



STATE OF OKLAHOMA
OKLAHOMA DEPARTMENT OF CORRECTIONS

May 1, 2014

The Honorable Mary Fallin
Governor, State of Oklahoma
Room 212, State Capitol
Oklahoma City, OK 73105

Dear Governor Fallin:

On April 29, 2014, the Oklahoma Department of Corrections carried out the legal execution of offender Clayton D. Lockett #206409. The information provided below is a timeline of events leading up to offender Lockett's death.

- | | |
|------------|---|
| 0506 hours | The Correctional Emergency Response Team (CERT) arrives at offender Lockett's cell to escort to medical for x-rays as part of the execution protocol. Lockett refused orders to be restrained. |
| 0509 | CERT team exits unit in preparation for cell entry. |
| 0550 | CERT team and medical personnel on unit to conduct planned use of force. After giving a verbal order to be restrained, offender Lockett refused, and an electronic shock device (Taser) was administered. |
| 0553 | Offender Lockett was taken to H Unit medical room where it was found he had a self-inflicted laceration to his right arm. Treatment was administered. Offender Lockett was then transported by vehicle to the medical facility, Intermediate Health Care Center (IHCC), at Oklahoma State Penitentiary. |
| 0635 | Offender Lockett arrives at IHCC for treatment of self-inflicted injuries which were observed during the cell extraction at 0550 hours. |
| 0645 | Offender Lockett was moved to an observation cell in IHCC. Medical personnel examined offender Lockett's self-inflicted wounds. Three officers were assigned for continuous observation until 1719 hours. |
| 0700-0815 | Offender Lockett was checked by the cell watch team, accompanied by medical personnel, every 15 minutes. |
| 0815 | Physician Assistant examined offender Lockett and determined that sutures were not needed. |

0840 Offender Lockett was returned to an observation cell in IHCC.

0850-0935 Offender Lockett was checked by the cell watch team every 15 minutes.

0915 (approx.) Offender Lockett refused visits from his attorneys.

0942 Offender Lockett was offered a food tray and refused the food tray.

0955-1045 Cell watch team checked offender Lockett every 15 minutes.

1025 (approx.) Offender Lockett confirmed his refusal to visit with his attorneys.

1111 Offender Lockett was offered a food tray and refused the food tray.

1135-1450 Cell watch team checked offender Lockett every 15 minutes.

1510-1555 Cell watch team checked offender Lockett every 15 minutes.

1610-1640 Restraint team escorts offender Lockett from IHCC to H-unit SW shower (final holding cell prior to execution).

1655-1710 Offender Lockett visits with mental health personnel.

1719 Offender Lockett was escorted from SW shower to the execution chamber by Warden Trammell and the restraint team.

1722 Offender Lockett was placed and restrained on the execution table.

1727-1818 Phlebotomist enters execution chamber to determine appropriate placement for IV. The Phlebotomist examined offender Lockett's left and right arms, left and right legs, and both feet to locate a viable insertion point. No viable point of entry was located. The doctor then examined the offender's neck and then went to the groin area.

1818 The IV insertion process is complete. Insertion point was covered with a sheet to prevent witness viewing of the groin area.

1820 Phlebotomist exits execution chamber.

1823 Warden Trammell receives approval to proceed with the execution from Director Patton. Shades in execution chamber are raised. Offender Lockett was given the opportunity to make a final statement and declined. Warden Trammell begins the execution. Midazolam is administered intravenously.

1830 Doctor checked Offender Lockett for consciousness; offender was still conscious.

1833	Doctor checked Offender Lockett for consciousness; offender was unconscious. Vecuronium bromide is administered intravenously. Potassium chloride is administered intravenously.
1842	Shades lowered; Phlebotomist and doctor check IV.
1844-1856	The doctor checked the IV and reported the blood vein had collapsed, and the drugs had either absorbed into tissue, leaked out or both. The warden immediately contacted the director by phone and reported the information to the director. The director asked the following question, "Have enough drugs been administered to cause death?" The doctor responded, "No." The director asked, "Is another vein available, and if so, are there enough drugs remaining?" The doctor responded, "No" to both questions. The director requested clarification as to whether enough drugs had been administered to cause death. The doctor responded, "No." The director asked the condition of the offender, the warden responded the doctor was checking the offender's heart beat and found a faint heart beat and the offender was unconscious.
1856	Director calls off execution under the authority granted by the governor.
1906 hours	Doctor pronounced Offender Lockett deceased.

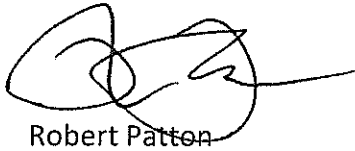
Based on my review of these events, I recommend the following actions:

- **Conduct a complete review/revision to the execution protocols.** The current protocol puts all responsibility and decision-making on the warden at the Oklahoma State Penitentiary. Those decisions should rest on upper management and ultimately on the Director of Corrections. As written, the current protocol does not require the director's review or approval prior to implementation. I intend to explore best practices from other states and ensure the Oklahoma protocol adopts proven standards.
- **Request an indefinite stay of execution.** It will take several days or possibly a few weeks to refine the new protocols. Once written, staff will require extensive training and understanding of new protocols before an execution can be scheduled. I recommend asking the Court of Criminal Appeals to issue an indefinite stay of execution.
- **Investigation of circumstances surrounding the execution.** I fully support an external investigation into the circumstances of offender Lockett's execution. While I have complete confidence in the abilities and integrity of my Inspector General and his staff, I

believe the report will be perceived as more credible if conducted by an external entity. I will ensure the investigating agency receives full cooperation and disclosure of all information.

If additional information or direction is needed, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to be "Robert Patton", written over a circular stamp or seal.

Robert Patton
Director