the execution. Within three days of receipt of the notification, the named parties shall notify the Secretary's Office, either verbally or in writing, of their intention to attend.

2) The Warden at LSP (or the Warden at LCIW, as appropriate), shall have the condemned offender complete the requests for clergy witness, instructions for disposal of property and funeral arrangements. All such requests shall be signed in the presence of a notary.

D. Approximately ten calendar days prior to the scheduled execution date:

1) The Warden at LSP shall notify the following individuals/agencies of the date and time of the execution:

a. Louisiana State Police;
b. West Feliciana Parish Sheriff;
c. West Feliciana Parish Coroner;
d. The condemned offender's clergy representative regarding the condemned offender's desire for the clergy representative to witness the execution.

2) The Secretary shall select media representatives in accordance with Section 14.B. of this regulation and notify the Warden of LSP in writing of the names of those selected.

E. Approximately seven calendar days prior to the scheduled execution date, the Secretary shall notify the Warden of LSP of the names of witnesses selected in accordance with La. R.S. 15:570-571.

F. Approximately seven calendar days prior to the scheduled execution date the Warden at LSP (or the Warden at LCIW, as appropriate), shall order that the condemned offender be constantly monitored. A log entry must be made every 15 minutes that shall include, but not be limited to, movement, mood changes, meals served, showers, telephone calls, etc.

G. In the five calendar days prior to the execution, access to the lethal injection room shall be restricted in accordance with institutional policy.

H. Approximately twelve to thirty-six hours prior to the scheduled execution, the condemned offender shall be transferred from Death Row and housed in the Execution Building. The 15 minute log shall continue to be maintained.

I. The following events shall take place upon the condemned offender's arrival at the Execution Building:

1) The Execution Building shall be restricted. Only the following shall be permitted access:

a. Secretary and/or designee(s);
b. Warden;

c. Deputy Wardens;
d. Chaplain;
e. Physician;
f. Chief of Security;
g. Maintenance Superintendent;
h. Any other person deemed necessary by the Warden.

2) The Deputy Warden/Security and/or Chief of Security at LSP shall assign security personnel to staff entrances and checkpoints.

3) The Deputy Warden/Security at LSP shall ensure that the condemned offender's property is inventoried in front of the condemned offender. Pursuant to Section 12.C.2) of this regulation, the condemned offender shall have previously specified who is to receive their personal effects.

4) All communications equipment shall be tested, including primary and secondary communication with the Governor's Office, the Secretary's Office and the LSP Command Center, on the morning of and one hour prior to the scheduled execution.

5) The Warden at LSP shall receive updates from security personnel on crowd control, demonstrations, etc., as needed.

6) The Deputy Warden/Security and/or Chief of Security at LSP shall brief the Warden at LSP on the tension level within the prison population, as needed.

7) The Warden at LSP shall advise the Secretary of any unusual activity.

13. TIME AND PLACE:

The execution shall take place at the Louisiana State Penitentiary between the hours of 6:00 p.m. and 9:00 p.m. (La. R.S. 15:570(C)).

14. WITNESSES:

All witnesses shall be over 18 years of age and all witnesses shall agree to sign the report of execution (La. R.S. 15:570-571).

A. The execution shall take place in the presence of the following witnesses:

1) The Warden of the Louisiana State Penitentiary or designee;
2) The coroner of West Feliciana Parish or deputy;
3) A physician chosen by the Warden;
4) A competent person(s) selected by the Warden to administer the lethal injection; and
5) A priest, minister, or religious advisor, if the offender so requests.

B. Not less than five nor more than seven other witnesses are required by law to be present. (La. R.S. 15:570(A)). These witnesses shall be selected as follows:

1) Three witnesses shall be members of the news media selected by the Secretary from the following categories:

a. A representative from the Associated Press;
b. A representative selected from the media persons requesting to be present from the parish where the crime was committed; and
c. A representative selected from all other media persons requesting to be present.

These witnesses must agree to act as pool reporters for the remainder of the media present and meet with all media representatives immediately following the execution.

2) Up to two witnesses may be victim relationship witnesses (La. R.S. 15:570(D)). If more than two victim relationship witnesses desire to attend the execution, the Secretary is authorized to select from the interested parties the two victim relationship witnesses who shall be authorized to attend. In the case of multiple victim's families, the Secretary shall determine the number of witnesses, subject to availability of appropriate physical space.

3) The remaining witnesses shall be selected by the Secretary.

C. Pursuant to the provisions of La. R.S. 15:570(A)(6), witnesses are not required to be citizens of the state of Louisiana.

D. All persons selected as witnesses shall sign a copy of the Agreement by Witness to Execution (Form C-03-001-A) prior to being transported to the execution room.

15. EXECUTION TEAM:

The Warden at LSP shall appoint and remove all members of the Execution Team at his discretion. The Execution Team shall consist of the Warden of LSP, an Escort Team consisting of an Escort Team Leader and at least six additional members and an I.V. Team consisting of an I.V. Team Leader and a single I.V. Team member.

16. EXECUTION TEAM QUALIFICATIONS:

A. The Warden at LSP is qualified by the responsibilities of the position held within the Department and the completion of any specific training required by this regulation.

B. The Escort Team shall be correctional employees with training or experience in escorting secured offenders on behalf of the Department.

C. The I.V. Team Leader and I.V. Team Member shall be individuals with at least one year of professional experience in one of the following specialty areas:

1) Phlebotomist;
2) Emergency Medical Technician;
3) Paramedic; or
4) Military Corpsman with training in phlebotomy.

Members of the I.V. Team must remain certified in their profession and must fulfill any continuing education requirements of their profession.

D. The Execution Team must have participated in a minimum of two practices, in accordance with Section 17.B., prior to participating in an actual execution.

17. EXECUTION TEAM TRAINING:

A. Training Schedule

When no execution date has been set, the members of the Execution Team shall train at least once every six months at a time established by the Warden. The Escort Team and the I.V. Team may train independently of the other members of the Execution Team.

When an execution date has been set, the Execution Team shall train at least weekly at times established by the Warden.

B. Training Required

In addition to the qualifications noted in Section 16., the Execution Team shall train as a whole when the training schedule requires weekly training. Members of the Execution Team shall participate in training as a unit, review this regulation, engage in one or more drills in which all members enact their individual responsibilities (with the exception of intravenous catheter placement and use of appropriate substances).

C. Training Documentation:

All training of the members of the Execution Team shall be documented noting the date and duration of the training, who supervised the training and activities undertaken.

18. EXECUTION PROCEDURES:

A. The execution shall be conducted in accordance with established procedures.

B. No cameras or recording devices, either audio or video, shall be permitted in the execution room.

C. The witnesses shall enter the witness room where they will receive a copy of the condemned offender's written last statement, if a written statement is issued.

D. The condemned offender shall then be taken to the lethal injection room by the escorting officers. Once in the room, the condemned offender shall be afforded the opportunity to make a last verbal statement if he so desires. He shall then be assisted onto the lethal injection table and properly secured to the table by the officers. Once the officers exit the room, the Warden shall close the curtain to the witness room and signal the I.V. Team to enter. The I.V. Team shall appropriately prepare the condemned offender for execution and exit the room. The Warden shall re-open the witness room curtain.

E. The person(s) designated by the Warden and at the Warden's direction, shall then administer, by intravenous injection, the appropriate substances in a lethal quantity into the body of the condemned offender until he is deceased.

19. POST EXECUTION:

A. At the conclusion of the execution, the coroner or his deputy shall pronounce the condemned offender dead.

B. The Warden shall advise the Secretary that the coroner has pronounced the condemned offender dead.

C. The Secretary shall advise the Governor or designee that the execution has been carried out.

D. The witnesses shall be escorted from the witness area.

E. The body of the condemned offender shall be removed from the lethal injection room.

F. Disposition of the body shall be in accordance with arrangements made prior to the execution at the condemned offender's request.

G. The Warden shall make a written report reciting the manner and date of the execution which he and all of the witnesses shall sign. The report shall be filed with the clerk of court in the parish where the sentence was originally imposed. (La. R.S. 15:571).

20. EXECUTION TEAM MEMBERS AND WITNESSES:

A. The identity of the persons specified in Section 14.A.4) and Section 15. (excluding the Warden) who participate or perform ancillary functions in an execution either directly or indirectly, shall remain strictly confidential and shall not be subject to public disclosure in any manner whatsoever (La. R.S. 15:570(F) and (G)).

B. Any information contained in records that could identify persons specified in Section 14.A.4) and Section 15. (excluding the Warden) shall remain confidential, shall not be subject to disclosure and shall not be admissible as evidence nor discoverable in any proceeding before any court, tribunal, board, agency of person.

C. If a person who participates or performs ancillary functions in an execution is licensed by a board, the licensing board shall not suspend or revoke the license of such person, or take any disciplinary action or other adverse action against the person as a result of participation in the execution.

D. Any person requested to be present at an execution shall not be required to attend an execution, whether or not the person is employed by the Department. Refusal to attend an execution shall not be used against any employee who refuses to attend or does not attend an execution.

21. DEBRIEFING:

A. The Warden at LSP shall ensure that critical incident debriefings are available for the Execution Team, staff participants and victim relationship witnesses.

B. The LSP religious services coordinator and/or LSP mental health staff shall be available for debriefing for the family of the condemned offender.

C. The Warden at LCIW shall ensure that critical incident debriefings are available at LCIW, as appropriate.

s/James M. Le Blanc
Secretary

Form: C-03-001-A Agreement by Witness to Execution

This regulation supersedes Department Regulation No. C-03-001 dated 30 September 2010.

West's Louisiana Statutes Annotated Currentness
Louisiana Revised Statutes
Title 15. Criminal Procedure (Refs & Annos)
Chapter 4. Execution of Sentence (Refs & Annos)
Part II. Capital Cases (Refs & Annos)

§ 567. Conditions precedent to execution

A. Whenever the Supreme Court of Louisiana affirms a sentence of death, after review on appeal provided by Louisiana Code of Criminal Procedure Article 905.9, the court of original jurisdiction shall cause to be forwarded to the secretary of the Department of Public Safety and Corrections a certified copy of the indictment, verdict, sentence, and the judgment of the Supreme Court of Louisiana affirming the sentence of death.

B. The court of original jurisdiction shall also issue a warrant commanding the secretary to cause the execution of the person condemned as provided by law. The warrant shall specify the date upon which the person condemned shall be put to death, which date shall be not less than sixty days nor more than ninety days from the date the warrant is issued. Upon receipt of the warrant the secretary shall cause a copy of the warrant to be delivered to the person condemned. A certified copy of the warrant shall be mailed, return receipt requested, to the governor and the return receipt filed in the record.

C. If any federal or Louisiana court grants a stay of execution, or if the governor of Louisiana grants a reprieve, the trial court shall reset the execution date at not less than thirty days nor more than forty-five days from the dissolution of the stay order, or termination or expiration of the reprieve.

D. The execution of a female who has been clinically diagnosed as being pregnant shall be suspended. The trial court shall reset the execution date at not less than ninety days nor more than one hundred twenty days from the date of delivery of the baby, a miscarriage, or voluntary termination of the pregnancy.

E. The failure of the trial court to fix an execution date within the time limits of this Section shall not affect the validity of a sentence of death. In such a case, the attorney general shall bring a mandamus proceeding in any court of competent jurisdiction to have the trial court set the execution date at not less than thirty days nor more than forty-five days from the date of issuance of the mandamus order.

§ 567.1. Mental incompetence to proceed to execution

A. A person who is not competent to proceed to execution may not be executed.

B. A person is not competent to proceed to execution when a defendant presently lacks the competence to understand that he is to be executed, and the reason he is to suffer that penalty.

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C. Any person sentenced to death may raise his mental incompetence to proceed to execution by filing in the sentencing court a petition verified by his affidavit, or, if represented, by that of his counsel. A person acting as the petitioner's next friend, or the secretary of the Department of Public Safety and Corrections, may also file the petition. The petition shall contain all of the following:

(1) The name of the person in custody.

(2) The name of the custodian.

(3) The docket number in which he was convicted and the date upon which he was sentenced.

(4) A statement that clearly sets forth the alleged facts in support of the assertion that the defendant is incompetent.

(5) Any affidavits, records, or other evidence supporting the above statement or a statement why such is not available.

(6) Identification of any previous proceedings in which defendant challenged his competency.

D. If, based upon the petition, the court has reasonable grounds to doubt the defendant's mental competence to proceed to execution, it shall order a competency examination of the defendant. Prior to ordering any such competency examination, the court shall appoint counsel to represent the defendant if he is not already represented.

E. Within seven days after a competency examination is ordered, the court shall appoint a competency commission to examine and report upon the mental condition of the defendant. The competency commission shall consist of at least two and not more than three members who are licensed to practice medicine in Louisiana, who have been in the actual practice of medicine for not less than three consecutive years immediately preceding the appointment, and who are qualified by training or experience in forensic evaluations. The court may appoint, in lieu of one physician, a clinical psychologist who is licensed to practice psychology in Louisiana, who has been engaged in the practice of clinical or counseling psychology for not less than three consecutive years immediately preceding the appointment, and who is qualified by training or experience in forensic evaluations. Every competency commission shall have at least one psychiatrist as a member of the commission, unless one is not reasonably available, in which case, the commission shall have at least one clinical psychologist as a member of the commission. No more than one member of the competency commission shall be the coroner or any of his deputies.

F. The members of the competency commission appointed to make the examination shall have free access to the defendant at all reasonable times. This examination shall be conducted only when the petitioner is not under the influence of any psychotropic medication. No statement made by the petitioner in the course of any

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evaluation by any expert provided for by this Section, whether or not the petitioner consents to the evaluation, shall be admitted into evidence against the petitioner in any criminal, state post-conviction, or federal habeas corpus proceeding. The court shall subpoena witnesses to attend the examination at the request of the district attorney, the defendant, the commission, or any member of the commission.

G. The report of the competency commission members shall address their specific findings with regard to the defendant's ability to understand that he is to be executed, and the reason he is to suffer that penalty.

H. The court order for a competency examination shall not deprive the defendant or the district attorney of the right to an independent mental examination by a physician or mental health expert of his choice, and such physician or mental health expert shall be permitted to have reasonable access to the defendant for the purposes of the examination.

I. Once the issue of mental incompetence to proceed to execution is raised by the defendant, and upon written motion of the district attorney, the defendant shall provide the state, and any members of the competency commission, within time limits set by the court, any and all medical, correctional, educational, and military records, raw data, tests, test scores, notes, behavioral observations, reports, evaluations, and any other information of any kind reviewed by any defense expert in forming the basis of his opinion.

J. If the state exercises its option to an independent examination pursuant to Subsection H of this Section, and upon written motion of the defendant, the state shall provide the defendant, and any members of the competency commission, within time limits set by the court, any and all medical, correctional, educational, and military records, raw data, tests, test scores, notes, behavioral observations, reports, evaluations, and any other information of any kind reviewed by any state expert in forming the basis of his opinion.

K. By filing a petition under this Section, the defendant waives all claims of confidentiality and evidentiary privilege to, and is deemed to have consented to the release of any and all records solely relative to the issue of the defendant's competence to proceed to execution, which may include medical, correctional, educational, and military records, raw data, tests, test scores, reports, evaluations, and other records relevant or necessary to an examination or determination of his mental condition.

L. The issue of the defendant's mental incompetence to proceed to execution shall be determined by the court in a contradictory hearing. The report of the competency commission is admissible in evidence at the hearing, and members of the competency commission may be called as witnesses by the court, the defense counsel, or the district attorney. Regardless of who calls them as witnesses, the members of the commission are subject to cross-examination by the defense counsel, by the district attorney, and by the court. Other evidence pertaining to the defendant's mental incompetence to proceed to execution may be introduced at the hearing by the defense counsel and by the district attorney. The introduction of evidence at any hearing held pursuant to this Section shall be governed by Code of Evidence Article 1101(B).

M. After considering the evidence, the district court shall determine that the petitioner is not competent to pro-

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ceed to execution if it determines, by a preponderance of the evidence, that the petitioner presently lacks the competence to understand that he is to be executed and the reason he is to suffer that penalty.

N. If a defendant is found incompetent to proceed to execution, he shall be incarcerated in accordance with R.S. 15:568.

O. Any subsequent petition filed by a defendant pursuant to this Section following a previous finding of competence to proceed to execution shall comply with the requirement of Subsection C of this Section, and further shall allege specific facts which, if proven by a preponderance of the evidence, show a material change in the defendant's competence to proceed to execution.

P. State's experts may examine a defendant found incompetent to proceed to execution not more than once every ninety days following such a ruling without further orders of the court and upon written notice to the defendant, or his counsel if the defendant is represented. At any time following a finding of incompetence to proceed to execution, the state may provoke a hearing to determine the defendant's competence to proceed to execution by filing a motion with the sentencing court alleging a material change in circumstances.

Q. Any party against whom a decision is rendered pursuant to this Section may make an appropriate application for a writ of certiorari or review directly to the Louisiana Supreme Court.

§ 568. Execution of death sentence; prior confinement of offender

The director of the Department of Corrections, or a competent person selected by him, shall execute the offender in conformity with the death warrant issued in the case. Until the time of his execution, the Department of Corrections shall incarcerate the offender in a manner affording maximum protection to the general public, the employees of the department, and the security of the institution.

§ 569. Place for execution of death sentence; manner of execution

A. Every sentence of death executed in this state prior to September 15, 1991, shall be by electrocution, that is, causing to pass through the body of the person convicted a current of electricity of sufficient intensity to cause death, and the application and continuance of such current through the body of the person convicted until such person is dead. Every sentence of death imposed in this state shall be executed at the Louisiana State Penitentiary at Angola. Every execution shall be made in a room entirely cut off from view of all except those permitted by law to be in said room.

B. Every sentence of death executed on or after September 15, 1991, shall be by lethal injection; that is, by the intravenous injection of a substance or substances in a lethal quantity into the body of a person convicted until such person is dead. Every sentence of death imposed in this state shall be executed at the Louisiana State Penitentiary at Angola. Every execution shall be made in a room entirely cut off from view of all except those

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permitted by law to be in said room.

C. No licensed health care professional shall be compelled to administer a lethal injection.

D. The provisions of the Administrative Procedure Act, R.S. 49:950, et seq., shall not apply to the procedures and policies concerning the process for implementing a sentence of death.

§ 569.1. Hours for execution of death sentence

Every sentence of death imposed in this state shall be executed between the hours of 6:00 p.m. and 9:00 p.m. upon the date set for the execution by the court of original jurisdiction.

§ 570. Execution; officials and witnesses; minors excluded; time; notice to victim's relatives

A. Every execution of the death sentence shall take place in the presence of:

(1) The warden of the Louisiana State Penitentiary at Angola, or a competent person selected by him.

(2) The coroner of the parish of West Feliciana, or his deputy.

(3) A physician summoned by the warden of the Louisiana State Penitentiary at Angola.

(4) The operator of the electric chair, who shall be a competent electrician, who shall have not been previously convicted of a felony, or a competent person selected by the warden of the Louisiana State Penitentiary to administer the lethal injection.

(5) A priest or minister of the gospel, if the convict so requests it.

(6) Not less than five nor more than seven other witnesses.

B. No person under the age of eighteen years shall be allowed within the execution room during the time of execution.

C. Notwithstanding any other provision of law to the contrary, every execution of the death sentence shall take place between the hours of 6:00 p.m. and 9:00 p.m.

D. (1) The secretary of the Department of Public Safety and Corrections shall, at least ten days prior to the ex-

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ecution, either give written notice or verbal notice, followed by written notice placed in the United States mail within five days thereafter, of the date and time of execution to the victim's parents, or guardian, spouse, and any adult children who have indicated to the secretary that they desire such notice. The secretary, in such notice, shall give the named parties the option of attending the execution.

(2) The victim's parents or guardian, spouse, and any adult children who desire to attend the execution shall, within three days of their receipt of the secretary's notification, notify, either verbally or in writing, the secretary's office of their intention to attend. The number of victim relationship witnesses may be limited to two. If more than two of the aforementioned parties desire to attend the execution, then the secretary is authorized to select, from the interested parties, the two victim relationship witnesses who will be authorized to attend. In the case of multiple victim's families, the secretary shall determine the number of witnesses, subject to the availability of appropriate physical space.

(3) In no event shall failure to give notice to the victim's parents, or guardian, spouse, or any adult children have any effect as to execution of sentence.

E. Only the identities of those persons named in Paragraphs (A)(1), (2), (3), (5), and (6), and Subsection D of this Section shall be made public.

F. The identity of any persons other than the persons specified in Subsection E of this Section who participate in an execution of the death sentence, either directly or indirectly, shall remain strictly confidential and the identities of those persons and information about those persons which could lead to the determination of the identities of those persons shall not be subject to public disclosure in any manner whatsoever.

§ 571. Proces verbal of execution; attesting and filing

When the sentence shall have been executed, the warden of the Louisiana State Penitentiary at Angola, or his deputy performing the execution, shall make a proces verbal of said execution immediately thereafter, which proces verbal shall recite the manner and date of said execution and shall be attested by said warden, or his deputy, and by all of the witnesses, and said proces verbal, when so signed, shall be filed with the clerk of court of the parish in which the sentence shall have been imposed.

END OF DOCUMENT

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January 9, 2013	CHAPTER: SECURITY AND CONTROL	DIRECTIVE NO. 09.049
	SUBJECT: DEATH PENALTY	ACA STANDARD:
LOUISIANA STATE PENITENTIARY	REFERENCE: Department Regulation No. C-03-001	

PURPOSE: To set forth procedures to be followed for the lethal injection of those individuals sentenced to death.

APPLICABILITY: To all Louisiana State Penitentiary Wardens and those correctional staff involved in pre-execution, execution, and post-execution activities.

POLICY: It is the policy of Louisiana State Penitentiary to carry out the death penalty in accordance with the provisions of Department Regulation No. C-03-001 and the Louisiana Revised Statutes. All execution processes shall be performed in a professional, humane, sensitive and dignified manner. All executions in the State of Louisiana shall be conducted at the Louisiana State Penitentiary (this includes the execution of female offenders housed on Death Row at LCIW). The Warden is responsible for carrying out the death sentence on the date established by the sentencing court.

PROCEDURE:

A. INCARCERATION PRIOR TO EXECUTION

Until the time for execution, male offenders shall be housed at Death Row in a manner affording maximum protection to the general public, the employees of the Department, and the security of the institution. Female offenders shall be transported to the Louisiana State Penitentiary for execution as directed by the Secretary

B. DEATH WARRANT

Upon receipt of a death warrant by the Warden, the Classification Department and Chaplain shall deliver it to the condemned offender to sign acknowledging receipt of the warrant of execution. Receipt of the warrant by the condemned offender, will be witnessed by two staff members who will sign as witnessing the receipt. The original signed receipt of warrant of execution will be forwarded to the Secretary's Office by the Warden's Office. A copy will be sent to the Deputy Warden/Security, Deputy Warden/Operations, and Assistant Warden/Programming. A copy will be filed in the condemned offender's master prison record.

C. COMMUNICATIONS

A communication system shall be established between the Secretary and the LSP Command Center, which is designated as the David C. Knapps Training Academy.

1. Primary communications shall be via a telephone line opened directly to the LSP Command Center from the execution chamber. This line shall be tested one hour prior to the scheduled execution. Other than testing, this line shall remain open.

2. Secondary communication shall be via cellular telephone. This line shall be tested one hour prior to the scheduled execution.

3. In the event that both the primary and secondary communications are inoperable, the execution shall be delayed until communications are established.

D. MEDIA

1. Pursuant to the provisions of Department Regulation No. C-01-013, the media may contact the Warden to request interviews. If the Warden, condemned offender, and attorney (if represented by counsel) consent, the interview shall be scheduled for a time convenient to the institution.

2. Should the demand for interviews be great, the Warden may set a day and time for all interviews and may specify whether the interviews shall be conducted individually or in "press conference" fashion.

3. The LSP Command Center shall direct public calls (i.e. concerned citizens for or against the death penalty) and all media calls to the Assistant Warden/Programming.

4. Media will not be allowed on the premises until 1:00 p.m. on the day of execution. Media will be escorted to the Training Academy and will be accompanied by LSP staff at all times. Beginning at 3:00 p.m., hourly briefings will be conducted by the Assistant Warden/Programming.

5. At 5:00 p.m., the Assistant Warden/Programming shall escort media witnesses to the witness room. Once the execution has been carried out, the Assistant Warden/Programming will escort the media witness to the Training Academy where the media witnesses will be allowed interviews with other media representatives. Once the interviews are completed, all media will be escorted off prison grounds.

E. VISITS

1. Prior to the scheduled execution, the Warden may approve special visits for the condemned offender.

2. The condemned offender shall not be required to visit with non-staff visitors that the condemned offender does not wish to see.

3. The Warden reserves the right to deny access to the institution to any visitor or person he deems a risk to the security of the institution.

4. The condemned offender shall be allowed visits with family, friends and/or private clergy, as approved by the Warden. Visits will normally terminate by 3:00 p.m. on the day of the

execution, except visits with a religious advisor or attorney who will be allowed to remain with the condemned offender on the tier until the strap down team arrives or until the visit is terminated at the discretion of the Warden.

a. Visits will be conducted in the visiting area in the Camp F Lobby.

b. All visits will be logged.

c. Two correctional officers will remain in the visiting area at all times.

F. PRE-EXECUTION ACTIVITIES

1. Classroom 1 at the David C. Knapps Training Academy is designated as the pressroom. No training classes will be held at the academy on the day of an execution (classes shall be held at other designated areas).

2. Approximately thirty (30) calendar days prior to the scheduled execution date:

a. The LSP Execution Team shall begin conducting training sessions no less than once per week until the scheduled date of the execution, in accordance with section L. below.

3. Approximately fourteen (14) calendar days prior to the scheduled execution date:

a. The Warden shall have the condemned offender complete the request for clergy witness, if the condemned offender chooses to do, and advise the Secretary of the offender's wishes.

b. The Warden shall have the condemned offender complete the instructions for disposal of property and funeral arrangements. All such instructions shall be signed in the presence of a notary.

c. The Executive Management Officer shall obtain the condemned offender's master prison record and visiting list and secure it in the Warden's Office.

4. Approximately ten (10) calendar days prior to the scheduled execution date:

a. The Warden shall notify the following individuals/agencies of the date and time of the execution:

1) Louisiana State Police;
2) West Feliciana Parish Sheriff;
3) West Feliciana Parish Coroner;
4) The condemned offender's clergy representative regarding the condemned offender's desire for the clergy representative to witness the execution.

5. Approximately seven (7) calendar days prior to the scheduled execution date

   a. The Warden shall order that the condemned offender be constantly monitored. A log entry must be made every 15 minutes that shall include, but not be limited to, movement, mood changes, meals served, showers, telephone calls, etc.

6. In the five (5) calendar days prior to the execution,

   a. Access to the lethal injection room shall be restricted (no public tours, etc.) except as authorized by the Warden.

7. Approximately 12 to 36 hours prior to the scheduled execution:

   a. The condemned offender shall be transferred from Death Row and housed in the Execution Building. The 15-minute log shall continue to be maintained.

8. The following events shall take place upon the condemned offender's arrival at the Execution Building:

   a. The Execution Building shall be restricted. Only the following shall be permitted access:

      1) Secretary and/or designee(s);
      2) Warden;
      3) Deputy Wardens;
      4) Chaplain;
      5) Physician;
      6) Chief of Security;
      7) Maintenance Superintendent;
      8) Any other person deemed necessary by the Warden.

   b. The Deputy Warden/Security and/or Assistant Warden/Security shall assign security personnel to staff entrances and checkpoints.

   b. The Deputy Warden/Security shall ensure that the condemned offender's property is inventoried in front of the condemned offender. Pursuant to Section F, 3, b, of this policy, the condemned offender shall have previously specified who is to receive their personal effects.

   c. The Warden shall receive updates from security personnel on crowd control, demonstrations, etc., as needed.

   d. The Deputy Warden/Security and/or Assistant Warden/Security shall brief the Warden on the tension level within the prison population, as needed.

   e. The Warden shall advise the Secretary of any unusual activity.

g. All communication equipment shall be tested, including primary and secondary communication with the Governor's office, the Secretary's office, and the LSP Command Center, on the morning of and one (1) hour prior to the scheduled execution.

G. TIME AND PLACE

The execution shall take place at the Louisiana State Penitentiary between the hours of 6:00 p.m. and 9:00 p.m. (La. R.S. 15:570(C))

H. WITNESSES

All witnesses shall be over 18 years of age and all witnesses shall agree to sign the report of execution (La. R.S. 15:570-571).

1. The execution shall take place in the presence of the following witnesses:

   a. The Warden of the Louisiana State Penitentiary or designee;

   b. The coroner of West Feliciana Parish or deputy;

   c. A physician chosen by the Warden;

   e. A competent person(s) selected by the Warden to administer the lethal injection; and

   f. A priest, minister, or religious advisor, if the offender so requests.

2. Not less than five nor more than seven other witnesses are required by law to be present. (La. R.S. 15:570(A)). These witnesses shall be selected as follows:

   a. Three witnesses shall be members of the news media selected by the Secretary from the following categories:

      1) A representative from the Associated Press;
      2) A representative selected from the media persons requesting to be present from the parish where the crime was committed; and
      3) A representative selected from all other media persons requesting to be present.

      These witnesses must agree to act as pool reporters for the remainder of the media present and meet with all media representatives immediately following the execution.

   b. Up to two witnesses may by victim relationship witnesses (La. R.S. 15:570(D)). If more than two victim relationship witnesses desire to attend the execution, the Secretary is authorized to select from the interested parties the two-victim relationship witnesses shall be authorized to attend. In the case of multiple

victims' families, the Secretary shall determine the number of witnesses, subject to availability of appropriate physical space.

c. The remaining witnesses shall be selected by the Secretary.

3. Pursuant to the provisions of La. R.S. 15:570(A)(6), witnesses are not required to be citizens of the state of Louisiana.

4. All persons selected as witnesses shall sign a copy of the Agreement by Witness to Execution (Form C-03-001-A) prior to being transported to the execution room.

I. EXECUTION TEAM

The Warden shall appoint and remove all members of the Execution Team at his discretion. The Execution Team shall consist of the Warden of LSP, an Escort Team consisting of an Escort Team Leader and at least six (6) additional members, and an I.V. Team consisting of an I.V. Team Leader and a single I.V. Team member.

J. EXECUTION TEAM QUALIFICATIONS

1. The Warden is qualified by the responsibilities of the position held and any specific training required by this directive.

2. The Escort Team shall be LSP employees with training or experience in escorting secured offenders.

3. The I.V. Team Leader and I.V. Team Member shall be individuals with at least one year of professional experience in one of the following specialty areas:

a. Phlebotomist;

b. Emergency Medical Technician; or

c. Paramedic; or

d. Military Corpsman with training in phlebotomy

e. Members of the I.V. Team must remain certified in their profession and must fulfill any continuing education requirements of their profession.

4. The Execution Team must have participated in a minimum of two practices, in accordance with Section F.2., prior to participating in an actual execution.

K. EXECUTION TEAM TRAINING

1. Training Schedule

When no execution date has been set, the members of the Execution Team shall train at least once every six months at a time established by the Warden. The Escort Team and the I.V. Team may train independently of the other members of the Execution Team.

When an execution date has been set, the Execution Team shall train at least weekly at times established by the Warden.

2. Training Required

In addition to the qualifications noted in Section J, the Execution Team shall train as a whole when the training schedule requires weekly training. Members of the Execution Team shall participate in training as a unit, review this directive, engage in one or more drills in which all members enact their individual responsibilities (with the exception of intravenous catheter placement and use of appropriate substances).

3. Training Documentation

All training of the members of the Execution Team shall be documented, noting the date and duration of the training, who supervised the training and activities undertaken.

L. EXECUTION PROCEDURES

1. The execution shall be conducted in accordance with established procedures.

2. No cameras or recording devices, either audio or video, shall be permitted in the execution room.

3. The witnesses shall enter the witness room where they will receive a copy of the condemned offender's written last statement, if a written statement is issued.

4. The condemned offender shall then be taken to the lethal injection room by the escorting officers. Once in the room, the condemned offender shall be afforded the opportunity to make a last verbal statement if he so desires. He shall then be assisted onto the lethal injection table and properly secured to the table by the officers. Once the officers exit the room, the Warden shall close the curtain to the witness room and signal the I.V. Team to enter. The I.V. Team shall appropriately prepare the condemned offender for execution and exit the room. The Warden shall re-open the witness room curtain.

5. The person(s) designated by the Warden and at the Warden's direction, shall then administer, by intravenous injection, the appropriate substances in a lethal quantity into the body of the condemned offender until he is deceased.

M. POST EXECUTION

1. At the conclusion of the execution, the coroner or his deputy shall pronounce the condemned offender dead.

2. The Warden shall advise the Secretary that the coroner has pronounced the condemned offender dead.

3. The Secretary shall advise the Governor or designee that the execution has been carried out.

4. The witnesses shall be escorted from the witness area.

5. The body of the condemned shall be removed from the execution chamber.

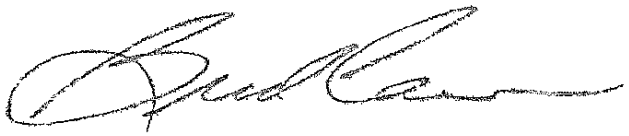
6. Disposition of the body shall be in accordance with arrangements made prior to the execution at the condemned offender's request.

7. The Warden shall make a written report reciting the manner and date of the execution, which he and all of the witnesses shall sign. The report shall be filed with the clerk of court in the parish where the sentence was originally imposed. (La. R.S. 15:571)

N. DEBRIEFING

1. The Warden at LSP shall ensure that critical incident debriefings are available for the Execution Team and staff participants.

2. The LSP religious services coordinator and/or LSP mental health staff shall be available for debriefing for the family of the condemned offender.



Burl Cain, CCE
Warden

Form: C-03-001-A Agreement by Witness to Execution

This policy supersedes Penitentiary Directive No. 09.049 dated September 20, 2010.

Form C-03-001-A
30 September 2010

AGREEMENT BY WITNESS TO EXECUTION

I, _____, a person of full age and majority, and citizen of the State of Louisiana, hereby agree to the following conditions precedent to being a witness to the execution of a sentence of death at Louisiana State Penitentiary, Angola, Louisiana.

1. I agree that my presence at the execution is voluntary.

2. I agree to sign the report of the execution as required by law.

3. I agree to comply with all rules and regulations of the Department of Public Safety and Corrections and the Louisiana State Penitentiary during the course of the proceedings leading up to, during, and after the completion of the execution.

4. I agree that I shall not electronically record or photograph any activities while I am present in the lethal injection room.

5. I agree to submit to a search of my person before and after the execution if requested to do so by the Warden of the Louisiana State Penitentiary.

6. If I am a member of the press selected as a witness to the execution, I agree to act as a pool reporter for the media representatives not present at the execution, and I agree to meet with all media representatives present at the penitentiary immediately after the execution.

7. If I am an employee of the Department of Public Safety and Corrections, I agree that I shall make no public statements about the execution without prior approval of the Warden of the Louisiana State Penitentiary.

I have read the above agreement, understand it, and have signed it in the presence of the listed witnesses on this date _____.
(Day, Month, Year)

_____
Signature of Selected Witness

WITNESSES TO SIGNATURE:

_____

_____

ACTIONS TO BE TAKEN AFTER RECEIPT OF EXECUTION ORDER

NOTE: THIS CHECKLIST IS BASED ON 30-DAY NOTIFICATION PRIOR TO EXECUTION. IF 30-DAY NOTICE IS NOT GIVEN, TIMES MAY BE ADJUSTED ACCORDINGLY.

ACTION	TIMELINE	RESPONSIBILITY	COMPLETED DATE/TIME
RECEIPT OF WARRANT:			
WARRANT OF EXECUTION RECEIVED FROM SECRETARY	30 DAYS PRIOR TO X		
OFFENDER IS SERVED WITH EXECUTION ORDER			
SIGNED WARRANT IS RETURNED TO SECRETARY			
EXECUTION TEAM & EXECUTIVE STAFF NOTIFIED			
ESTABLISH STAFFING PLAN FOR EXECUTION DAY			
ESTABLISH STAFF CRISIS SUPPORT TEAM FOR DEBRIEFING OF OFFICERS POST EXECUTION			
PROCUREMENT:			
NOTIFY ASSISTANT WARDEN FOR HEALTH CARE OF EXECUTION DATE, DRUGS NEEDED	30 DAYS PRIOR TO X	DEPUTY WARDEN/OPERATIONS	
OFFENDER RECORD:			
OFFENDER'S FILE & VISITING LIST OBTAINED/SECURED	14 DAYS PRIOR TO X		
COMPLETE /NOTARIZE FORMS SHOWING OFFENDER'S CHOICE OF:			
CLERGY			
DISPOSITION OF PERSONAL PROPERTY)			
FUNERAL ARRANGEMENTS			
NOTIFICATIONS:	10 DAYS PRIOR TO X		
STATE POLICE			
WEST FELICIANA PARISH SHERIFF			
CORONER			
OFFENDER'S CLERGY REPRESENTATIVE[1]			
WITNESSES:			
WITNESS LIST RECEIVED FROM SECRETARY	7 DAYS PRIOR TO X		
COMMENCE DEATH WATCH:			
MOVE OFFENDER TO 1ST CELL ON DEATH ROW TIER	7 DAYS PRIOR TO X		
BEGIN 15 MINUTE SECURITY CHECKS			
ESTABLISH STAFFING PLAN FOR EXECUTION DAY			
CHECK COMMUNICATIONS/PHONES AT EXECUTION BLDG, TRAINING ACADEMY			

1 (REGARDING THEIR DESIRE TO WITNESS OR NOT TO WITNESS EXECUTION)

CONFIDENTIAL

1-10-13

ACTION	TIMELINE	RESPONSIBILITY	COMPLETED DATE/TIME
EXECUTION ROOM SECURED:			
ALL PUBLIC ACCESS TO EXECUTION ROOM CURTAILED	5 DAYS PRIOR TO X		
OUTSIDE AGENCY BRIEFING:			
OUTSIDE AGENCIES BRIEFED RE: TIMEFRAME FOR EXECUTION DAY	5 DAYS PRIOR TO X		
INSPECTIONS:			
IV TEAM EXAMINE OFFENDER'S VEINS	3 DAYS PRIOR TO X		
COMMUNICATIONS AT CAMP F CHECKED			
EXECUTION CHAMBER/WITNESS ROOM			
LAST MEAL REQUEST:			
SECURE REQUEST FOR LAST MEAL	1 DAY PRIOR TO X		
FOOD SERVICE ADMINISTRATOR ADVISED			
OFFENDER MOVED TO CAMP F: (ASSISTED BY DEPUTY WARDEN/SECURITY, ASSISTANT WARDEN/SECURITY, CAMP F WARDEN)	12-36 HRS PRIOR TO X	ESCORT TEAM	
OFFENDER'S PERSONAL BELONGINGS: SEPARATED FROM STATE ISSUE BELONGINGS, PERSONAL PROPERTY BAGGED/INVENTORIED. (OFFENDER PERMITTED TO KEEP RADIO/TAPE PLAYER, LEGAL MATERIALS, BIBLE, HYGIENE ITEMS, PICTURES, READING MATERIALS, CHANGE OF STATE-ISSUED CLOTHING)	12-36 HRS PRIOR TO X		
SECURITY WATCH LOG:			
CONTINUE 15-MINUTE SECURITY WATCH LOG	UPON ARRIVAL AT CAMP F		

1-10-13

ACTIONS TAKEN ON DAY OF EXECUTION

ACTION	TIMELINE	RESPONSIBILITY	COMPLETED DATE/TIME
2 HOURS PRIOR TO X			
LAST MEAL IS SERVED	AT LEAST 2 HRS PRIOR TO X		
1 HOUR PRIOR TO X	1 HOUR PRIOR TO X		
SYRINGES PREPARED, WITNESSED BY WARDEN AND/OR MEDICAL DIRECTOR/DESIGNEE. INCLUDES BACK-UP SET OF DRUGS AND SYRINGES.		LSP PHARMACIST	
PREPARED SYRINGES AND BACK UP DRUGS PLACED IN SEPARATE CASES, TURNED OVER TO SENIOR MEMBERS OF IV TEAM		LSP PHARMACIST	
BOTH CASES PLACED IN LOCKED BRIEFCASE FOR TRANSPORT TO EXECUTION CHAMBER		IV TEAM LEADER	
SUPPLIES AND EQUIPMENT RE-INVENTORIED	UPON ARRIVAL AT EXECUTION CHAMBER	IV TEAM LEADER	
FINAL PREPARATION REVIEWED WITH EXECUTION TEAM	1 HOUR PRIOR TO X		
COMMUNICATIONS/PHONES RE-CHECKED (EXECUTION BLDG, COMMAND CENTER, SECRETARY'S OFFICE)			
EXECUTION CHAMBER, WITNESS ROOMS RE-CHECKED			
ALL SUPPLIES, CRASH CART, DEFIBRILLATOR, LETHAL CHEMICALS ARE VERIFIED/ARE IN PLACE			
ALL WITNESSES ARE CONFIRMED PRESENT			
AMBULANCE CONFIRMED PRESENT			
MEDIA, WITNESSES, SHERIFF BRIEFED			
10 MINUTES PRIOR TO X			
WITNESSES TRANSPORTED TO EXECUTION BUILDING	10 MINUTES PRIOR TO X		

OFFENDER PREPARATION – 1 HOUR PRIOR TO X

SHAVE, IF NECESSARY, CONDEMNED'S CHEST FOR HEART MONITOR LEADS . CONDEMNED WILL BE DRESSED IN UNDERWEAR, PANTS, T-SHIRT AND SHOWER SHOES

PRE-EXECUTION: MEDICAL ACTION CHECKLIST

ACTION	TIMELINE	RESPONSIBILITY	COMPLETED DATE/TIME
NOTIFY DOC MEDICAL DIRECTOR, LSP MEDICAL DIRECTOR OF DATE OF EXECUTION	IMMEDIATELY UPON NOTIFICATION	_____	_____
14 DAYS PRIOR TO X MEDICAL RECORD-SPECIAL SECTION SET UP TO MONITOR ALL MEDICAL ACTION	14 DAYS PRIOR TO X	_____	_____
ALL MEDICAL STAFF NOTIFIED TO ADVISE WARDEN, DOC MEDICAL DIRECTOR, LSP MEDICAL DIRECTOR IMMEDIATELY OF ANY CHANGE IN OFFENDER'S MEDICAL OR MENTAL HEALTH CONDITION.		_____	_____
DAILY SICK CALL BEGINS. ALL CONTACTS, OBSERVATIONS ARE RECORDED IN SPECIAL SECTION OF MEDICAL RECORD, DAILY OBSERVATION NOTES.		EMS STAFF	SEE MEDICAL RECORD
MENTAL HEALTH PROFESSIONAL PERSONALLY OBSERVES AND EVALUATES OFFENDER 5 DAYS PER WEEK (MONDAY THROUGH FRIDAY)		MENTAL HEALTH STAFF CLINICIAN	SEE MEDICAL RECORD
LSP MEDICAL DIRECTOR REVIEWS MEDICAL DAILY DOCUMENTATION ON DAILY BASIS. PERSONALLY OBSERVES AND EVALUATES MEDICAL CONDITION WEEKLY.		LSP MEDICAL DIRECTOR	SEE MEDICAL RECORD
LSP PSYCHIATRIST REVIEWS NURSING, MENTAL HEALTH, AND MEDICAL DOCTOR'S DOCUMENTATION ON WEEKLY BASIS		LSP PSYCHIATRIST	SEE MEDICAL RECORD
7 DAYS PRIOR TO X LSP MEDICAL DIRECTOR COMPLETES PHYSICAL EXAM	7 DAYS PRIOR TO X	LSP MEDICAL DIRECTOR	SEE MEDICAL RECORD
LSP PSYCHIATRIST COMPLETES MENTAL HEALTH EVALUATION (ORIGINAL TO MEDICAL RECORD, COPY TO WARDEN)		LSP PSYCHIATRIST	SEE MEDICAL RECORD

PRE-EXECUTION: PROCUREMENT/SECURE STORAGE AND INVENTORY OF EXECUTION CHEMICALS AND MEDICAL SUPPLIES; POST EXECUTION - DISPOSAL

ACTION	TIMELINE	RESPONSIBILITY	COMPLETED DATE/TIME
CONFIRM AT LEAST 3 COMPLETE SETS OF THE IDENTIFIED EXECUTION DRUGS ARE IN STOCK (SHALL MAINTAIN AT ALL TIMES)	30 DAYS PRIOR TO X	LSP PHARMACIST	_____
EXECUTION DRUGS RECEIVED, STORED APPROPRIATELY (REFRIGERATED IF NECESSARY), AND SECURED IN LSP PHARMACY. DESIGNATED LSP PHARMACIST SHALL BE THE ONLY PERSON WITH ACCESS TO THE SECURED DRUGS.	UPON RECEIPT OF CHEMICALS	LSP PHARMACIST	_____
NEEDED MEDICAL SUPPLIES AND EQUIPMENT INVENTORIED AND SECURED SEPARATELY FROM ROUTINE MEDICAL SUPPLY ISSUE	72 HRS PRIOR TO X	ASSISTANT WARDEN/HEALTH SERVICES	_____
HEART MONITOR TESTED	72 HRS PRIOR TO X	LSP MEDICAL DIRECTOR	_____
EXPIRATION DATE OF DRUGS CHECKED, DETERMINED STILL USABLE	72 HRS PRIOR TO X	LSP PHARMACIST	_____
PREPARE DRUGS AS PER THE PHARMACY CHECKLIST	2 HRS PRIOR TO X	LSP PHARMACIST	_____
RELEASE CUSTODY OF THREE (3) DRUG SETS TO SENIOR MEMBER OF IV TEAM	1 HR PRIOR TO X	LSP PHARMICIST	_____
IV TEAM AND EXECUTIONER RE-INVENTORY SUPPLIES AND EQUIPMENT. ALL IV FLUIDS, LINES, CARDIAC MONITOR, AND RELATED MEDICAL SUPPLIES ARE PLACED IN READY STATE.	1 HR PRIOR TO X	IV TEAM LEADER	_____
RETURNS DRUGS/SUPPLIES TO LSP PHARMACY	POST EXECUTION	IV TEAM LEADER	_____
DISPOSE OF EMPTY VIALS IN ACCORDANCE WITH WARDEN'S DIRECTION AND LAW	POST EXECUTION	LSP PHARMACIST	_____

1-10-13

MOVING THE OFFENDER TO THE EXECUTION CHAMBER, PREPARATION FOR LETHAL INJECTION

ACTION	RESPONSIBILITY	TIME
ORDER GIVEN FOR CONDEMNED TO BE ESCORTED TO EXECUTION CHAMBER	WARDEN	_____
MICROPHONE TURNED ON	DEPUTY WARDEN	
WARDEN ASKS CONDEMNED FOR FINAL STATEMENT (*2 MINUTES ALLOWED*)	WARDEN	
ESCORT (STRAPDOWN) TEAM ASSISTS CONDEMNED ON TO GURNEY, REMOVES HANDCUFFS, WAISTBELT, AND SECURES ARMS TO GURNEY. ALL RESTRAINTS ARE CHECKED PRIOR TO ESCORT TEAM'S EXIT FROM EXECUTION CHAMBER.		
CURTAIN IS DRAWN	DEPUTY WARDEN	_____

IV TEAM ENTERS CHAMBER

IV TEAM RUNS THE IV LINES TO THE CONDEMNED OFFENDER, USING NORMAL SALINE, INSERTING ONE (1) PRIMARY IV LINE AND ONE (1) BACKUP LINE IN LOCATIONS DEEMED APPROPRIATE BY TEAM MEMBERS. (IV LINES ARE INSERTED THROUGH THE WALL OF THE ALCOVE TO THE IV SET-UP.) THE INSERTION SITE OF PREFERENCE SHALL BE IN THE FOLLOWING ORDER: ARMS, HANDS, ANKLES, NECK AND/OR FEET. TO BEST ASSURE THAT A NEEDLE IS INSERTED PROPERLY INTO A VEIN, IV TEAM MEMBERS SHOULD LOOK FOR THE PRESENCE OF BLOOD IN THE VALVE OF THE SITED NEEDLE. **IF THE IV TEAM CANNOT SECURE ONE (1) OR MORE SITES WITHIN ONE (1) HOUR, THE GOVERNOR'S OFFICE SHALL BE CONTACTED BY THE SECRETARY AND A REQUEST SHALL BE MADE THAT THE EXECUTION BE SCHEDULED FOR A LATER DATE.**

IV LINES INSERTED/ SALINE FLOW STARTED		_____
ELECTRODES OF CARDIAC MONITOR AND PULSE OXIMETER CONNECTED, EQUIPMENT FUNCTIONING PROPERLY		_____
IV TEAM EXITS CHAMBER		_____
CONFIRMS THAT ALL IS READY; MAKES FINAL CHECK WITH ATTORNEYS STATIONED OUTSIDE THE CHAMBER	WARDEN	
CURTAIN IS OPENED	DEPUTY WARDEN	_____
STATES, "AT THIS TIME WE WILL CARRY OUT THE EXECUTION OF _____"	WARDEN	
DIRECTS THE EXECUTIONER TO PROCEED	WARDEN	_____

LETHAL INJECTION

ACTION	TIME

AT THE WARDEN'S DIRECTION, A DESIGNATED TEAM MEMBER WILL BEGIN A RAPID FLOW OF THE FOLLOWING LETHAL CHEMICAL:

PENTOBARBITOL – 5 GM

A 25 CC SALINE FLUSH WILL BE ADMINISTERED FOLLOWING EACH INJECTION OF A LETHAL SUBSTANCE. ONCE THE LETHAL INJECTIONS ARE COMPLETE, A DESIGNATED IV TEAM MEMBER WILL BEGIN A STOPWATCH.

STOPWATCH STARTED: _____

A DESIGNATED IV TEAM MEMBER WILL OBSERVE THE HEART MONITOR AND ADVISE THE PHYSICIAN OF CESSATION OF ELECTRICAL ACTIVITY OF THE HEART.
IF THE HEART MONITOR DOES NOT INDICATE A FLAT LINE AFTER THIRTY (30) MINUTES AND IF DURING THAT TIME THE PHYSICIAN AND CORONER ARE NOT ABLE TO PRONOUNCE DEATH, THE WARDEN WILL ORDER A SECOND SET OF LETHAL CHEMICALS TO BE ADMINISTERED (PENTOBARBITAL). THIS PROCESS WILL CONTINUE UNTIL DEATH HAS OCCURRED.

THE PHYSICIAN AND CORONER ENTER THE CHAMBER AND CONFIRM DEATH BY CHECKING THE CONDEMNED'S PULSE AND PUPILS AND SO ADVISE THE WARDEN.

TIME OF DEATH: _____

THE WARDEN TURNS ON THE MICROPHONE AND STATES: "AT APPROXIMATELY ____PM, THE EXECUTION OF _____ WAS CARRIED OUT IN ACCORDANCE WITH THE LAWS OF THE STATE OF LOUISIANA."

THE MICROPHONE IS TURNED OFF AND THE CURTAINS WILL BE DRAWN.

THE WITNESSES ARE ESCORTED OUT OF THE MEDIA ROOM (FIRST THE MEDIA, OFFENDER'S WITNESSES, AND THEN THE VICTIM'S WITNESSES).

IV TEAM PREPARES BODY FOR DEPARTURE

FUNERAL DIRECTOR COMPLETES DEATH CERTIFICATE

IV TEAM IS RESPONSIBLE FOR RETURNING MEDICAL SUPPLIES/CHEMICALS TO THE **LSP PHARMACIST** FOR DISPOSAL IN ACCORDANCE WITH WARDEN'S DIRECTION AND LAW.

STABILIZATION PROCEDURE AFTER EXECUTION HAS COMMENCED: In the event that a stay is issued after the execution has commenced, the execution team will stand down and medical staff will attempt to stabilize the condemned offender.

POST EXECUTION

ACTION	RESPONSIBILITY	TIME
ADVISE THE SECRETARY'S OFFICE OF TIME OF DEATH		IMMEDIATELY
RETURN COPY OF JUDGMENT OF COURT (DEATH SENTENCE) ADVISING MANNER, TIME AND PLACE OF EXECUTION		1 DAY AFTER EXECUTION
CLOSE OUT OFFENDER ACCOUNT		NEXT BUSINESS DAY AFTER EXECUTION
CONTACT INDIVIDUAL DESIGNATED TO RECEIVE CONDEMNED'S PERSONAL PROPERTY FOR PICK UP OF PERSONAL PROPERTY		NEXT BUSINESS DAY AFTER EXECUTION
COMPILE ALL DOCUMENTS PERTAINING TO EXECUTION AND PLACE IN OFFENDER'S FILE		WITHIN 3 BUSINESS DAYS AFTER EXECUTION

1-10-13

CONFIDENTIAL

LSP PHARMACIST CHECKLIST

ALL TIMES

Maintain the following stock ensuring chemicals have not exceeded expiration date:

15 grams pentobarbital 50mg/ml solution

30 DAYS PRIOR TO EXECUTION

Verify execution drugs are in stock as above and expiration dates will not be exceeded prior to execution date.

72 HOURS PRIOR TO EXECUTION

Verify drugs are usable, verify expiration dates

2 HOURS PRIOR TO EXECUTION

LABEL AND PREPARE THE SYRINGES AS BELOW:

Syringes 1 and 2: Five grams of pentobarbital, 100 ml of a 50mg/mL solution shall be withdrawn and divided into two syringes labeled "1" and "2".

Syringes 3 and 4: Five additional grams of pentobarbital shall be obtained and kept with syringes labeled "3" and "4". The pentobarbital need not be withdrawn into the syringes unless the primary dose of 5 grams proves insufficient for the procedure.

Syringe Flush(3): Shall contained 25mL of normal saline and be labeled "flush". Three syringes shall be prepared and labeled as such.

1 HOUR PRIOR TO EXECUTION

Release above drugs to senior member of IV team

POST EXECUTION

Dispose of empty vials in accordance with Warden's direction and law. Return unused medication to stock.

The **WARDEN** shall have the responsibility to:

1) Assure that court ordered executions in Louisiana are conducted pursuant pursuant to the provisions of Department Regulation C-03-001, Louisiana State Penitentiary Directive 09.049, and applicable laws;
2) Be physically present at the execution;
3) Direct the administration of all substances to the condemned offender in accordance with established Internal Procedures for executions;
4) Summon the coroner to pronounce the death of the condemned offender;
5) Certify the death of the condemned offender to the appropriate court.

The **ESCORT TEAM** shall have the responsibility to:

1) Assume custody of the condemned offender at Death Row in accordance with institutional procedure;
2) Secure the condemned offender;
3) Escort or otherwise deliver the condemned offender to the lethal injection room;
4) Place the condemned offender on the table in the lethal injection room;
5) Secure the condemned offender to the table in the lethal injection room;
6) Exit the lethal injection room;
7) Remain outside the lethal injection room to respond to any offender control issues that may arise until they are dismissed by the Warden.

The **I.V. TEAM LEADER** shall have the responsibility to:

1) Obtain and maintain appropriate materials and equipment to accomplish the responsibilities in accordance with established Internal Procedures for executions;
2) At least 48 hours prior to the scheduled execution date, examine the condemned offender to determine appropriate location for intravenous catheter placement and report the results of that examination to the Warden;
3) On the date of the execution, obtain, prepare, and deliver to the lethal injection room the substances identified in established Internal Procedures for executions, for injection into the condemned offender;
4) Once the condemned offender is secured by the Escort Team on the table in the lethal injection room, establish a functioning intravenous line capable of administering the lethal substances identified in established Internal Procedures for executions into the vein of the condemned offender;
5) Attach a heart monitor to the condemned offender;
6) Exit the lethal injection room;
7) Be prepared to correct any issues with respect to the intravenous line to the condemned offender's vascular system that may prevent or impeded the injection of the lethal substances;
8) Dispose of the substances or equipment employed in meeting the requirements of the lethal injection.

The **I.V. TEAM MEMBER** shall have the responsibility to:

1) Assist the I.V. Team Leader as directed and be prepared to assume to responsibilities of the I.V. Team Leader should the I.V. Team Leader become unable to perform the responsibilities detailed above for the I.V. Team Leader.

DEPARTMENT OF
PUBLIC SAFETY AND CORRECTIONS

LOUISIANA CORRECTIONAL INSTITUTE
FOR WOMEN

POLICY NUMBER
3-04-005

EFFECTIVE DATE
December 1, 2012

CHAPTER
3-04-Special Management

PAGES
5

SUBJECT
Death Penalty

REFERENCE
Department Regulation: C-03-001

TO WHOM THIS POLICY APPLIES
This policy is applicable to the Warden, Deputy Warden, Assistant Wardens, Medical Director, Psychiatrist, Mental Health staff, Medical Staff and Security Staff involved in the management of offenders sentenced to death.

PURPOSE
To set forth procedures to be followed leading up to the lethal injection of those individuals sentenced to death.

POLICY
All executions in the State of Louisiana shall be conducted at the Louisiana State Penitentiary including offenders sentenced to death that are housed at LCIW.

It is the policy of Louisiana Correctional Institute for Women to coordinate with the Louisiana State Penitentiary to carry out the death penalty in accordance with the provisions of Department Regulation C-03-001 and the Louisiana Revised Statutes. In addition LCIW will ensure that all procedures are conducted and documented in accordance with this policy.

PROCEDURE

A. INCARCERATION PRIOR TO EXECUTION

1. Offenders who receive a death sentence and who are incarcerated at LCIW shall be housed in Leo Cellblock on the day of arrival until the date and time **that** transfer to the Louisiana State Penitentiary (LSP) **is directed by the Secretary of the Louisiana Department of Public Safety and Corrections**. Until the time of transfer to LSP offenders sentenced to death shall be housed in a manner affording maximum protection to the general public, the employees of the department and the security of LCIW in accordance with LCIW Policy 3-04-002 "Management of Offenders with Death Sentences".

B. MENTAL COMPETENCY

1. **As per D.R. C-03-001, Death Penalty, any person sentenced to death may raise the issue of her mental incompetence to proceed to execution by filing an appropriate petition in the sentencing court. A person acting as petitioner's "next friend" or the Secretary of the Department of Public Safety and Corrections may also file the petition. LCIW employees, including but not limited to Security, Medical and Mental Health employees who have contact with Death Row offenders or who conduct the assessments set forth in Section H., should report to their immediate supervisor any behavioral and mental health changes seen in offenders sentenced to Death Row. The report of such changes shall be routed to the Assistant Warden/Rehabilitation for appropriate assessment and follow-up report to the Deputy Warden.**

C. DEATH WARRANT

1. Upon receipt of a death warrant by the Warden, the Deputy Warden shall deliver it to the condemned offender to sign acknowledging receipt of the warrant of execution. Receipt of the warrant by the condemned offender will be witnessed by two staff members who will sign as witnessing the receipt.

2. The Deputy Warden shall deliver the original signed receipt of warrant of execution to the Warden, forward a copy to the Assistant Warden for Security, the Assistant Warden for Rehabilitation and to Offender Records to be placed in the condemned offender's master prison record. The Deputy Warden shall also immediately notify the Departmental, LSP and LCIW Medical Directors of the date of the execution.

3. The Warden's office is responsible to forward the original signed receipt of warrant of execution to the Secretary's Office and a copy to the Warden at LSP.

D. MEDIA

1. Requests for interviews by the media must be made to the Office of the Warden; have the consent of the Warden, the offender and the offender's attorney, if represented by one; and shall be scheduled at a time convenient to LCIW.

2. Reporters with proper credentials may contact the Warden's Office to request interviews. If the demand for interviews is great, the Warden may set a day and time for all interviews to be conducted and may specify whether interviews shall be conducted individually or in "press conference" fashion.

3. The Front Control shall forward all public calls concerning the condemned offender to the Assistant Warden for Rehabilitation.

4. **No employee including employee witnesses to the execution, except for the Secretary, or the Warden or their designees, shall communicate with the press regarding any aspect of the execution except as required by law.**

5. All media request shall be forwarded to the Warden's Office at LSP after the condemned offender has been transferred there.

E. VISITS

1. The Warden may approve special visits for the condemned offender prior to her being transferred to LSP. All other visits for the condemned offender shall be in accordance with LCIW Policy 5-04-001, Visiting.

2. All requests for visits shall be directed to the Warden's Office at LSP after the condemned offender has been transferred there.

3. The condemned offender shall not be required to visit with non-staff visitors that the condemned offender does not wish to see.

4. The Warden reserves the right to deny access to the institution to any visitor or person he deems a risk to the security of the institution.

5. The Assistant Warden for Rehabilitation is responsible to forward the condemned offender's visiting list, along with a list of those persons who were approved a special visit to the Warden's office at LSP upon the condemned offender being transferred there.

6. **Once at LSP, the condemned offender shall be allowed visits with family, friends and/or private clergy, as approved by the Warden at LSP.**

F. PRE-EXECUTION ACTIVITIES

1. **The LCIW Warden shall select an appropriate area to serve as a press room in preparation for any interviews or press conferences that may occur at LCIW.**

G. PRE-EXECUTION ACTIVITIES THIRTY (30) CALENDAR DAYS PRIOR

1. In addition to the above referenced sections of this policy, the Assistant Warden for Rehabilitation is responsible to establish a staff crisis support team for officers and offenders affected by the execution.

2. The Deputy Warden is responsible to notify the Assistant Warden for Health Care Services at Elayn Hunt Correctional Center to obtain the drugs necessary to carry out the execution and have them sent directly from EHCC to LSP.

H. PRE-EXECUTION ACTIVITIES FOURTEEN (14) CALENDAR DAYS PRIOR

1. The Assistant Warden for Rehabilitation is responsible to obtain the condemned offender's master prison record, and visiting list.

2. The Assistant Warden for Rehabilitation is responsible to have the condemned offender complete the request for clergy witness (if the condemned offender chooses to do so), which must be notarized. The Assistant Warden for Rehabilitation shall **submit a copy of the notarized form to** the Warden who will advise the Secretary of the offender's wishes **and will forward a copy to the LSP Warden.** The Assistant Warden for Rehabilitation shall ensure the original request for clergy witness is placed in the condemned offender's master prison record.

3. The Assistant Warden for Rehabilitation is responsible to have the condemned offender complete the instructions for funeral arrangements, which must be notarized. The Assistant Warden for Rehabilitation shall ensure the original document is placed in the offender's master prison record.

4. The Assistant Warden for Security is responsible to have the condemned offender complete the instructions for disposal of property, which must be notarized. The Assistant Warden for Security shall ensure the original document is placed in the offender's master prison record.

5. The Director of Nursing shall obtain the condemned offender's medical record and set up a special section in order to monitor all medical action up to the transfer of the condemned offender to LSP.

6. The Assistant Warden for Rehabilitation is responsible to have all medical staff notified to advise the Warden, Departmental and LCIW Medical Director immediately of any change in the condemned offender's medical or mental health condition.

7. The Director of Nursing is responsible to ensure daily sick call begins, that all contacts and observations are recorded in the special section of the medical record.

8. The Mental Health Director is responsible to ensure a mental health professional personally observes and evaluates the condemned offender (5) days per week (Monday through Friday).

9. The LCIW Medical Director is responsible to review medical documentation daily and personally observes and evaluates the condemned offender's medical condition weekly.

10. The LCIW Psychiatrist reviews nursing, mental health, and medical doctor's documentation on a weekly basis.

11. The Assistant Warden for Rehabilitation is responsible to submit to the LCIW Warden the information regarding the clergy representative the condemned offender's has requested to be the clergy representative to witness the execution.

I. PRE-EXECUTION ACTIVITIES TEN (10) CALENDAR DAYS PRIOR

D.R. C-03-001 may be reviewed for non-LCIW related activities that will take place during this period.

J. PRE-EXECUTION ACTIVITIES SEVEN (7) CALENDAR DAYS PRIOR

1. The Assistant Warden for Security is responsible to ensure that the condemned offender be constantly monitored. A log entry must be made every fifteen (15) minutes that shall include, but not be limited to, movement, mood changes, meals served, showers, telephone calls, etc.

2. The Assistant Warden for Security is responsible to establish and submit to the Warden the plan to transport the condemned offender to LSP. This plan must include the Assistant Warden for Security to be a member of the transport team.

3. The LCIW Medical Director is responsible to complete a physical exam of the condemned offender.

4. The LCIW Psychiatrist is responsible to complete a mental health evaluation of the condemned offender and forward a copy to the Warden.

K. PRE-EXECUTION ACTIVITIES ONE (1) TO THREE (3) CALENDAR DAYS PRIOR

1. **As directed by the Secretary,** the LCIW Warden will order the condemned offender transported to LSP.

2. The Assistant Warden for Security is responsible for the transport of the condemned offender to LSP and must notify the Warden immediately upon the transfer of custody.

3. The Compound Manager and other Security supervisory employees' observation of the mood and behavior of other offenders as execution day approaches shall be noted and reported to employees in their chain of command as deemed appropriate.

L. POST EXECUTION

1. The Assistant Warden/Rehabilitation shall make available to staff and offenders counseling services as needed to address trauma associated with an offender's execution.

2. The Administrative Director is responsible to close the offender's account the next business day after the execution.

3. The Assistant Warden for Security is responsible to contact the individual designated to receive the condemned's personal property.

4. The Deputy Warden is responsible to compile all documents pertaining to the execution and place in the offender's master prison record.

LCIW Policy 3-04-005 dated **December 1, 2012 supersedes LCIW Policy 3-04-005 dated** August 16, 2010.

s/Jim Rogers
Jim Rogers, Warden

11/26/12
Date

Louisiana Correctional Institute for Women
Internal Procedures for Execution

ACTIONS TO BE TAKEN AFTER RECEIPT OF EXECUTION ORDER

Note: This checklist is based on 30-day notification prior to execution. If 30-day notice is not given, times may be adjusted accordingly.

ACTION	TIMELINE	RESPONSIBILITY	COMPLETED DATE/TIME
Notify DOC Medical Director of Execution Date	Upon Notification	Deputy Warden	
Notify LCIW & LSP Medical Director of Execution Date	Upon Notification	Deputy Warden	
Warrant of Execution received from Secretary	30 days to Execution	Warden	
Offender is served with execution order	30 days to Execution	Deputy Warden	
Signed warrant is returned to Secretary	30 days to Execution	Warden	
Notify LCIW Executive Staff & LSP Warden	30 days to Execution	Warden	
Establish staff crisis support team for debriefing	30 days to Execution	Assistant Warden/ Rehabilitation	
Notify EHCC DW/Health Care of execution date	30 days to Execution	Deputy Warden	
Offender's file & Visiting List obtained/secured	14 days to Execution	Assistant Warden/ Rehabilitation	
Complete/Notarized form showing offender's choice of Clergy	14 days to Execution	Assistant Warden/ Rehabilitation	
Complete/Notarized form showing offender's choice of Funeral Arrangements	14 days to Execution	Assistant Warden/ Rehabilitation	
Complete/Notarized form showing offender's disposition of personal property	14 days to Execution	Assistant Warden/ Security	
Medical record-special section set up to monitor all medical action	14 days to Execution	Director of Nursing	
All Medical Staff notified to advise Warden, DOC & LCIW Medical Director immediately of any change in offenders Medical or Mental Health Condition	14 days to Execution	Assistant Warden/Rehabilitation	
Daily Sick Call begins, all contacts observations are recorded in special section of medical record, daily observation notes	14 days to Execution	Medical Staff	See Medical Record
Mental Health professional personally observes & evaluates offender (5) days per week (Monday through Friday)	14 days to Execution	Mental Health Staff Clinician	See Medical Record
LCIW Medical Director reviews medical daily documentation on daily basis. Personally observes & evaluates medical condition weekly.	14 days to Execution	LCIW Medical Director	See Medical Record
LCIW Psychiatrist reviews nursing, mental health & medical doctor's documentation on weekly basis	14 days to Execution	LCIW Psychiatrist	See Medical Record
Notify offender's clergy representative regarding their desire to witness or not to witness execution	10 days to Execution	Assistant Warden/Rehabilitation	
Begin 15 minute security checks on offender	7 days to Execution	Assistant Warden/Security	
Establish staffing plan for transport of offender to LSP	7 days to Execution	Assistant Warden/Security	
LCIW Medical Director completes physical exam	7 days to Execution	LCIW Medical Director	See Medical Record
LCIW Psychiatrist completes mental health evaluation (original to medical record, copy to Warden	7 days to Execution	LCIW Psychiatrist	See Medical Record
Order given for condemned offender to be transported to LSP	1 to 3 days to Execution	Warden	
Transport of condemned offender to LSP complete	1 to 3 days to Execution	Assistant Warden/Security	
Close out offender account	next day after execution	Administrative Director	
Contact designated person to receive offender personal property	next day after execution	Assistant Warden/Security	
Compile all documents pertaining to execution & place in offender's file	3 days after execution	Deputy Warden	

DATE:

TO: Burl Cain, Warden
Louisiana State Penitentiary

FROM: James M. Le Blanc
Secretary

RE: Death Warrant for (*insert offender's name*)
DOC # (*insert offender's number*)

Please find attached 3 copies of the Death Warrant for the above referenced offender. The execution has been scheduled by Judge (*insert Judge's name*) for (*insert date*).

The first copy is for the offender's Master Prison Record. The second is for the offender. The third copy has a receipt printed on the reverse side. Please have the offender sign the receipt under the observation of two witnesses, who are also required to sign the receipt as noted on the form. Should the offender refuse to sign the receipt, please ensure this is noted appropriately on the form along with two witness signatures.

Please return the signed copy to (*insert contact person in the Secretary's Office*) in my office as soon as possible.

Thank you in advance for handling this matter.

JML/aw

attachment

DEPARTMENT OF PULBIC SAFETY AND CORRECTIONS

RECEIPT OF WARRANT OF EXECUTION

ON THIS _____ DAY OF (*insert month/year*), I, (*insert offender's name*), HEREBY ACKNOWLEDGE THAT A COPY OF THE WARRANT OF EXECUTION SIGNED BY JUDGE (*insert judge's name*) ON (*insert date*), AS BEEN DELIVERED TO ME AT THE LOUISIANA STATE PENITENTIARY.

_____
(*insert offender's name*)
(*insert offender's number*)

_____
SIGNATURE OF PERSON DELIVERING COPY OF THE WARRANT — DATE

_____
PRINTED NAME OF PERSON DELIVERING COPY OF THE WARRANT

_____
SIGNATURE OF WITNESS TO DELIVERY OF COPY OF THE WARRANT — DATE

_____
PRINTED NAME OF WITNESS TO DELIVERY OF COPY OF THE WARRANT

(Insert Date)

The Honorable Bobby Jindal
Governor of Louisiana
P.O. Box 94004
Baton Rouge, LA 70804

Attn: *(Insert Name)*
Executive Counsel

Re: Death Warrant for *(Insert Offender's Name)*
DOC # *(Insert Offender's Number)*

Dear Governor Jindal:

In accordance with La. R.S. 15:567(B), please find enclosed an original copy of the Death Warrant for *(Insert Offender's Name)*. The warrant was signed by Judge *(Insert Judge's Name)* on *(Insert Date)* and the execution is scheduled for *(Insert Date)*.

We will keep you advised of further developments in this case.

Sincerely,

James M. Le Blanc
Secretary

JML/aw

Enclosure

(Insert Date)

(Insert Name)
(Insert Address)

Re: Death Warrant for *(Insert Name)*
DOC # *(Insert Number)*

Dear Clerk *(Insert Name)*,

(Insert Name) is scheduled to be executed shortly after 6:00 p.m. on *(Insert Date)*. In order to avoid confusion and to allow for immediate cancellation of the execution in the event of a stay order, we have available the below noted telephone numbers for the Court's use. Any calls over these two telephone lines will assure immediate communication of stay orders.

Land Line: [redacted]
Blackberry: [redacted]

These phone numbers will be activated after 4:30 p.m. on the day of the execution. Prior to 4:30 p.m., please use our regular office number, 225-342-1597. For the convenience of all parties, we ask that you contact my office at these numbers should you receive notification of a stay. My General Counsel, William Kline, will contact you directly to establish a secure means of verification of identity for any necessary communications on this date.

Thank you for your assistance in this matter.

Sincerely,

James M. Le Blanc
Secretary

JML/aw

cc: Burl Cain, Warden
William Kline, General Counsel

Clerk of Court – Mailing List for Executions

United States Supreme Court
William K. Suter, Clerk — Christopher Vasil, Chief Deputy
1 First Street NE
Washington, D.C. 20543
202-479-3000
FAX: 202-479-3026

US 5th Circuit Court of Appeals
Charles R. Fulbruge, III — (Monica Washington)
600 South Maestri Place
New Orleans, LA 70130-3408
504-310-7700
FAX: 504-310-7581

US Middle District of Louisiana
Nick J. Lorio
Russel B. Long Federal Building
777 Florida Street, Suite 139
Baton Rouge, LA 70801
225-389-3506
FAX: 225-389-3501

US Eastern District of Louisiana
Loretta G. Whyte — Denny Descant, Deputy
Hale Boggs Federal Building — (Cindy Brantly, Secretary)
500 Poydras Street, Room C-151
New Orleans, LA 70130
504-589-7650
FAX: 504-589-7698

US Western District of Louisiana
Tony Moore
300 Fannin Street, Suite 1167
Shreveport, LA 71101-3083
318-676-4273
FAX: 318-676-3962

Louisiana Supreme Court
John T. Olivier — (Rachel – direct dial 504-310-2308)
401 Royal Street, Suite 4200
New Orleans, LA 70130-8102
504-310-2300
FAX: 504-310-2325

Louisiana 1St Circuit Court of Appeals
Christine L. Crow — Renee' 1600 North 3rd
Post Office Box 4408 — (noted they do not need these – do not handle death penalty cases)
Baton Rouge, LA 70821-4408
225-382-3000
FAX: 225-382-3010

(Insert Date)

(Insert Name)
(Insert Address)

Re: Death Warrant for *(Insert Offender's Name)*
DOC # *(Offender's Number)*

Dear *(Insert Name)*:

This is to formally notify you that the above referenced inmate is scheduled to be executed at the Louisiana state Penitentiary at Angola, LA on *(Insert Date)* between the hours of 6:00 p.m. and 9:00 p.m. As the *(Insert relationship to the victim)*, you have the option of attending and witnessing the execution.

Please notify *(Insert Contact in the Secretary's Office)* in my office, either verbally or in writing, within three days of your receipt of this correspondence of your intention to attend the execution.

(Insert Contact in the Secretary's Office) will notify you at *(Insert Contact Number)* in the event offender *(Insert Name)* receives a stay of execution.

If you should have any questions, *(Insert Contact in the Secretary's Office)* direct number is 225-342-1597.

Sincerely,

James M. Le Blanc
Secretary

JML/aw

cc: Burl Cain, Warden

(Insert Date)

(Insert Name)
(Insert Address)

Dear *(Insert Name)*:

This is to formally advise that you have been selected to serve as a witness for the *(Insert Date)* execution of *(Insert Name)*, DOC *(Insert Number)*.

In accordance with our policy and procedure, you will be required to sign a copy of the witness agreement (copy enclosed for your review) prior to being transported to the execution site and subsequently to sign the report of the execution.

Please arrive at Louisiana State Penitentiary on *(Insert Date)* no earlier than 2:30 p.m. and no later than 4:00 p.m. You will need to present this letter along with photo identification to the security staff on duty there.

If you should have any questions, please contact *(Insert contact in the Secretary's Office)* in my office at 225-342-1597.

Sincerely,

James M. Le Blanc
Secretary

JML/aw

Enclosure

cc: Burl Cain, Warden

AGREEMENT BY WITNESS TO EXECUTION

I, _____, a person of full age and majority, and citizen of the State of Louisiana, hereby agree to the following conditions precedent to being a witness to the execution of a sentence of death at Louisiana State Penitentiary, Angola, Louisiana.

1. I agree that my presence at the execution is voluntary.

2. I agree to sign the report of the execution as required by law.

3. I agree to comply with all rules and regulations of the Department of Public Safety and Corrections and the Louisiana State Penitentiary during the course of the proceedings leading up to, during, and after the completion of the execution.

4. I agree that I will not electronically record or photograph any activities while I am present in the lethal injection room.

5. I agree to submit to a search of my person before and after the execution if requested to do so by the Warden of the Louisiana State Penitentiary.

6. If I am a member of the press selected as a witness to the execution, I agree to act as a pool reporter for the media representatives not present at the execution, and I agree to meet with all media representatives present at the penitentiary immediately after the execution.

7. If I am an employee of the Department of Public Safety and Corrections, I agree that I will make no public statements about the execution without prior approval of the Warden of the Louisiana State Penitentiary.

I have read the above agreement, understand it, and have signed it in the presence of the listed witnesses on this date _____.
(Day, Month, Year)

_____
Signature of Selected Witness

WITNESSES TO SIGNATURE:

_____

_____

MEMORANDUM

TO: Burl Cain, Warden
Louisiana State Penitentiary

FROM: _____
Please Print your Name and Number

DATE: _____

SUBJ: Request for Clergy Witness

I have been advised that I may designate a member of the clergy to be present at the execution of my sentence. I understand that their attendance is entirely voluntary and that by designating them I do not obligate them to attend. I understand that my designated witness will be required to comply with standards and requirements of conduct established by the Department of Corrections and will be subject to the same search procedures as any other visitor. I therefore elect to designate the following as a witness: (If you elect not to designate a witness, write none. If you elect to designate a witness, please state first and last name, relationship, if any to you, address and telephone number).

_____

_____

_____

_____

Signature _____ Date _____

Witness _____ Title _____
Name

State of Louisiana – Louisiana State Penitentiary – Parish of West Feliciana

I certify that _____ Number _____ and _____

_____ whose names are signed to this document subscribed the same in my presence this

_____ day of _____, 20 ___.

_____
Notary

My Commission Expires _____

MEMORANDUM

TO: Burl Cain, Warden
Louisiana State Penitentiary

FROM: _____
Please Print your Name Number

DATE: _____

RE: Instructions for Disposition of Personal Property

I have designated the person named below to receive my personal property after my death. I request the Department of Corrections make my property available for collection only to this person: (Please print the name, address and telephone number of the person you designate to receive all your personal property).

_____

_____

_____

_____

Signature _____ Date _____

1) Witness: Date: _____

_____ Title: _____
Signature

2) Witness: Date: _____

_____ Title: _____
Signature

State of Louisiana – Louisiana State Penitentiary – West Feliciana Parish

I certify that _____ Number _____, _____
_____ and _____ whose names are signed to this document subscribed the same in my presence this _____ day of _____, 20 ___.

_____
Notary

My Commission Expires: _____

MEMORANDUM

TO: Burl Cain, Warden
Louisiana State Penitentiary

FROM: _____
Please Print your Name Number

DATE: _____

SUBJ: Funeral Arrangements

The person named below has informed me they will take charge of my remains and make necessary funeral arrangements. I therefore authorize the Louisiana State Penitentiary to release my remains after execution of my sentence to that person or employees of any funeral home designated by that person. I understand that should I not designate anyone to take charge of my remains, final arrangements will be made for burial in accordance with Louisiana State Penitentiary procedures. If there is no one you wish to designate, print "None".

_____

_____

_____

_____

Signature _____ Date _____

1) Witness: Date: _____

_____ Title: _____
Signature

2) Witness: Date: _____

_____ Title: _____
Signature

State of Louisiana – Louisiana State Penitentiary – West Feliciana Parish

I certify that _____ Number _____, _____
_____ and _____ whose names are signed to this document subscribed the same in my presence this _____ day of _____, 20_____.

_____
Notary

My Commission Expires: _____

(Insert Date)

The Honorable Bobby Jindal
Governor of Louisiana
P.O. Box 94004
Baton Rouge, LA 70804

Attn: Stephen Waguespack
Executive Counsel

Re: Death Warrant for *(Insert Name)*
DOC # *(Insert Number)*

Dear Governor Jindal:

In accordance with applicable law, (and barring judicial or executive intervention to the contrary), *(Insert Name),* DOC #*(Insert Number)*, will be executed at the Louisiana State Penitentiary (LSP) shortly after 6:00 p.m. on *(Insert Date)*. I will contact you, or your designee, directly on *(Insert Date)* to establish a secure means of verification of identity for any necessary communications on the date of the scheduled execution.

There will be two telephone lines staffed to facilitate communications at my Baton Rouge office from 4:30 p.m. on *(Insert Date)* until my final report to you that the sentence has been completed. They will be answered by Angela Whittaker, Confidential Assistant, or William L. Kline, General Counsel.

Office of the Secretary: Land Line: *(Insert Number)*
Blackberry: *(Insert Number)*

In addition, the following telephone numbers at LSP will also be available:

LSP: Lethal Injection Room: *(Insert Number)* **(Confidential)**
Camp F Captain's Desk: *(Insert Number)*

I will be physically present at LSP after 4:30 p.m. on *(Insert Date)* and available to you at the above listed numbers or via my Blackberry at *(Insert Number)*.

Witnesses to the execution will be as follows:

I deeply respect the gravity of the decisions you must make in this matter and stand ready to assist you in any manner you may require.

Sincerely,

James M. Le Blanc
Secretary

JML/aw

Cc: Burl Cain, Warden
Stephen Waguespack, Executive Counsel