

# EXECUTION PROCEDURE MANUAL FOR SINGLE DRUG PROTOCOL (PENTOBARBITAL)

## I. PURPOSE

The purpose of this manual is to provide guidelines for carrying out a court-ordered sentence of death.

## II. APPLICABILITY

This manual applies to all individuals involved in carrying out a court-ordered sentence of death in accordance with all applicable statutes.

## III. GENERAL EXECUTION PROCEDURES

### A. Scheduling the Execution Date

The Secretary of Public Safety with the assistance of the Commissioner of the Adult Correction Division and the Director of Prisons shall immediately schedule the execution date for a condemned prisoner pursuant to the original death sentence not less than 15 days nor more than 120 days from the date of receiving written notification from the Office of the Attorney General in accordance with current statutory provisions.

The Secretary or his or her designee shall send a certified copy of the order scheduling the execution date to the Clerk of Superior Court of the county in which the case was tried or, if venue was changed, in which the inmate was indicted. The Secretary or his or her designee shall also send certified copies of the order to the condemned prisoner, the condemned prisoner's attorney, the Warden of Central Prison or the Warden of the North Carolina Correctional Institution for Women (NCCIW), the District Attorney who prosecuted the case, and the Attorney General of North Carolina.

### B. Informing the Condemned Prisoner

As soon as the Warden of Central Prison or of NCCIW receives a copy of the order setting the date of execution, the condemned prisoner will be briefed with a summary of the procedures regarding conditions of confinement, including visitation, religious assistance, and other privileges, while on Death Watch. The Warden or his or her designee will review the procedures regarding conditions of confinement with the condemned prisoner to ensure understanding and to finalize any requests for visitors, religious ministers, and other privileges. The condemned prisoner shall be advised in writing of the Warden's decision regarding such requests.

C. Location and Security of a Condemned Prisoner

1. Location of a Condemned Prisoner - Male prisoners sentenced to death shall be housed at Central Prison in a cell designated for that purpose by the Warden of Central Prison and approved by the Director of Prisons of the Adult Correction Division. The housing status of the condemned prisoner will be reviewed not less than seven days prior to the scheduled execution. The condemned prisoner will be transferred to the Death Watch Area during the week of the scheduled execution, usually on the evening prior to the third day before the day of the scheduled execution. The Warden will decide the transfer date.

Female prisoners sentenced to death will be housed at the North Carolina Correctional Institution for Women in a cell designated for that purpose by the Warden of NCCIW and approved by the Director of Prisons. Following the scheduling of the execution date, the Secretary will communicate regularly with the Office of the Attorney General to determine whether the scheduled execution date likely will remain undisturbed. Once it is determined that the scheduled execution of a female prisoner on a specific date is likely to remain undisturbed, the Secretary will notify the Director of Prisons, who may order the transfer of the condemned female prisoner from NCCIW to more secure housing at Central Prison or another high security facility. Female prisoners condemned to death will be transferred to the Death Watch Area during the week of the scheduled execution, usually on the evening prior to the third day before the day of the scheduled execution. The Warden of Central Prison, after coordinating with the Director of Prisons and the Warden of NCCIW, will decide the transfer date.

2. Security of a Condemned Prisoner - The Death Watch Area will be staffed at all times by a Correctional Sergeant and a Correctional Officer. The conditions of confinement and or control status for the condemned prisoner will remain in effect unless they are altered by the decision of the Warden of Central Prison.

D. Privileges of a Condemned Prisoner on Death Watch Status

1. General - Seven (7) days prior to the scheduled execution date, condemned prisoners are placed on Death Watch status. Condemned prisoners, in the Death Watch Area, whether male or female, shall be afforded the same privileges as approved by the Warden of Central Prison dependent on their control status.
2. Visitation
  - a. Visiting privileges will be allowed on a scheduled basis during the ten (10) days prior to the ordered execution date for those individuals listed on the

condemned prisoner's Approved Visiting List.

- b. Visits will be non-contact and held in the secure visiting area under the direct supervision of a Correctional Officer unless otherwise approved by the Warden. The visiting hours set forth for the general population from 8:30 A.M. to 10:30 A.M. and 1:30 P.M. to 4:45 P.M. will be followed except as permitted by the Warden. No more than two visitors may visit the condemned prisoner at any one time.
  - c. The condemned prisoner's attorney(s) of record may visit on a scheduled basis during the above hours. The Warden may authorize special visits for the attorneys of record as appropriate.
  - d. The number of authorized visits with a condemned prisoner during the ten days before a scheduled execution date may be increased to accommodate immediate family members. Immediate family members shall include a condemned prisoner's spouse, children, grandchildren, parents, siblings, and grandparents. The length of each additional visit shall be set by the Warden or designee.
  - e. A condemned prisoner may request one religious minister or chaplain to visit with him or her and to be present at the execution. The request must be made to the Warden at least seven days prior to the scheduled execution date. The decision on the request for visitation by a religious minister or chaplain shall be made by the Warden or designee.
  - f. Visits with a condemned prisoner during the final 24 hours prior to the scheduled execution time will be limited to immediate family members, although visits with a condemned prisoner's approved religious minister or chaplain and his or her attorney(s) of record also may be authorized by the Warden or designees.
- E. Communications With Secretary of Public Safety - The Secretary, Commissioner of Adult Correction, Director of Prisons and the Warden will ensure continuous access to each other during the six hours before a scheduled execution time. The Secretary will also ensure continuous availability to the Governor of North Carolina during such time. In the event the Secretary, Commissioner of Adult Correction, Director of Prisons or the Warden must be absent or otherwise unavailable, the continuing access will be maintained with the person acting on behalf of the absent person. The Secretary or designee also will ensure continuous access to the Office of the Attorney General to receive the results of any legal proceedings or developments which may delay, postpone, or cancel a scheduled execution, and will relay such information to the Director of Prisons and Warden immediately upon receipt.

## IV. MEDIA INTERACTION

### A. Media Interviews

1. Members of the media who wish to interview a condemned prisoner after the Secretary schedules an execution date must first obtain written permission for the interview from the condemned prisoner's attorney(s) of record.
2. Media members requesting an interview with a condemned prisoner must also submit a written request to the Warden. The request must set forth specifically who will be conducting the interview, what the use of the interview will be, what equipment and persons will be brought on the premises for the purpose of the interview, and what will be photographed if photographs are requested. The request must include a signed verification from the condemned prisoner's attorney of record granting permission for the interview.
3. After receiving the request for an interview from a media member along with the written permission of a condemned prisoner's attorney, the Warden will consult with the condemned prisoner before deciding whether to grant the request for an interview. The Warden's decision may include, but will not be limited to, designating the parameters of the interview, the parameters of any photographs, and the date and time of the interview. The Warden will consult with the Secretary before rendering a decision on any requests for an interview from the national or international media. The final authority of whether or not to grant an interview rests solely with the Warden or his designee.
4. If approved, the interview will take place in a non-contact secure visiting area. Normally all media interviews will be conducted only during regular business hours.
5. Requests for interviews over the telephone will not be granted.
6. Media interviews will not be permitted during the 24 hours immediately preceding a scheduled execution. In addition, if a stay or clemency is granted, media interviews will not be permitted during the 24 hours immediately following the notification of the condemned prisoner of the stay or grant of clemency.

### B. Media Coverage of a Scheduled Execution

1. The Public Information Office of the Department of Public Safety will notify the media sources of a scheduled execution date and time. Media members who desire to be present at the facility for a scheduled execution must report to the Visitors' Center at the Western Boulevard entrance to Central Prison at least one

hour prior to the scheduled execution time. Any media member who is permitted to be inside Central Prison must display a picture ID and their media credentials. Limited parking may be available adjacent to the Visitors' Center.

2. Five members of the media approved by the Secretary will be permitted to observe an execution in the Witness Room. Two members of the print media will be chosen by the North Carolina Press Association. Two members of the broadcast media will be chosen by the Radio-Television News Director's, Association of the Carolinas. One representative of the State's dominant wire service will be chosen by the Associated Press. A media witness must agree to the terms and conditions set forth at least 24 hours prior to the scheduled time for an execution or the media witness will not be permitted to observe the execution.
3. Media witnesses may be searched prior to entering the facility. No writing or drawing materials, cameras, tape recorders, radio transmitters, cell phones or other recording devices will be permitted in the facility. Such items will be confiscated if discovered.
4. Media members not selected as media witnesses must remain at the Visitors' Center. Except for media witnesses, no media members will be permitted in the facility during the periods one hour immediately before a scheduled execution time and one hour after an execution.
5. Questions from media members regarding a scheduled execution, the execution process or any other related information shall be directed to the DPS Public Information Officer.
6. The Secretary or his designee will be the point of contact regarding any significant events or developments relating to a scheduled execution or other matters relating to a condemned prisoner. Neither a DPS Public Information Officer nor any other person shall issue any public statements concerning an execution without the express approval of the Secretary.
7. Immediately following an execution and prior to communicating with anyone outside the facility, the five media witnesses will brief the remaining media members at the Visitor's Center. The DPS Public Information Officer will first announce the facts of the execution, *i.e.*, the time the condemned prisoner entered the execution chamber, the time the execution began, and the time the condemned prisoner was pronounced dead. The DPS Public Information Officer will defer to the media witnesses for all other details regarding the execution.

## **V. WITNESSES AND PERSONS PRESENT AT AN EXECUTION**

A. Persons Required to Be Present at an Execution

1. The Warden or his designated representative - The Warden shall ensure that the execution of a condemned prisoner is carried out in accordance with the requirements of Article 19 of Chapter 15 of the General Statutes of North Carolina, the Execution Protocol, and this Execution Procedure Manual.
2. Medical Doctor - A licensed physician designated by the Warden shall be present at each execution. The licensed physician shall perform those duties set forth in Chapter 15, Article 19, and the Execution Protocol.
3. Official Witnesses - General Statute Section 15-190 requires that four respectable citizens and two members of the victim's family, if possible, be present at a scheduled execution as Official Witnesses. The Warden will request that the Official Witnesses be designated as follows:
  - a. The District Attorney and the Sheriff of the county of conviction each will select two witnesses.
  - b. The District Attorney of the county of conviction will select the two members of the victim's family. If there is more than one victim, the District Attorney of the county of conviction will select two members from each additional victim's family. If, for some reason, a designated person is unable to serve as an Official Witness one hour prior to the scheduled execution time, the Warden will designate a person to serve in that person's place.

B. Persons Who May Be Present at an Execution - At least one week before a scheduled execution, the Warden will ask the condemned prisoner whether he or she wishes for immediate family members, attorney(s) of record, or a religious minister or chaplain to be present. If possible, the Warden will also ask the condemned prisoner's attorney(s) of record, religious minister or chaplain, and immediate family members whether they wish to attend the scheduled execution. If the condemned prisoner approves, the number of persons permitted to be present at the scheduled execution is as follows:

1. Immediate Family Members - Two members of the condemned prisoner's immediate family.
2. Religious Minister or Chaplain - The condemned prisoner's religious minister or preferred chaplain.
3. Attorney of Record - Two of the condemned prisoner's attorneys of record.

- C. Limitation on Attendance of Witnesses - Only those witnesses designated in accordance with this Manual will be permitted to attend and witness a scheduled execution. All witnesses designated must be approved by the Warden. Decisions regarding the attendance of witnesses should be made at least five days prior to a scheduled execution. Due to space limitations, no more than 16 persons, total, will be permitted to witness a scheduled execution under any circumstances.
- D. Confidentiality of Witnesses and Persons Designated To Carry Out An Execution - General Statute Section 15-190 mandates that certain identifying information relating to all witnesses to a judicial execution and those persons designated to carry out the court-ordered execution of a condemned prisoner shall be confidential and exempted from provisions of Chapter 132 of the General Statutes of North Carolina. Such identifying information is not subject to discovery in any legal proceeding and may not be introduced as evidence in any legal proceeding. However, all witnesses will be permitted the opportunity to execute a written waiver of this mandate and allow some or all of their personal identifying information to be released. All witnesses, whether Official, Media, or requested by the condemned prisoner, will be advised of this mandate and required to sign a written guarantee not to release any identifying information about any other witnesses present. The refusal to sign such a written guarantee will result in the denial of the opportunity to witness an execution and the immediate removal from the facility.
- E. Escorting and Seating of Witnesses
  - 1. Escorting of Witnesses – All Witnesses will be informed to arrive at Central Prison no earlier than two hours and no later than 1 hour prior to the scheduled execution time. The six Official Witnesses will be escorted to the Warden's Conference Room upon arrival. The Media Witnesses will be escorted to the East Administrative Office Complex (G-32, Personnel Office) upon arrival. The condemned prisoner's approved immediate family members, religious minister or preferred chaplain, and attorneys of record, will be escorted to the Central Prison Mailroom upon arrival. All witnesses will sign the attendance book which will be kept confidential and be instructed on the procedures to be followed and the parameters of acceptable behavior during the course of the scheduled execution. Approximately twenty minutes before the scheduled execution time all witness groups will be escorted to the Witness Room adjacent to the Death Chamber in separate groups.
  - 2. Seating of Witnesses - The condemned prisoner's approved immediate family members, religious minister or preferred chaplain, and attorneys of record, will be seated in the first row of chairs. The six Official Witnesses will be seated in the second row of chairs. The five Media Witnesses will be issued a pad, pencil or pen and be permitted to stand behind the second row of chairs and to the side.

## VI. PERSONNEL

- A. Persons Involved With Execution of Condemned Prisoner
1. Execution Team Members - Persons directly involved in performing tasks critical or necessary to carrying out a court-ordered sentence of death are designated as Execution Team Members. Such persons will include a minimum of the following:
    - a. One Licensed Physician
    - b. Two Registered Nurses
    - c. Two Emergency Medical Technician - Paramedics
    - d. Seven Correctional Custody Personnel (Executioners)
  2. Other Persons Involved - Other persons may be designated to perform duties generally related to the execution process but will not be directly involved in carrying out a court-ordered sentence of death. Such other persons are not Execution Team Members. Such other persons may include a minimum of the following:
    - a. Religious Minister or Chaplain requested by the condemned prisoner or, if no choice is elected, assigned by the Warden
    - b. Logistics officer
    - c. Stenographer
    - d. Security Coordinator
    - e. Public Information Officer
    - f. Official Witness for the Secretary of the Public Safety
- B. Roles and Responsibilities - There are different work classes that are involved in the execution process. The roles and responsibilities of the Execution Team are:
- a. The Licensed Physician will monitor the condemned inmate's essential body functions and immediately notify the Warden of any signs of undue pain or suffering.
  - b. Registered Nurse(s) will supervise the administration of the lethal injections in the



execution process to include the supervision of the Emergency Medical Technician - Paramedic during the insertion of the catheters, IV lines, and monitoring of EKG. One nurse will be the Execution Team Leader and the other will be the Assistant Team Leader.

- c. The Emergency Medical Technician - Paramedic will be responsible for the insertion of the catheters, IV lines, and applying of the leads of the EKG.
- d. Correctional Custody Personnel (Executioners) are responsible for administering the lethal injection.
- e. Correctional Staff (Escort & Security) are responsible for escorting the inmate from the Death Watch area to the preparation room, and to provide security while the inmate is being prepared for the execution.

### C. Selection and Training of Execution Team Members

1. Selection - Persons serving as Execution Team Members, whether existing state employees, contract employees, or otherwise will be selected by the Warden of Central Prison. All successful candidates must undergo an interview with the Warden and such other persons that the Warden may designate. Each successful candidate must be a mature, seasoned professional, possess a sound mind and exhibit sound judgment. Each successful candidate must express the willingness to participate in carrying out a court-ordered sentence of death. All successful candidates must have a good work attendance record and have no adverse actions or Written Warnings (prior 18 months) in their personnel or professional licensing records. Successful candidates who are existing state employees must have met or exceeded expectations in employee performance standards in each of their last two marking periods. Successful candidates must not have been assigned to any condemned housing unit either full time or part time in the preceding twelve months prior to the execution.

Successful candidates who are licensed medical professionals or persons possessing particular, necessary medical skills must provide evidence of a current professional license to be verified by the Warden or designee prior to every scheduled execution. A statement of good standing with their particular licensing authority, a record of their training, education, and licensure, and a detailed list of their work history must be provided by candidates who are licensed medical professionals. Successful candidates who are responsible licensed medical professionals must also sign a release of information form allowing the Warden or his designees to obtain such additional background information regarding their qualifications and experience as may be deemed necessary or prudent to the selection process. Successful candidates who are licensed medical professionals must undergo an interview with the Warden and

such other licensed medical professionals that the Warden may designate. All candidates will undergo a thorough criminal background check.

2. Training and Rehearsals - All persons newly selected to participate as Execution Team Members will attend a briefing about the execution process conducted by the Warden and other persons he may designate. The content of the briefing will include, but will not be limited to, the responsibilities of all Execution Team Members, the expectations of all Execution Team Members, and the subjects discussed in this Execution Procedure Manual. At least annually, all persons serving as Execution Team Members must attend such briefing. Following each briefing, all attendees will be afforded the option to continue or decline to serve as an Execution Team Member.

Following each briefing, prior to each scheduled execution date, and at such other times as the Warden shall require, Execution Team Members will rehearse their individual roles in the execution process by participating in a simulated execution by lethal injection. The purpose of each rehearsal is to ensure that each Execution Team Member is proficient in carrying out the role to which they have been assigned, in understanding the roles of each other Execution Team Member, and in describing the interaction between the role to which they have been assigned and the roles of each other Execution Team Member. While the number of rehearsals held annually is at the discretion of the Warden, rehearsals will be conducted no less than once every other month.

D. Official Witness for the Secretary of Public Safety

1. Purpose - The purpose of the Official Witness for the Secretary of Public Safety is to allow an independent person who communicates directly with the Secretary to observe and report on all activities regarding a condemned prisoner from the time he or she is moved to the Death Watch Area through the completion of the scheduled execution.
2. Designation - Seven days prior to the scheduled execution date, the Secretary will select and name the Official Witness for the Secretary of the DPS. The Official Witness for the Secretary will not be an employee of DPS and will not participate in a scheduled execution for any other purpose than is set forth in the preceding sub-part.
3. Location of the Official Witness for the Secretary of Public Safety - The Official Witness for the Secretary will be escorted to the Death Watch Area approximately four hours prior to the scheduled execution time following a detailed briefing by the Warden or his designee about the execution process. The Warden's designee will remain with the Official Witness for the Secretary in the Death Watch Area for sufficient time to answer any additional questions

that may arise. The Official Witness for the Secretary will be permitted to observe and interact with the condemned prisoner continuously until the scheduled execution begins.

## **VII. SPECIFIC PRE-EXECUTION PREPARATIONS**

### **A. Acquiring Lethal Injection Drugs, Appliances, Equipment, and Supplies**

1. Acquiring Lethal Injection Drugs - The Warden will acquire the necessary lethal injection drugs required to carry out a court-ordered sentence of death from the Central Pharmacy of the Division of Prisons. At the direction of the Warden, appropriate licensed medical personnel will obtain the lethal injection drugs and transport them from the Central Pharmacy to the Central Prison Pharmacy. The lethal injection drugs shall be maintained in the Central Prison Pharmacy until such time as they are obtained by the Execution Team Leader or the Assistant Execution Team Leader and transported to the Death Watch Area. They shall remain in the possession of the Execution Team Leader or Assistant Execution Team Leader at all times or locked in a secure cabinet where access is restricted to only the Execution Team Leader or Assistant Execution Team Leader.
2. Acquiring Appliances, Equipment, and Supplies - The Warden will acquire, either using state-approved procurement procedures and state-approved manufacturers or suppliers, or from the Central Pharmacy and the Central Prison Hospital, all appliances, equipment, and other supplies required to carry out a court-ordered sentence of death as required by law. Such appliances, equipment, and supplies shall include, but are not limited to, syringes, intravenous tubing, intravenous catheters, valves, and other related materials ordinarily used by medical personnel to administer intravenous fluids to human patients. The Warden also will acquire and maintain such monitors or other equipment as shall be necessary to review human vital signs and functions such as, but not limited to, cardiac activity, electrical activity in the brain, and respiration. The Warden also will be responsible for acquiring such other appliances, equipment, supplies, or materials as medically trained personnel may recommend for the purpose of ensuring that the sentence of death is carried out without exposing the condemned prisoner to a substantial risk of serious harm, pain, or suffering and in accordance with constitutional requirements.

### **B. Assessment and Evaluation of Venous Access Sites**

After the Secretary orders the execution date, licensed medical professionals will examine the condemned prisoner's body to assess and evaluate venous access sites that will provide the highest probability of successful access. The assessment and evaluation process will include, but is not limited to, a review of the condemned prisoner's medical chart and a physical examination of the condemned prisoner's

body with a focus on those venous access sites most frequently used in a medical or emergency setting. During the assessment and evaluation process, the licensed medical professionals will identify any unique factors which may impact the manner in which the Execution Team Members attain venous access immediately prior to the condemned prisoner's execution. All potential problems shall be noted in writing and discussed with the licensed medical professionals serving as Execution Team Members and potential solutions shall be identified. Every possible effort shall be made to anticipate and plan for reasonable, foreseeable difficulties in establishing venous access and maintaining the intravenous (IV) lines after venous access is established. The licensed medical professionals will explain in detail the assessment and evaluation process and the process used for the injection of the lethal drugs to the condemned prisoner and will answer any questions he or she may have.

- C. Notification of the Wake County Medical Examiner - The Warden will notify the Wake County Medical Examiner of a pending execution. The following information about the condemned prisoner will be provided to the Medical Examiner:
  - 1. Name
  - 2. Age
  - 3. Gender
  - 4. HIV status, if applicable
  - 5. Name of the funeral home to which the body will be released, if known
  - 6. Need for an autopsy, if applicable
  - 7. Cause of death as execution by lethal injection
- D. Notification of the Office of the Chief Medical Examiner - At least twenty-four hours prior to the scheduled execution time, the Warden or designee will contact the Office of the Chief Medical Examiner to advise of the date and time that an execution is scheduled to begin and the approximate time that the body is expected to be transported. After the scheduled execution has been completed and the body has been delivered to the Office of the Chief Medical Examiner, the Warden has no further responsibility for the body.
- E. Notice to the Condemned Prisoner's Next-of-Kin - At least seven days prior to a scheduled execution date, the Warden will attempt to contact the condemned prisoner's next-of-kin or other interested person(s) to determine whether the body will be claimed. If the next-of-kin wishes to claim the body, the Warden will notify the Chief Medical Examiner. The next-of-kin or other interested person(s) will be

informed to contact the Office of the Chief Medical Examiner to arrange for transportation to the desired funeral home. The Warden will offer assistance in making arrangements with the Chief Medical Examiner. If no next-of-kin or other interested person(s) can be located or no one wishes to claim the body, the Chief Medical Examiner will be duly notified and the body will be disposed of by law.

## **VIII. SECURITY MEASURES**

### **A. Perimeter Security**

1. General Security Plan - The Warden will designate a Security Coordinator to work with the Chief of the State Capitol Police to assure the perimeter security of the Central Prison facility during the 12-hour period before the scheduled execution time and for such period immediately after the completion of the scheduled execution as necessary to remove the body and escort all witnesses and media members from the facility. The Security Coordinator will devise a Perimeter Security Plan and submit it to the Warden for approval.
2. Access to the Central Prison Property
  - a. Members of the public will not be permitted on Central Prison property during the 12-hour period before a scheduled execution time and the period immediately after the completion of the scheduled execution as necessary to remove the remains of the body and escort all witnesses and media members from the facility. Only authorized DPS employees and personnel, media members, and designated witnesses will be permitted beyond the checkpoints designated by the Security Coordinator.
  - b. The Security Coordinator will establish checkpoints at all access areas to control access to the Central Prison property. All checkpoints will be staffed jointly by Correctional Officers and local law enforcement officers. Personnel at each checkpoint will maintain two-way communication with the Security Coordinator for the duration of time under subsection a above.
3. Shift Changes - The Security Coordinator will coordinate shift changes at the facility so that security will not be compromised for the duration of time under subsection 2a., above.
4. Parking - The Security Coordinator will ensure adequate parking and coordinate escorts from the Visitors' Center for all designated witnesses.
5. Employee Ingress and Egress - The Security Coordinator will supervise the movement of all employees in and out of the facility for the duration of time

under subsection a above.

6. Prior to a scheduled execution, the Security Coordinator will ensure that all employees are instructed to maintain a professional attitude at all times.

## **IX. PRE-EXECUTION PROCEDURES**

- A. At least two hours prior to the scheduled execution time, the licensed medical professionals on the Execution Team will do the following:
  1. Place a gurney in the Preparation Room adjoining the Death Chamber.
  2. Prepare the IV equipment including, but not limited to, assembling the tubing, valves, and bleed lines. The IV arrangement will include, but not be limited to, 3-way stopcocks in each IV line and sufficient IV tubing to permit the injection of the lethal chemicals from behind a curtain.
  3. Examine and prepare all other supplies including, but not limited to, the IV start equipment, tape, restraints, cardiac electrodes, and other equipment to be used in the execution process.
  4. Prepare and mix all lethal injection drugs, solutions, and chemicals. The lethal injection drugs, solution and chemicals will be grouped into two separate groups, A & B. Syringes in group A will be used as the primary drugs, solutions and chemicals during the execution process. Group B will be held in reserve to be used if the drugs in Group A are not effective. The syringes will be grouped and contain the following:

### Group A

- a. Prepare four (4) syringes of Pentobarbital containing 1.25 grams each.
- b. Prepare two (2) syringes of Saline Solution containing 1.25 grams each.
- c. Prepare three (3) syringes of Saline Solution containing 20 ml each.

### Group B

- c. Prepare four (4) syringes of Pentobarbital containing 1.25 grams each.
- d. Prepare eight (2) syringes of Saline Solution containing 1.25 grams each.
- e. Prepare three (3) syringes of Saline Solution containing 20 ml each.

5. Place two cardiac monitors in the Observation Room, plug in both electrical cords, turn both monitors on, select lead II on both monitors, turn both monitors off, and place a new roll of EKG paper in each monitor. Place any other monitoring equipment in the Observation Room and test it to ensure it is properly functioning.
  6. Check and verify that there is sufficient lighting in the Death Chamber, the Observation Room, and the Preparation Room.
- B. At least one hour prior to the scheduled execution time, the condemned prisoner will be instructed to prepare for his scheduled execution by removing all clothing with the exception of his or her undergarments and socks. After such preparation, the condemned prisoner will be escorted by correctional staff to the Preparation Room where he will be placed on a gurney equipped with side rails and an IV pole.
- C. When the condemned prisoner has been placed on the gurney, the licensed medical professionals on the Execution Team will do the following:
1. Elevate the head of the gurney to a comfortable position (approximately 45 degrees) and place an incontinence brief on the condemned prisoner.
  2. Secure both arms and both legs of the condemned prisoner to the gurney with leather cuffs. Place canvas straps and adhesive across the condemned prisoner's torso to insure immobility.
  3. Place gauze rolls into each of the condemned prisoner's hands and tape each hand closed over the rolls to prevent the condemned prisoner from moving his hands or attempting to remove any inserted or attached device.
  4. Attach five cardiac monitoring electrodes on the chest of the condemned prisoner and connect them to the cardiac cable.
  5. Affix a stethoscope head with tubing to the condemned prisoner's chest.
  6. Insert two IV catheters into selected veins on the condemned prisoner's body and connect them to the IV lines already assembled.
  7. Affix a third IV line, not connected to the inmate that will go to a collection bag that has been attached to the gurney.
  8. Start a saline solution drip into the IV lines at a keep-veins-open (KVO) rate.
  9. Place a sheet over the condemned prisoner and secure it so that only the condemned prisoner's head and arms are exposed.

- D. The Warden will ask the condemned prisoner if he wishes to make any statements, comments, or final words. The condemned prisoner will be informed that the comments will be recorded and will be released to the public after transcription. After the scheduled execution is completed, the Warden or designee will review the transcribed statement and forward it to the Public Information Officer for release to the media.
- E. The Warden or designee will read the Judgment of the Court sentencing the condemned prisoner to death.
- F. The Chaplain will enter the Preparation Room and remain with the condemned prisoner until orders are given to move the condemned prisoner into the Death Chamber.
- G. Upon the order of the Warden, two members on the Execution Team will do the following:
  - 1. Move the gurney into the Death Chamber so that the condemned prisoner faces the Observation Room and his or her left arm is adjacent to the opening in the privacy curtain.
  - 2. Lock the gurney into position and pull the privacy curtain so that only the condemned prisoner will be visible to the witnesses in the Witness Room.
  - 3. Place the cardiac cable, stethoscope, tubing, and IV tubing through the opening in the privacy curtain.
- H. Upon the order of the Warden, the licensed medical professional members of the Execution Team will do the following:
  - 1. Attach the cardiac cable to the cable leading to the cardiac monitor in the Observation Room.
  - 2. Turn on the cardiac monitor in the Observation Room and insure it is on Lead II.
  - 3. Attach the stethoscope tubing to the stethoscope earpieces.
  - 4. Prepare the IV tubing and 3-way stopcock for the attachment of the syringes which will contain the lethal injection drugs.
- I. Upon the order of the Warden, the Execution Team Members designated by the Warden will enter the Death Chamber and remain in place behind the privacy curtain.



The Warden or designee will advise the Official Witnesses that the scheduled execution is about to begin. The Warden or designee will return to the Death Chamber to make one final call to the Secretary to learn of any changes to the execution schedule, other developments, or other instructions. The Warden will order the scheduled execution to begin.

## **X. EXECUTION PROTOCOL APPROVED**

Chapter 15, Article 19, of the North Carolina General Statutes prescribes the manner and procedures through which the sentence of death shall be carried out through lethal injection by the State of North Carolina acting through the Division of Adult Correction of the Department of Public Safety and the Warden of Central Prison. Article 19 vests the Warden of Central Prison with direct responsibility for providing necessary drugs, appliances and qualified personnel to carry out the sentence of death in accordance with law and the Execution Protocol approved by the Secretary of Public Safety. The following Execution Protocol has therefore been developed by the Warden of Central Prison and approved by the Secretary of Public Safety.

### **A. Lethal Injection**

Death by lethal injection is caused by the administration of a lethal quantity of a short-acting barbiturate, such as Pentobarbital. A prescribed quantity of this drug will be injected into the veins of a condemned prisoner.

The lethal injection protocol ordinarily involves the successive, simultaneous slow intravenous administration of lethal chemicals and non-lethal saline solution into the body of a condemned prisoner through two IV lines by means of a series of three sets of three injections. The primary lethal injection protocol is composed of the following steps:

1. The first set of injections from Group A will consist of a short-acting barbiturate, such as a dose of not less than 2.5 grams total of Pentobarbital and 1.25 total grams of Saline Solution. This set of injections should quickly render the condemned prisoner unconscious.
2. The second set of injections from Group A will consist of the same short-acting barbiturate. The dose will not be less than 2.5 grams total of Pentobarbital and 1.25 total grams of Saline Solution.
3. The fifth set of injections from Group A will consist of a total of 60 milliliters of Saline Solution. This set of injections will be used to flush the equipment using during the injection procedures.
4. After the final set of injections from Group A is completed the medical staff

assigned to monitor the condemned prisoner's heart rate will monitor the EKG to determine when the electrical activity of the condemned prisoner's heart has ceased to be active. A Licensed Physician will monitor the condemned prisoner's essential body functions and will be present to pronounce the death of the condemned prisoner.

In the event that the first set of injections does not have a lethal effect, the medical staff assigned to the Execution Team will notify the Warden of the situation. After review, the Warden can determine to proceed with a second set of injections prepared and marked as "Group B." The secondary lethal injection protocol consists of the following steps:

5. The first set of injections from Group B will consist of a short-acting barbiturate, such as a dose of not less than 2.5 grams total of Pentobarbital and 1.25 total grams of Saline Solution.
6. The second set of injections from Group B will consist of the same short-acting barbiturate. The dose will not be less than 2.5 grams total of Pentobarbital and 1.25 total grams of Saline Solution.
7. The third set of injections from Group B will consist of a total of 60 milliliters of Saline Solution. This set of injections will be used to flush the equipment using during the injection procedures.

#### B. Appliances

The Warden will acquire, from reputable manufacturers or suppliers, all appliances, equipment and other supplies as are required to carry out the administration of lethal drugs as described above. Such appliances, equipment and supplies shall include, at a minimum, the syringes, intravenous tubes and related materials ordinarily used by medical personnel to administer intravenous fluids to human patients. The Warden will also acquire and maintain such monitors or other equipment as shall be considered necessary to review human vital signs and functions such as including cardiac activity, electrical activity in the brain, and respiration. The Warden will insure that there are back-up monitors in place during the scheduled execution. The Warden will also be responsible for acquiring such other appliances, equipment, supplies or materials as medical personnel shall recommend for the purpose of ensuring that the sentence of death is carried out without exposing the condemned prisoner to a substantial risk of serious harm, pain or suffering and in accordance with constitutional requirements.

#### C. Personnel

The Warden shall ensure that the lethal injection procedure is administered by

personnel who are qualified to set up and prepare the injections described above, administer the pre-injections, insert the IV catheter, and to perform other tasks required for this procedure in accordance with the requirements of Chapter 15, Article 19 and this Execution Protocol. Licensed Physicians, physician assistants, advanced degree nurses, registered nurses, and emergency medical technician-paramedics, who are licensed or certified by their respective licensing boards and organizations, shall be deemed qualified to participate in the execution procedure. As required by Chapter 15, Article 19, a licensed medical doctor shall be present at each execution. The doctor shall monitor the essential body functions of the condemned prisoner and shall notify the Warden immediately upon his or her determination that the condemned prisoner shows signs of undue pain or suffering. The Warden will then stop the execution.

It is the intent of this Execution Protocol to carry out the sentence of death as required by the North Carolina General Statutes in accordance with all constitutional requirements as determined by the courts of North Carolina and the United States.

## **XI. POST-EXECUTION PROCEDURES**

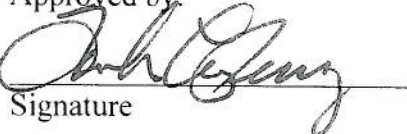
- A. After a five minute period where the condemned prisoner shows or exhibits no life signs, the Warden will request the licensed physician to examine the condemned prisoner and declare him or her dead.
- B. After the condemned prisoner is declared dead by the licensed physician, the Official Witnesses will be escorted to the Warden's Conference Room where they will be required to sign the Official Witness Registry. Media witnesses will not be required to sign the Official Witness Registry and will be escorted to the Visitors' Center where they will brief other media representatives. Any witnesses approved by the condemned prisoner will be escorted to the Visitors' Center. All other persons will be required to leave the Death Watch Area except for those who will disconnect the equipment and remove the body.
- C. After the Witness Room is emptied, all equipment will be disconnected and the body will be removed from the Death Watch Area and taken to the Receiving Area for transport to the Office of the Chief Medical Examiner in Chapel Hill.

## **XII. DISPOSITION OF THE BODY AND CERTIFICATION OF DEATH**

- A. Disposition of the Body
  1. After the scheduled execution is completed, the body will be transported to the Office of the Chief Medical Examiner in Chapel Hill. The Chief Medical Examiner or designee should prepare and sign the Certificate of Death.

**XIII. POST-EXECUTION ADMINISTRATIVE DUTIES**

- A. Immediately after the completion of an execution, the Warden will hold a post-execution debrief with the Execution Team Members to review how the execution was carried out.
- B. The names of the Official Witnesses will be listed in the Official Witness Registry.
- C. On the next business day after a condemned prisoner has been pronounced dead, the Warden and the licensed physician will certify to the Clerk of Court of the county in which the sentence was pronounced that the execution has been carried out in accordance with the Court's mandate.

Approved by:  
  
Signature

10/24/13  
Date