

TMF 01/01.00 GENERAL PROVISIONS

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TMF 01/01.00 GENERAL PROVISIONS

TMF 01/01.01 Purpose of Technical Manual

- A. The purpose of this Technical Manual is to provide the Department's policies, procedures and post orders for planning and carrying out the sentence for the execution of a person convicted of a capital offense.
- B. This chapter shall include policies and procedures related to:
 - 1. planning and preparation;
 - 2. execution of the sentence;
 - 3. post-execution requirements and process;
 - 4. security and control;
 - 5. witnesses and official visitors
 - 6. news media access limitations and briefing;
 - 7. delays, stays, and commutations;
 - 8. support services functions;
 - 9. briefing and training; and
 - 10. documentation, review and audit.
- C. Post orders are included for the staff and others involved in the execution planning, implementation, documentation and review.

TMF 01/01.02 Cross Reference

- A. Department Policies and Procedures Manuals

AGr05 Media Relations
FDr14 Inmate Property

- B. Other Authority

UCA 77-19-6 Judgement of death-Warrant-
 Delivery of warrant-
 Determination of execution
 time.

UCA 77-19-10	Judgement of death-Location and procedures for execution.
UCA 77-19-11	Who may be present- Photographic and recording equipment.
UCA 77-19-12	Return upon death warrant.
UCA 26-4-6	Investigation of deaths by county attorney-Requests for autopsies.
UCA 26-4-7	Deaths over which medical examiner has jurisdiction.
BPPPM 3.12	Commutation Hearings for Death Penalty Cases

TMF 01/01.03 Policy

It is the policy of the Department that:

- A. execution of persons sentenced to death under Utah law by a court of competent authority and jurisdiction be carried out in the legally prescribed manner;
- B. the Department shall make every effort in the planning and preparation of the execution event to ensure that the execution process:
 1. adheres to the intent of the law;
 2. is handled in a manner which minimizes negative impact on the safety, security and operational integrity of the prison;
 3. accommodates the need for public access to information concerning the event;
 4. reasonably addresses the privacy interests of those persons for whom the law, Department policy or commonly-held principles of decency require such privacy;
 5. provides sufficient staffing to ensure that unplanned problems can be accommodated and overcome;
 6. prepares for stays of execution, commutations and other delays in the execution count-down;
 7. provides an opportunity for interested persons to exercise their First

Amendment rights to demonstrate opposition against capital punishment in a lawful manner;

8. ensures a firm and adequate response to unlawful civil disobedience, trespass, or other violations of the law by persons attempting to disrupt, prevent or otherwise frustrate the lawful process associated with the execution; and
9. anticipates and provides for sufficient support needs for the execution and the prison as a whole;

C. the Department shall arrest and encourage the prosecution of persons, including but not limited to, those who:

1. violate 77-19-11 UCA prohibitions against filming, taping, sketching, broadcasting or otherwise electronically documenting the death of the condemned;
2. trespass or otherwise enter upon prison property without proper permission and clearance from the Department;
3. participate in unlawful demonstrations;
4. unlawfully attempt to or disrupt, prevent or otherwise interfere with the execution;
5. being inmates, are involved in disruptive, assaultive or other proscribed behavior; or
6. unlawfully threaten, intimidate or terrorize persons involved in the execution process;

D. staff involved in the execution make every effort within the requirements and limits of these policies and procedures and the laws of the State of Utah to:

1. minimize the anxiety and negative impact of the execution on the victim's and inmate's family and friends witnessing the execution;

2. display appropriate levels of professionalism, restraint, and courtesy in interaction with witnesses, demonstrators, news media, and other non-staff persons during the execution process; and

3. not permit interactions, emotion or intimidation to prevent their proper handling of missions and duties;

E. the Department review the adequacy and/or the performance of:

1. the policies and procedures employed;

2. the Department staff members involved in the execution;

3. members of allied agencies assisting with the execution; and

4. statutes and other authority impacting the execution; and

F. the evaluation of each execution event be used to improve operational procedures for the future.

TMF 01/01.04 Definitions

allied agency refers to another criminal justice agency

Attorney General's Office staff at the Attorney General's Office or any designated contract attorney approved to carry out the responsibilities described in this technical manual

attorney of record the condemned inmate's attorney and other assisting legal personnel

broadcast media

refers to radio and television media

civilians

any person not a member of the Department, allied law enforcement agency, nor mutual aid agencies

Command Post Director

the member who is assigned to supervise the command post functions and activities

commutation

the change from a greater to a lesser punishment after conviction

drug injection box

box or boxes each of which shall contain one complete set-up for lethal injection; with or without drugs

execution building

refers to the area containing the execution chamber

execution chamber

the immediate enclosed areas containing the condemned at the moment of execution

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mutual aid	agencies or personnel that provide medical, fire suppression, and other support services to the Draper site
news magazines	magazines having a national circulation being sold by news stands to the general public and by mail circulation
news media	collectively refers to those involved with news gathering for newspapers, news magazines, radio, television or news services
news media members	persons over the age of eighteen who are primarily employed in the business of gathering or reporting news for newspapers, news magazines, national or international news services or radio or television stations licensed by the Federal Communications Commission
newspaper	for purposes of this chapter, the publication:

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1. circulates among the **Public** general public;
2. publishes legal notices in the community in which it is located or the area to which it distributes; and
3. contains items of general interest to the public such as political, commercial, religious or social affairs

pardon	an act of grace by an appropriate authority exempting a person from punishment for a crime
press	refers to the print media; also see "news media", generally
reprieve	the temporary suspension of the execution
respite	see "reprieve"
security curtains	the curtains which cover the viewing room windows in the execution chamber
Warden	warden assigned to the Draper site
witness viewing	the areas from which the

area

execution is viewed by
government witnesses, inmate's
witnesses and news media **Public**
witnesses

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TMF 01/02.00 PRE-EXECUTION CHECKLIST

TMF 01/02.01	General Provisions
TMF 01/02.02	Prior to Receiving Death Warrant
TMF 01/02.03	Receipt of Death Warrant to Thirty Days Prior to Execution
TMF 01/02.04	Twenty-Nine to Fourteen Days Prior to the Execution
TMF 01/02.05	Thirteen to Seven Days Prior to Execution
TMF 01/02.06	Six to Three Days Prior to Execution
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TMF 01/02.00 PRE-EXECUTION CHECKLIST

TMF 01/02.01 General Provisions

A. Purpose of Chapter

1. The purpose of this chapter is to provide a checklist of procedures and events which should occur between the issuing of the death warrant and 24 hours prior to the execution.
2. Full detail will not be provided for each procedure or event in this chapter. For detail, reference will be made to Chapter TMF 01/05 and other chapters where such detail may be found.
3. This chapter will be divided to cover the following time periods:
 - a. prior to the death warrant being issued;
 - b. issuing of death warrant to 30 days prior to the execution;
 - c. 14 to 29 days prior to the execution;
 - d. 7 to 13 days prior to the execution;
 - e. 3 to 6 days prior to the execution; and
 - f.

B. Policy

1. It is the policy of the Department that the count-down to the execution be completed in a systematic manner to ensure that all procedures and events which are necessary in the preparation of the execution are completed in a timely manner.

2. This count-down, though offering flexible application, should be observed and followed as written unless deviation or adjustment is required for carrying out the execution.
3. The Executive Director/designee may direct deviation from or adjustment to the policies and procedures in this manual at any time when necessary for the good of the Department's mission in carrying out the execution. Approval for the changes shall be documented in writing.

TMF 01/02.02 Prior to Receiving Death Warrant

A. Execution Planning Team

When it appears an execution is imminent, prior to the issuing of the death warrant, the Warden shall select an Execution Planning Team. The Team may include:

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.
- 11.

B. Involve Additional Planning Assistance

Other persons who may be invited to attend on a meeting-by-meeting basis, include:

1. a representative or representatives from the Attorney General's Office;
2. a representative from the office of the County Attorney which prosecuted the condemned;
3. a representative from the Board of Pardons and Parole;
4. representatives from the law enforcement agencies which investigated the case involving the condemned;
5. representatives from law enforcement and other allied agencies who may be asked to assist with various aspects of the execution; and
6. any other persons deemed necessary or appropriate by the Executive Director/designee, DIO Director or Warden.

C. Develop Assignments

When it is reasonable to believe a death warrant will be issued in the near future, the Execution Planning Team and those additional persons deemed appropriate shall meet to:

1. review the Execution Plan (TMF 01);
2. make assignments for the pending execution;
3. develop a schedule of events;
4. assign responsibilities related to revision of the Execution Plan, if needed; and
5. take any other steps necessary to prepare for the issuance of the

deathwarrant and begin the execution **Public**
count down.

D. Identify Possible Execution Dates

1. The Execution Planning Team shall review the Department's schedule of events and identify favorable and unfavorable dates within the period of time in which the execution may be ordered.
2. Information concerning the Department's requests/concerns related to scheduling shall be communicated to the Attorney General's Office to be communicated to the sentencing court.

TMF 01/02.03

Receipt of Death Warrant to Thirty Days Prior to Execution

Upon receipt of a death warrant from a competent court, the following procedures shall be initiated and should be completed at least 30 days prior to execution.

A. Receipt of Death Warrant

1. Upon receipt of the death warrant and as soon as practical thereafter, a meeting of the Execution Planning Team shall be scheduled by the Warden.
2. The Execution Planning Team shall then coordinate the implementation of the procedures set forth in this technical manual under the direction of the Warden.

B. Time and Place of Execution

1. Date

The date for the execution shall be that day set by the sentencing judge.

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2. Time

"The Department of Corrections shall determine the hour, within the appointed day, at which the judgment is executed."
77-19-6(3)

3. Location

C. Condemned Inmate's Choice of Witnesses

1. The condemned inmate shall be informed that he may designate religious representatives, friends, or relatives not exceeding a total of five in number to witness the execution. 77-19-11 (2) (d) UCA

2. Refer to TMF 01/07.

D. Disposition of Personal Property

1. The inmate shall be contacted for instructions concerning the disposition of his personal property.

2. Refer to TMF 01/05.06.

E. Disposition of Funds in Inmate's Account

1. The condemned shall be contacted for instructions concerning the disposition of the funds in any accounts controlled or administered by the prison or Department.

2. Refer to TMF 01/05.06 and TMF 01/05.07.

F. Organ Donation

Organ donation is not an option for condemned inmates.

G. Disposition of Body

Public

1. The condemned shall be asked for instructions concerning the disposition of his remains following the execution.

2. Refer to TMF 01/05.08.

H. Designate Persons Required to Assist with Execution

1. Those persons necessary to carry out the execution shall be identified.

a. The Executive Director/designee, DIO Director or Warden shall be responsible for identifying, selecting and obtaining the services of the executioners. See TMF 01/05.03 and TMF 01/05.04.

b. The Public Affairs Director shall be responsible for coordinating the notification of the news media and selection of individual news media witnesses. See TMF 01.08.02.

c. The Warden shall be responsible for designating those persons necessary to carry out and support the execution.

2. Redundancy in assignment may be developed for all vital or important positions. The Warden, DIO Director, and Executive Director/designee shall determine which positions require back-up and shall ensure adequate coverage is provided.

3. "Compensation for members of a firing squad or persons administering intravenous injections shall be in an amount determined by the director of the Division of Finance." 77-19-10 (4) UCA

a. The Department shall negotiate with the executioners and Division of Finance the fee to be paid to the executioners.

b.

c.

I. Other Approved Witnesses

The Executive Director/designee shall designate other approved witnesses as outlined in TMF 01/07.03.

J. Contact with State Medical Examiner

1. Contact shall be made with the State Medical Examiner to coordinate the Medical Examiner's role.
2. The Medical Examiner shall be requested to provide direction concerning:
 - a. transfer of custody of the executed inmate from the Warden to the Medical Examiner;
 - b.
- c.
3. Refer to TMF 01/04.

K. Support Services

1. The Support Services Deputy Warden coordinates the functions of Support Services Section Personnel.
2. Support Services units shall include, but not be limited to:

a. the Food Services Unit (See TMF 01/05.19); and

b. the Maintenance Unit (See TMF 01/05.18).

L. The Correctional Medical Administrator coordinates functions of the Medical Unit personnel. (See TMF 01/05.18)

M. Brief Prison Administrators

1. It is necessary to maintain as nearly as possible a normal prison operation during the execution and the activities preceding and following the execution.
2. Prison administrators should be briefed as appropriate on plans for the execution, restrictions on access, crowd control, additional security procedures, etc., on an on-going basis.
3. Briefings should begin as soon as plans begin to evolve which will effect the general prison operation, and should continue until the operation returns to normal.

TMF 01/02.04 Twenty-Nine to Fourteen Days Prior to the Execution

A. Witnesses

1. The Executive Director/designee shall develop a final list of witnesses consistent with the requirements of 77-19-11 (2) and (3) UCA.
2. Any changes to the Government witness list shall be approved by the Executive Director.
3. Each witness shall be required to sign an agreement prior to being cleared and added to the witness list.

4. The Executive Director may make additions to the witness list when **Public** necessary.

5. Refer to TMF 01/05.05.

B. News Media

1. Witness requests shall be received and processed by the Public Affairs Office in accordance with TMF 01/08.02.

2. Alternate coverage/accommodations for members of the press selected to be present at alternate site shall be handled consistent with TMF 01/08.03.

C. Inmate Property and Accounts

1. Finalize arrangements for disposition of the condemned inmate's property and accounts 14 days prior to execution.

2. Refer to TMF 01/05.06 and TMF 01/05.07.

D. Disposition of Body

1. Finalize, if possible, decision concerning disposition of the body.

2. Refer to TMF 01/05.08.

E. Selection of Executioners

1. Finalize the selection of executioners and their back-ups.

2. Refer to TMF 01/05.03 and TMF 01/05.04.

F. Medical/Medical Examiner

1. Finalize arrangements for a physician consistent with 77-19-10UCA.

2.

3. Refer to TMF 01/05.08.

G. Practices and Rehearsals

1. Initiate practice sessions for persons involved in the various parts of the execution event.
2. Not all of the persons involved will practice together. Individual teams will practice as units, with inter-team practices scheduled, as necessary.

TMF 01/02.05 Thirteen to Seven to Days Prior to Execution

A. Inmate Property/Accounts

All paperwork on disposition of property and accounts should be completed at least seven days prior to the execution.

B. Disposition of Body

All paperwork should be completed at least seven days prior to the execution.

C. Food Services

1. At least seven days prior to execution, contact the condemned inmate to arrange last meal. TMF 01/05.18.
2. Determine with the Warden, Draper Site Security Deputy Warden, and Public Affairs Director what beverage and food service will be needed at the various locations where staff will be working.

D. Purchase of Substances to Be Used in Lethal Injection

1. Purchase substances to be used in the execution.
2. Refer to TMF 01/05.11.

E. Support Services

Finalize all arrangements involving the Support Services assistance with the Support Services Director.

F. Finalize all arrangements involving the Medical Section assistance with the Correctional Medical Administrator.

G. Allied Agencies

Finalize arrangements with allied agencies assisting with the execution.

TMF 01/02.06 Six to Three Days Prior to Execution

A. Witnesses

1. All witness agreements should be signed.
 - a. Copies shall be provided to the:
 - (1) Command Post Director; and
 - (2) Auditor-in-Charge.
 - b. Persons refusing to sign agreements shall not be permitted to attend.
2. Exceptions to the time requirements will permit delayed signing of agreements for witnesses coming in from out-of-state.

B. Brief Allied Agencies

1. Members of allied agencies who have not participated in practice sessions or have not otherwise been briefed previously, shall be briefed and their post or responsibilities explained.
2. Briefings will include a detailed review of the individual's post order.

C. Inmate Property and Accounts

1. Complete all unfinished paperwork and arrangements.
2. If the condemned fails to cooperate in these arrangements, he shall be notified

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that the property and money will be **Public** disposed of according to state law, and Department policy.

D. Executioners

The Warden shall:

1.

2. ensure completion of all arrangements necessary for security of executioners and protection of their identities.

E. Equipment Check/Inventory

1.

2. Refer to TMF 01/05.10 (Firing Squad) and 01/10.09 (Lethal Injection).

TMF 01/02.07

A. Observation Period

1.

2.

3. Refer to TMF 01/05.12.

B. Meeting of Execution Planning Team

The Team shall meet to examine preparation for the execution. The checklists shall be reviewed and immediate assignments made to bring all items current with the schedule of events.

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Refer to TMF 01/02 pre-execution checklist

Refer to TMF 01/03 execution checklist

Refer to TMF 01/04 post execution procedure

C. Review of Procedures

Conduct final review of procedures.

D. Arrangements for Pickup of Executioners

1.

2.

E. Food Services

1. Verify last meal preparation.

2. Verify beverage/food preparations for working teams.

F. Communications

1. Verify installation of and test communications equipment for:

a.

b.

c. Information Center.

2. Refer to TMF 01/05.10.

G. Contact Support Agencies

1. Contact:

a. the Attorney General's Office;

b. the State Medical Examiner's Office;

- c. allied law enforcement agencies; and
- d. the Governor's Office.

2. Verify that each agency fully understands its role and is prepared to complete tasks.

H. Equipment Check

1. Complete pre-execution inventory and equipment check.
2. All systems should be tested.

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TMF 01/03.00 EXECUTION CHECKLIST
TMF 01/03.01 General Provisions
TMF 01/03.02
TMF 01/03.03
TMF 01/03.04
TMF 01/03.05
TMF 01/03.06

TMF 01/03.00 EXECUTION CHECKLIST

TMF 01/03.01 General Provisions

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A. Purpose of Chapter

1. The purpose of this chapter is to provide a checklist of procedures and events which should occur

2. Full detail will not be provided for each procedure or event in this chapter. For detail, reference will be made to Chapter TMF 01/05 and other chapters where such detail may be found.

B. Policy

1. It is the policy of the Department that the count-down to the execution be completed in a systematic manner to ensure that all procedures and events which are necessary to carry out the execution are completed in a carefully coordinated manner.

2. The execution shall be carried out in a manner consistent with state law.

TMF 01/03.02

A.

1.

2.

3. Refer to TMF 01/05.12.

B.

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1.

2. Refer to TMF 01/05.12.

C. Inmate Communication

1.

2.

3.

4. Refer to TMF 01/05.12.

D. Food Services

1. The Warden/designee shall contact the condemned to make arrangements for the final three meals.

2. The final meal shall be served.

3. Refer to TMF 01/05.18.

E.

1.

a.

b.

c.

d.

2. Refer to TMF 01/03.03 and TMF 01/05.08.

F. Equipment Check

1.

2. Refer to TMF 01/05.10 and TMF 01/05.11.

TMF 01/03.03

A. Final Briefing

1.

2. The final briefing shall be attended by the Executive Director/designee, DIO Director, Warden, special teams and other persons specified by the Executive Director or Warden. The Warden shall conduct the meeting, with the Executive Director/designee and DIO Director providing policy decisions, as needed.

3. During the briefing, participants shall:

a. identify problems, develop solutions and specify time lines and approve modified policy changes;

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- b. provide status reports;
- c. coordinate support services involvement; and
- d. conduct final review of count down procedures.

B. Food Services

- 1. The condemned shall be fed at specified times

2.

3. Refer to TMF 01/05.18

C. Visits

1.

2.

D. Restricting Access to Prison Property

1.

a.

b.

c.

d.

e.

2.

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a.

b.

3.

E.

1.

2.

3.

4.

TMF 01/03.04

A.

1.

a.

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b.

c.

2.

a.

b.

c.

3.

a.

b.

c.

4.

a.

b.

B.

1.

2.

TMF 01/03.05

A. Pre-Execution Procedures

1. The Warden shall ensure that all count-down procedures for all required activities and actions are completed.
2. Immediate action to complete any unfinished required procedures shall be initiated.

B. Execution Site Teams Assemble

- 1.
2. The Tie-Down Teams and their back-ups will be positioned to await escort of the condemned to the execution chamber.

C. Contact with the Attorney General's Office

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1.

a.

b.

(2)

2.

3.

a.

b.

4.

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TMF 01/03.06

A. Communications with Attorney General's Office

Refer to TMF 01/03.05.C, above.

B. Final Sequence of Events: Preparation

1. Bringing Condemned Inmate to Execution Chamber

The condemned inmate shall be:

a. removed from the observation cell by the Tie-Down Team;

b. dressed in a clean jump suit (the color of the jump suit will be at the discretion of the Warden);

c.

d. escorted to the execution chamber.

2. Tie-Down Procedures

the condemned shall be tied down as explained in TMF 01/05.13 (lethal injection) or TMF 01/05.14 (firing squad).

3. Prepare Condemned Inmate for Execution

The condemned shall be readied for execution:

a. if lethal injection, by completing the I.V. set-up procedure (See TMF 01/05.15); or

b. if firing squad, by completing the firing squad set-up procedures (See TMF 01/05.16).

4. Admit Witnesses

- a. Witnesses shall be admitted and escorted to assigned viewing areas.
- b. The government witnesses shall enter first and shall be escorted to the government witness area. The escort shall remain with the witnesses.
- c. Following the government witnesses, the authorized witnesses invited by the condemned, and the victim's witnesses shall be admitted and escorted to the designated witness area.
 - (1) If any of the condemned inmate's invited witnesses, or the victim's witnesses wish to be on-site but not actually witness the execution, accommodations may be made for them.
 - (2) The escort officers shall remain with the condemned inmate's witnesses and the victim's witnesses.
- d. The last witnesses to be admitted shall be the news media representatives.
 - (1) The members of the news media selected to witness the execution shall be escorted to the designated witness room. They shall be separate from the condemned inmate's witnesses and the victim's witnesses. Escort officers shall remain with the news media witnesses and ensure their separation from the other visitors while at the execution site.
 - (2) The two pool photographers shall be escorted to a designated site, away from, and out of sight of, the execution chamber. They shall

be secured inside the designated site until after the execution and until such time that they are allowed to film the cleaned up execution chamber.

C. Final Sequence of Events: Execution

1. Staff Witness

- a. Staff participating in the preparation for the execution shall exit the execution site.
- b. Staff members remaining to participate in and observe the execution shall include the:
 - (1) Executive Director/designee;
 - (2) Executive Director's back-up;
 - (3) DIO Director;
 - (4) Warden;
 - (5) Executioners;
 - (6) Escort Officers; and
 - (7) other staff as designated by the Executive Director/designee, DIO Director, or Warden.

2. Count-Down

- a. At the designated hour mandated for the execution, when everything is ready, the phone communication shall be terminated and the Executive Director/designee shall instruct the Warden to proceed with the execution.
- b. The Warden and DIO Director shall pull open the curtains covering the witness room windows.

c. The Warden shall ask the condemned inmate if he has any last words or wishes to make a statement.

- (1) The statement should not exceed two minutes.
- (2) If the inmate uses foul language, the Warden should immediately proceed with the next step in the execution procedure.
- (3) If the statement exceeds two minutes, the execution shall proceed without waiting for the conclusion of his remarks.
- (4) Audio recording equipment may be used by the Department for the purpose of recording the defendant's last words. The Department shall permanently destroy the recording made under this subsection not later than 24 hours after the completion of the execution.

d.

e. The Executive Director/designee shall instruct the executioners in the case of death by injection, or the firing squad leader in the case of a firing squad execution to proceed with the execution:

- (1) upon receiving the Warden's signal to proceed;
- (2) after verifying the earliest legal execution time has passed; and
- (3) if no instruction to halt has been received from the Attorney General's Office.

- f. Following the instruction from the Executive Director/designee to execute the condemned inmate, the executioners shall immediately proceed with the execution as required in TMF 01/05.15(if by lethal injection) or TMF 01/05.16(if by firing squad).
 - q. If the execution is ordered delayed

the Executive Director shall instruct the executioners to step away from the execution equipment and shall notify them that the execution has been stayed or delayed. The procedures set forth under TMF 01/06 shall then be initiated.

TMF 01/04.00 POST-EXECUTION PROCEDURES

TMF 01/04.01 General Provisions
TMF 01/04.02 Certification of Death
TMF 01/04.03 Removing Witnesses from Execution Chamber
TMF 01/04.04 Removal of Executed Inmate
TMF 01/04.05 Removing Executioners from the Execution Area
TMF 01/04.06 Site Clean-Up
TMF 01/04.07 News Media Re-Entry to Execution Site
TMF 01/04.08 Returning to Standard Operation
TMF 01/04.09 Audit of Execution
TMF 01/04.10 Post-Execution Countdown Schedule

A. Purpose of Chapter

The purpose of this chapter is:

1. to provide the procedures to be followed following the death by execution of the condemned inmate;
2. to identify the responsibilities for tasks to be completed; and
3. to provide for the transfer of the body of the condemned from the custody of the Department.

B. Policy

It is the policy of the Department that:

1. the witnesses to the execution shall be removed from the execution chamber for the news media witnesses who shall be removed to a secondary location until permitted to return for a filming opportunity in the execution chamber;
2. the condemned inmate shall be examined by a licensed physician following the administering of the fatal drugs or the first volley by the firing squad to ensure that death has occurred;
3. the physician, when satisfied that death has occurred, shall certify the condemned inmate dead;
4. following the certification of death, the body of the condemned shall be surrendered to the State Medical Examiner;
5. after removal of the body, the chamber shall be restored and the news media permitted to return to photograph the chamber;

6. after the chamber has been photographed, the news media shall be returned to the designated area to brief the other **Public** assembled members of the news media;

7.

8. the entire execution process will be reviewed and evaluated by the AuditBureau to permit a post-execution examination of the competence, efficiency and effectiveness of the execution procedures and staff (see TMF 01/20).

TMF 01/04.02 Certification of Death

- A. After the drugs have been administered/or the execution completed by firing squad:
 1. the Warden shall wait a maximum of three minutes;
 2. the Warden shall then tell the DIO Director/designee to summon the attending physician to the condemned; and
 3. the physician shall take the condemned's vital signs.
- B. If there are signs of life, the physician shall wait beside the condemned and check the vital signs every 60 seconds until vital signs cease.
- C. If execution is by firing squad, and if after a maximum of ten minutes from the first volley, there are still signs of life, the physician will inform the Warden. The Warden will then initiate the steps in TMF 01/05.16.
- D. When no vital signs are detected, the physician shall certify death in keeping with standard medical practices.

TMF 01/04.03 Removing Witnesses from Execution Chamber

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2. The Medical Examiner, or his designee, may issue the death certificate for **Public** deaths that occur at the prison. (UCA 26-4-7, 26-4-10)

TMF 01/04.05 Removing Executioners from the Execution Area

A.

B.

C.

TMF 01/04.06 Site Clean-Up

A. The injection team shall (if execution was by lethal injection):

1. use universal precautions and protective equipment to protect for blood or other potentially infectious materials;

2.

3.

4.

5.

B. The Tie-Down Team shall be responsible for:

1. using universal precautions and protective equipment to protect against blood and other potentially infectious material; and

- A. After the certification of death by the physician, the curtains shall be closed ~~Public~~ the Warden and DIO Director/designee and the witnesses shall be escorted from the witness viewing rooms
 - 1.
 - 2.
 - 3.
 - 4.
 - 5.
- B. The news media shall be escorted to an alternate location in the execution building until they can be returned for the filming opportunity after the execution chamber has been cleaned up.
- C. The condemned inmate's witnesses, government witnesses, and the victim's witnesses shall be escorted to waiting transportation vehicles
- D.

TMF 01/04.04 Removal of Executed Inmate

- A. After the witnesses have been removed:
 - 1. if the execution is by lethal injection, the IV should be cut by the executioners in order for the catheters to remain in the executed inmate's body; and
 - 2.
- B. The State Medical Examiner/designee shall be escorted into the death chamber
 - 1. The State Medical Examiner has jurisdiction over all deaths that occur at the Utah State Prison. (UCA 26-4-7)

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TMF 01/04.07 News Media Re-Entry to Execution Site

- A. After the site is restored and cleaned, the news media witnesses and pool photographers shall be escorted to the execution site.
- B. The photographers shall be permitted to tape/photograph the site and observation cell (if approved by the Warden) as required in TMF 01/08.
- C.

TMF 01/04.08 Returning to Standard Operation

- A.
- 1.
- 2.

B.

C.

TMF 01/04.09 Review of Execution

Refer to TMF 01/20.

TMF 01/04.10 Post-Execution Countdown Schedule

See Exhibit 04-1 for the proposed schedule for the post-execution period.
(Sample for Lethal Injection)

Execution

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Date

0005 DIRECTOR/DESIGNEE GIVES WARDEN OK TO BEGIN EXECUTION
0005 TO 0006 CURTAINS PULLED
0006 TO 0008 LAST STATEMENT BY CONDEMNED
0008 SIGNAL BY WARDEN TO BEGIN EXECUTION
0023 SIGNAL BY EXECUTIONER THAT DRUGS HAVE BEEN ADMINISTERED
0024 DOCTOR BROUGHT INTO EXECUTION CHAMBER
0027 DOCTOR PRONOUNCES DEATH AND DEATH WARRANT SIGNED
0028 CURTAINS CLOSED
0029
0030
0031
0034 TIE DOWN TEAM/MEDICAL EXAMINER INTO DEATH CHAMBER TO REMOVE
BODY
0036
0037

0038 CLEAN UP CREW INTO DEATH CHAMBER
0039
0040

0040 WARDEN GIVES DIRECTIVE FOR MEDIA TO RETURN TO EXECUTION
CHAMBER
0100 MEDIA RETURNED TO STAGING AREA

Date

0005 DIRECTOR/DESIGNEE GIVES WARDEN OK TO BEGIN EXECUTION
0005 TO 0006 CURTAINS PULLED
0006 TO 0008 LAST STATEMENT BY CONDEMNED
0008 SIGNAL BY DIRECTOR/DESIGNESS TO BEGIN EXECUTION
0011 DOCTOR BROUGHT INTO EXECUTION CHAMBER
0014 DOCTOR PRONOUNCES DEATH AND DEATH WARRANT SIGNED
0015 CURTAINS CLOSED
0017
0018
0019
0021 TIE DOWN TEAM/MEDICAL EXAMINER INTO DEATH CHAMBER TO REMOVE
BODY
0023
0025
0026 CLEAN UP CREW INTO DEATH CHAMBER
0031 WARDEN GIVES DIRECTIVE FOR MEDIA TO RETURN TO EXECUTION
CHAMBER
0050 MEDIA RETURNED TO STAGING AREA

TMF 01/05.00	EXECUTION PROCEDURES
TMF 01/05.01	General Provisions
TMF 01/05.02	Death Warrant
TMF 01/05.03	Selection of Executioners by Lethal Injection
TMF 01/05.04	Selection of Executioners by Firing Squad
TMF 01/05.05	Designation of Persons Required, Permitted or Prohibited from Witnessing the Execution
TMF 01/05.06	Disposition of Condemned Inmate's Property
TMF 01/05.07	Disposition of Money in Inmate Account
TMF 01/05.08	Disposition of the Body of the Condemned
TMF 01/05.09	Equipment Check/Inventory: Lethal Injection
TMF 01/05.10	Equipment Check/Inventory: Firing Squad
TMF 01/05.11	Acquisition and Storage of Drugs for Lethal Injection
TMF 01/05.12	Observation Period and Related Activities
TMF 01/05.13	Tie-Down Procedures: Lethal Injection
TMF 01/05.14	Tie-Down Procedures: Firing Squad
TMF 01/05.15	Execution by Lethal Injection
TMF 01/05.16	Execution by Firing Squad
TMF 01/05.17	Pre-Execution Rehearsals and Practices
TMF 01/05.18	Support Services Functions

TMF 01/05.00 EXECUTION PROCEDURES

TMF 01/05.01 General Provisions

A. Purpose of Chapter

1. This chapter provides the procedures which are used when the Department exercises its statutory responsibility to carry out an execution.
2. The topics include those procedures which are employed:
 - a. immediately prior to receiving the death warrant;
 - b. from receiving the death warrant to and during the execution;
 - c. immediately following the execution; and
 - d. during the debriefing and audit phases of the execution.

B. Policies

1. It is the policy of the Department that the procedures employed in preparing for and carrying out an execution be comprehensive and clearly defined.
2. The procedures shall be developed consistent with state and federal law.

TMF 01/05.02 Death Warrant

A. Judgement of Death

1. When judgment of death is rendered, a warrant signed by the judge and attested by the clerk under the seal of the court, shall be drawn and delivered to the sheriff of the county where the conviction is made. 77-19-6 UCA
2. The Sheriff shall deliver the warrant and a certified copy of the judgment to the UDC Executive Director/designee at

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the time of delivering the defendant to the custody of the Department. 77-19-6
UCA

3. The warrant states the conviction and judgment, the method of execution, and the appointed day the judgement is to be executed. The Department of Corrections shall determine the hour, within the appointed day, at which the judgement is to be executed.

B. Return Upon Death Warrant

1. After the execution, the UDC Executive Director/designee shall make a return upon the death warrant showing the time, place and manner in which it was executed. 77-19-12 UCA
 - a. The "Certificate of Execution":
 - (1) shall be signed by the Warden and the physician; and
 - (2) shall include the full names and official titles of the official witnesses.
 - b. The "Certificate of Execution" shall be submitted for review to the Executive Director/designee.
 - c. Following review by the Executive Director/designee, the "Certificate of Execution" shall be returned to the Warden.
2. The "Certificate of Execution" shall be directed by registered mail to the clerk of the court of the county from which the individual executed was sentenced.
3. A return receipt shall be requested from the recipient.
4. A copy of the certificate shall be placed in the deceased inmate's file.

TMF 01/05.03 Selection of Lethal Injection Execution Team

REVISED 06/10/10

TMF 01/05 - pg. 49

A. Statutory Requirements

1. The Executive Director/designee shall ensure that the method of judgment of death specified in the warrant is carried out at a secure correctional facility operated by the department at an hour determined by the department on the date specified in the warrant. 77-19-10 (1) UCA
2. When the judgment of death is to be carried out by lethal intravenous injection, the executive director of the department or his designee shall select two or more persons trained in accordance with accepted medical practices to administer intravenous injections, who shall each administer a continuous intravenous injection, one of which shall be a lethal quantity of sodium thiopental or other equally or more effective substance sufficient to cause death. 77-19-10 (2) UCA

B. Selection of Execution Team

1. If the judgment of death is to be carried out by intravenous lethal injection, a minimum of two persons, each trained to administer intravenous injections shall be selected for the IV team.

2. Method of Selection

- a. The DIO Director/designee and the Warden of the Utah State Prison, Draper site, shall be members of the execution team by virtue of their official position.
- b. The Executive Director/designee, DIO Director/designee and the

Warden shall select a minimum of four (4) additional members, other than the DIO Director/designee and Warden, for the execution team.

1. Of the four (4) additional members, a minimum of two (2) execution team members will be on the IV team.
2. No member of the execution team, other than the DIO Director/designee and Warden, shall be required to serve as a member of the execution team without consent.
3. The Executive Director/designee, DIO Director/designee, and Warden will designate one execution team member as the execution team leader.
 - a. The execution team leader shall not be the DIO Director/designee or the Warden; and
 - b. The execution team leader shall not be a member of the IV team.
4. The Executive Director/designee, DIO Director/designee, and Warden shall review the qualifications of the IV team members according to requirements outlined in subsection (3)(a through d) and other relevant information as to appropriate training and skills in administering intravenous injections. One IV team member will be designated as the IV team leader.
- c. Following the examination and evaluation of candidates, the Executive Director/designee, DIO Director/designee and Warden, shall

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select the execution team members

- d. All execution team members shall read and understand the execution procedures. The Warden shall conduct a review of the execution procedures annually.

3. IV Team Qualifications

- a. At least two (2) members of the execution team shall be designated as the IV team for an execution by lethal injection.
- b. Each member of the IV team shall be:
 - a:
 - 1. Phlebotomist;
 - 2. Emergency Medical Technician;
 - 3. Paramedic; or
 - 4. Military Corpsman.
- c. Each member of the IV team shall:
 - 1. Have at least one (1) year of professional experience in his specialty;
 - 2. Remain certified in his specialty or profession; and
 - 3. Fulfill all continuing education requirements in his specialty or profession.
- d. Prior to participating in an execution, the members of the IV team shall have participated in at least three (3) complete execution practices.

4. Securing Services

- a. The Warden/designee shall contact those chosen for the execution team to notify them of their selection and verify their willingness and availability to perform the duties of execution by lethal injection.
 1. If any person declines participation, the Executive Director/designee, DIO Director/designee and Warden will select a replacement according to the processes outlined in this section.
 2. If all of the execution team members agree to participate, their individual roles as execution team members shall be explained to them.
- b.

TMF 01/05.04 Selection of Executioners by Firing Squad

A. Statutory Requirements

1. "The Executive Director of Corrections/ designee shall ensure that the method of judgment of death specified in the warrant is carried out at a secure correctional facility operated by the Department of Corrections." 77-19-10(1) UCA
2. "If the judgment of death is to be carried out by firing squad, the Executive Director of Corrections or his designee shall select a five-person firing squad of peace officers." 77-19-10 (3) UCA

B. Selection of Executioners

1. A five-person execution team, plus two alternates and a team leader shall be chosen for the firing squad.
2. The alternate(s) shall be selected to replace any member(s) of the firing squad who are unable to discharge their required functions.
3. Persons selected for the firing squad shall be POST certified peace officers.
4. Selected peace officers will be required to demonstrate proficiency with weapons designated to carry out the execution.
 - a. Under conditions substantially similar to those of the execution chamber, proficiency shall be exhibited by:
 1. Firing each weapon.
 2. At a minimum of 21 feet, accurately hitting the target of the same dimension as that which will be attached to the condemned.
 - b. During the proficiency test, failure to accurately hit the specified target with one round from each weapon fired shall disqualify the officer.
- 5.

C. Method of Selection

1. The Executive Director/designee, DIO Director and Warden shall be responsible for the selection process.

2.

3. The final choice of firing squad members shall be the responsibility of the Executive Director/designee, DIO Director and Warden.
4. The Executive Director/designee, DIO Director/designee and Warden shall review the qualifications of the firing squad, including required proficiency as outlined in section (B4) and other relevant information.

D. Securing Services

1. The Executive Director and/or Warden shall contact those chosen for the firing squad, alternates and team leader to notify them of their selection and to verify their willingness and availability to perform the execution duties.
 - a. If any person rescinds his original offer to participate, the selection team shall meet to select a replacement.
 - b. If all of the selectees agree, their individual roles shall be explained to them.

2.

TMF 01/05.05

Designation of Persons Required, Permitted or Prohibited from Witnessing the Execution

- A. The Utah Code limits and identifies those persons who may attend and witness the execution. (See TMF 01/07.03.)

B. The Warden shall designate the required personnel to carry out the statutory requirements of an execution. Staff should include:

1. Deputy Warden;
2. Observation Officers
3. Tie-down Officers,
4. one Team Foreman for the escort/Tie-Down Team;
5. executioners (reference TMF 01/05.03 & .04);
6. Clean-up Officers (number to be determined by the Warden/designee), assigned to clean up the execution chamber immediately following the execution;
7. Guide Officers (number to be determined by the Warden/designee);
- 8.
- 9.

C. The Warden/designee shall designate the appropriate resources necessary to carry out the requirements of an execution. The designated individuals shall be responsible for:

1. advising the Warden concerning any medical supplies, etc.;
2. the preparation and supervision of meals prepared during the observation period, and for the condemned inmate's last meal;

3. ordering, verifying, picking-up the drugs, equipment, etc., necessary to carry out an execution by lethal injection; and
4. pronouncing the death of the condemned inmate.

TMF 01/05.06

Disposition of Condemned Inmate's PropertyA. Contact with Condemned Inmate

1. At least 30 days prior to the scheduled execution the condemned inmate should be contacted to discuss arrangements for disposing of his property.
2. At least 14 days prior to the execution property-disposition arrangements should be finalized.
3. At least seven days prior to the execution all paperwork required for final disposition should be completed.
4. If the condemned is uncooperative, doesn't wish to make specific property-disposition arrangements, or for any other reason has not made arrangements for disposition, he shall be notified the property will be disposed of as required under 64-13-15 (1) UCA.

B. Options for Disposing of Property

1. Property may be released to an authorized visitor (family, friend or attorney). The release would follow the normal property release procedures.
2. Property may be mailed through the U.S. Postal Service. The prison's Mail Unit shall process the mailing consistent with standard mail procedures. Indigent status does not cover property-release postage.
3. Property may be donated to a charitable organization.

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4. If the condemned fails to designate **Public** property-disposition option:

"if property is not claimed within one year of death...it becomes property of the state and may be used for correctional purposes or donated to a charity within the state." 64-13-15 (1) UCA

C. Release Procedure

1. Following a decision to release the condemned's property, the property shall be:
 - a. inventoried by staff; and
 - b. transferred to the property room.
2. The release will then follow according to the appropriate release procedures. Refer to FDr14, "Inmate Property" and FDr03, "Inmate Mail."

TMF 01/05.07 Disposition of Money in Inmate Account

A. Contact with Condemned Inmate

Follow the time-table for contact with the condemned outlined for property under TMF 01/05.06.

B. Options for Disposing of Inmate Accounts

1. The condemned shall be required to complete a money transfer form releasing the money in his account to his next of kin or other person or organization of his choice.
2. If the condemned refuses or otherwise fails to complete the necessary forms, the funds shall be disposed of consistent with state law.

TMF 01/05.08 Disposition of the Body of the Condemned

A. Release to Medical Examiner

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1. After the executed inmate is pronounced dead, the body shall be released from the restraints and removed from the execution chamber.
2. The body shall be immediately surrendered to the State Medical Examiner/designee.

A. Responsibility

1. The IV team shall conduct a check of equipment and materials necessary to conduct the execution.

2.

B. Inventory

1.

2.

3.

a.

b.

4.

C. Bloodborne Pathogen Precaution

1. As a precaution, all persons who may come in contact with the condemned's body fluids shall be issued rubber

gloves and bloodborne pathogen protection supplies and equipment.

TMF 01/05.10 Equipment Check/Inventory: Firing Squad

A. The Warden shall ensure an equipment check of appliances necessary to carry out an execution.

B.

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.

C. The execution team leader shall be responsible to arrange for:

1. .30-caliber rifles;
2. live rounds of ammunition;
3. blank rounds of ammunition;
4. practice sessions and dry fire;
5. ensuring equipment is clean and operable; and
6. back-up equipment for items 1, 2, 3, above.

D. prior to the execution:

1. the executioners shall be escorted into the execution chamber by the DIO Director/designee; and

2.

E. Bloodborne Pathogens Precaution

As a precaution, all persons who may come in contact with the condemned's body fluids shall be issued rubber gloves and bloodborne pathogen protection supplies and equipment.

TMF 01/05.11

Procurement, Storage and Accountability of Chemicals for Lethal Injection

A. Purchase

1.

the Warden shall provide to the pharmacist for his official records a memorandum specifying:

- a. The drugs which must be obtained;
- b. A copy of the judgment of death; and
- c. A copy of the state statute. 77-19-10(2) UCA

2.

the pharmacist shall order the drugs from the vendor. Upon receiving the drugs, the pharmacist shall:

- a.
- b. Immediately notify the Warden that the drugs have been received;
- c.
- d.

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e.

1.

2.

3.

4.

f.

3. Storage and Handling of Drugs

a.

b. See the next two pages for the
Equipment and Materials Checklist.

UTAH STATE DEPARTMENT OF CORRECTIONS
Equipment and Materials Checklist: Execution by Injection

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Quantity	Item	Code
	Sodium Thiopental (Pentathal), 500 mgm., w/diluent	A
	Pancuronium Bromide (Paravulon), 50 mgm. Ampules	A
	Potassium Chloride, 240 miliequiv. Ampules	A
	Valium injection, 10 mgm	A
	Syringe, 60 cc Lur Lock	
	Syringe, 10 cc Lur Lock	
	Syringe, 5 cc Lur Lock	
	Needle, 18 Ga., 1 1/2	
	Needle, 25 Ga., 1 1/4	
	Angiocath, 14 Ga., 2 1/4"	
	Angiocath, 18 Ga., 1 1/4"	
	Angiocath, 16 Ga., 1 1/4"	
	Normal saline, IV bag, 1000C	
	Lidocaine HCL, 2% w/Epinephrine	
	Lidocaine HCL, 2% w/o Epinephrine 2	
	Solution injection set, 70" long with	
	Y-injection site: Travenol Code: #2C0005S	
	Extension set, 35" long; Travenol Code #2C0066	
	Stethoscopes	
	Boxes of alcohol preps	
	Rolls of Kling	
	Adhesive tape, 1"	
	Adhesive tape, 2"	
	Scissors, bandage, Pr.	
	Tourniquet	
	Hemostat, sterile	
	Flashlight, w/batteries	A
	Batteries, flashlight, (spares)	A
	Ace wraps 3"	
	Needle holders	
	10 packs sterile gauze	
	Sharp containers	

	BIO-Hazardous trash bags	
	Extra large impervious gowns	
	IV hangars	
	Mayo stand	
	Terry cloth towels	
	Goose neck light	
	Blood spill kits	
	Trash containers	
	Electronic Heart Monitor (EKG)	

TMF 01/05.12 Observation Period and Related Activities

A. Access

1.

2.

3.

B. Preparation of the Observation Cell

1.

a.

b.

c.

2. Stocking the Cell

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a. The observation cell shall be outfitted with the following items.

- (1) mattress (1);
- (2) pillow (1);
- (3) pillow case (1);
- (4) sheets (2);
- (5) blankets (2);
- (6) towel (1);
- (7) soap, small (1);
- (8) toilet paper, roll (1);
- (9) jump suit (color to be determined by the Warden) (1);
- (10) socks (1 pr.);
- (11) shower thongs (1 pr.); and
- (12) pocket comb, no metal (1).

b. If requested, the cell will also have the following items purchased new

- (1) Bible (1);
- (2) magazine
- (3) newspaper;
; and
- (4) photographs

c. The following items may be given on request, as needed,

- (1) toothbrush (1);

(2) toothpaste

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(3)

d. If the condemned inmate receives mail the officer shall allow the condemned inmate adequate time to read the mail

f.

g. Additional property shall be approved by the warden.

3. Test Equipment

a.

b.

c.

1.

2.

3.

4.

5.

6.

a

b.

D. Securing Condemned Inmate's Property/Cell

1.

2.

3.

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b.

(1)

(2)

(3)

(4)

c.

(1)

(2)

(3)

(4)

4. Personal property shall be separated from prison property, and the personal property put into a suitable container and sealed. Each search team member shall initial the seal.
5. The designated property officer shall sign for and assume responsibility for the inventoried property.
- 6.

a.

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b.

7.

8. The personal property shall be taken to
the DIO property room for storage.

E. Observation Function

1.

a.

b.

c.

d.

e.

f.

g.

2.

a.

b.

3.

4.

5.

F. Activities During the Observation Period

1.

2. Unless previously served, meal service, including the last meal, shall be served during the observation period.

3.

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4.

a.

b.

c.

A. Transfer of Condemned Inmate to Execution Site

1. The condemned inmate shall be escorted from the observation cell to the execution chamber by the Tie-Down Team.

2.

a.

b.

c.

d.

B. Positioning of Tie-down Team

1.

2.

3.

4.

5.

C. Securing Inmate to Gurney

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1.

2.

a.

b.

c.

d.

e.

f.

g.

3.

4.

5. Upon completion of the execution and as directed by the Warden, the Tie-Down Team shall enter the execution chamber and remove the straps in the reverse order as outlined above.

TMF 01/05.14 Tie-Down Procedures: Firing Squad

A. Bringing Condemned Inmate to Execution Chamber

The condemned inmate should be escorted from the observation cell to the execution chamber by the Tie-Down Team

B. Positioning the Tie-Down Team

1.

2.

3.

4.

C. Securing the Inmate to the Chair

1.

2.

a.

b.

3.

4.

5. Upon completion of the execution and as directed by the Warden, the Tie-Down Team shall re-enter the execution chamber and remove the straps in reverse order as outlined above.

TMF 01/05.15 Lethal Injection Protocol

A.

1.

2.

B. Preparation of Syringes

1.

a.

b.

c.

2. The execution team leader shall provide the drug box to the IV team leader.

a. The IV team leader shall prepare each chemical in accordance with the manufacturer's instructions and draw them into the two (2) sets of syringes.

b. The second member of the IV team and the execution team leader shall observe preparation of the chemicals and verify that the instructions and procedures have been carried out correctly.

c.

3. The syringes containing the chemicals shall be prepared and loaded in the following order:

a. Two 60-cc syringes, each containing 240 milliequivalents of Potassium Chloride in 50-cc and label syringes "Syringe #3.

b. Two 60-cc syringes, each containing fifty (50) milligrams of Pancuronium Bromide in 50-cc and

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label syringes "Syringe #2".
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- c. Two 60-cc syringes, each containing three (3) gm of Sodium Thiopental in 50-cc and label syringes "Syringe #1".
- d. The secondary syringes containing each of the three chemicals are to serve the following purposes.
 - 1. Secondary syringe of Sodium Thiopental is prepared in the event the condemned has not lost consciousness sixty (60) seconds after the first administration of the chemical.
 - 2. Secondary syringes containing Potassium Chloride and Pancuronium Bromide are prepared in the event the condemned has not been pronounced dead after the first administration of the chemicals.
- 4. Any syringes that are loaded with lethal injection chemicals that are not used during the execution shall:
 - a. Be returned to the Warden by the execution team leader;
 - b. Be destroyed by the Warden,
- 5. Any unused chemicals that were not mixed in preparation of the lethal injection shall:
 - a. Be returned to the Warden by the IV team leader;
 - b. Be destroyed by the Warden,

C.

D.

E. The IV team leader:

1. Shall, along with the second IV team member, verify two (2) labeled sets of each of the three (3) chemicals are present, filled, and clearly labeled;
2. Provide the two (2) labeled sets of each of the three (3) chemicals contained in the drug box to the execution team leader who will verify, along with another execution team member, selected by the execution team leader, the appropriate number of syringes have been surrendered and are clearly labeled; and
3. Prepare the IV set-up.

F. IV Set-up Procedure by IV Team

1. The connector of Administration Set (McGaw V1417 or equivalent) shall be inserted into the bag of Normal Saline IV solution.
2. The Flo Trol clamp located above the "Y" site shall control the flow of solution.
3. A 35-inch Extension Set (Travenol 2C0066 or equivalent) shall be connected to the needle adapter of the Administration Set.

4. The set-up for administration into the back-up IV site may require additional Extension Sets due to the potential of additional distance.
5. All connections should then be taped to ensure they do not come apart during the procedure.
6. The tubing shall be cleared of air by removing the protector from the needle adapter and opening the Flo Trol clamp letting the tube fill with solution.
7. The Flo Trol clamp shall then be closed and the protective cap over the needle adapter replaced.
8. Steps 1 through 7 shall be repeated for the second set-up.

G. Injection Procedure by IV Team

1. The Warden shall order the condemned person escorted to the execution chamber and strapped to the gurney.
2. The IV team shall run the IV lines to the condemned person by the following:
 - a. Site and insert one (1) primary IV line; and
 - b. Site and insert one (1) back-up IV line.
3. The IV team members shall determine the location of the IV sites on the body of the condemned person.
4.
 - a.
 - b.
 - c.
 - d.

H. IV Placement Process by IV Team

1. The angiocath shall be inserted into the vein of the primary IV site.
2. To best ensure that a needle is inserted properly into a vein, the IV team members shall look for the presence of blood in the valve of the sited needle.
3. The inner needle is then withdrawn and the needle adapter is placed on the angiocath.
 - a.
 - b.
4. The flow of normal saline shall be started and administered at a slow rate to keep open.
5. Step 1 through 3 shall be repeated for the back-up IV site.
6. The Administration Sets shall be running at a slow rate of flow, to keep open and ready for the insertion of syringes containing the injection chemicals.
7. Both set-ups shall be observed by the IV team members to ensure they are both patent and functioning properly.
8. No further action is necessary at this time.

I. Lethal Injection Procedure

1. The execution team shall:

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- a. Securely connect the electrode of the cardiac monitor to the condemned person; and
- b. Ensure the equipment is functioning properly.

2. At the designated hour mandated for the execution, when everything is ready:

- a. The DIO Director/designee and Warden shall pull open the curtains covering the witness room windows.
- b. The Warden shall ask the condemned inmate if he has any last words or wishes to make a statement.
 - 1. The statement should not exceed two minutes.
 - 2. If the inmate uses foul language, the Warden should immediately proceed with the next step in the execution.
 - 3. If the statement exceeds two minutes, the execution shall proceed without waiting for the conclusion of his remarks.
 - 4. The Department, for the purpose of recording the condemned inmate's last words, may use audio recording equipment.
 - a. The Department shall permanently destroy the recording made under this subsection not later than 24 hours after the completion of the execution.
 - b. No form of duplication of the audio shall be permitted.
 - c. The Warden, witnessed by the DIO Director/designee, shall

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destroy any aud
recording.

- c. At the conclusion of the remarks, or when the Warden determines it is time to proceed, a prearranged signal shall then be given by the Warden to the Executive Director/designee.
- d. The Executive Director/designee shall order the execution team leader to begin the administration of the chemicals providing:
 1. The earliest legal execution time has been verified and has passed; and
 2. No instruction to halt has been received from the Attorney General's Office.
- e. Following the instruction from the Executive Director/designee to execute the condemned inmate, the execution team leader shall immediately proceed with the execution.
- f.
- 1.
- 2.
- 3.
- 3. Upon the Executive Director/designee's order to proceed, the execution team leader shall begin the following

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sequence:

- a. The flow of the normal saline into the arm shall be cut off using the Flo Trol clamp.
- b. The clamp should be moved as close to the "Y" site as possible.
- c. The 18 ga needle of Syringe #1 (three (3) gm of Sodium Thiopental) shall be inserted into the "Y" site and the injection shall commence.
 1. A steady, even flow of the injection shall be maintained with only a minimum amount of force applied to the syringe plunger.
 2. When the entire contents of the syringe have been injected, syringe #1 shall be removed from the "Y" site.
- d. The Flo Trol clamp should then be opened fully and allowed to run for 15 seconds.
- e. The Flo Trol clamps shall then be closed.
- f. A period of sixty (60) seconds shall pass after the administration of the Sodium Thiopental and closure of the Flo Trol clamp.
 1. After the passage of sixty (60) seconds:
 - a. If it appears to the Warden based on his visual inspection that the condemned person is not unconscious:
 - i. The Warden shall notify the Executive Director/designee;
 - ii. The Executive Director/designee

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will order the execution team to switch to the back up IV site;

iii. The Executive Director/designee shall order that the back-up IV site be used with a new flow of Sodium Thiopental

(secondary syringe labeled Syringe #1); and

iv. The Executive Director/designee shall order the remaining sequence of chemicals to be injected through the back-up IV site.

2. If it appears to the Warden based on his visual inspection that the condemned person is unconscious after the first injection of Sodium Thiopental, the Warden shall notify the Executive Director/designee who will then order the execution team to continue to the next step in the sequence.

g. The 18 ga needle of Syringe #2 (fifty (50) milligrams of Pancuronium Bromide) shall be inserted into the "Y" site and the injection shall commence;

1. A steady, even flow of the injection shall be maintained with only the minimum amount of force applied to the syringe plunger.
2. When the entire contents of the syringe have been injected, Syringe #2 shall be

- h. After syringe #2 has been given, the Flo Trol clamp should be opened fully for 15 seconds.
- i. The Flo Trol clamp shall then be closed.
- j. The 18 ga needle of Syringe #3 (240 milliequivalents of Potassium Chloride) shall be inserted into the "Y" site and the injection shall commence;
 - 1. A steady, even flow of the injection shall be maintained with only the minimum amount of force applied to the syringe plunger.
 - 2. When the entire contents of the syringe have been injected, Syringe #3 shall be removed from the "Y" site.
- k. The Flo Trol clamp shall then be opened fully and allowed to run for 15 seconds.
- l. The Flo Trol clamp shall then be closed.
- m. An execution team member designated by the execution team leader shall start a stopwatch once the lethal injections are complete.
- n. The execution team leader shall:
 - 1. Observe the heart monitor; and
 - 2. Advise the attending physician electrical activity of the heart has ceased as indicated by a flat line on the heart monitor.
- o. The Warden shall notify the Executive Director/designee if it appears an additional set of lethal chemicals needs to be administered

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1. Heart monitor does not **Public**
indicate a flat line after ten
(10) minutes; or

2. The attending physician is not
able to declare the time of
death after ten (10) minutes.

p. In the event death has not
occurred;

1. The Executive
Director/designee will order
the process established in
subsection (2)(f) of this
section and subsequent
sections to continue with the
secondary set of syringes
until death has occurred.

q. During the execution by lethal
injection, the DIO
Director/designee and Warden shall:

1. Watch the primary IV site for
failure, leakage, the catheter
coming out of a vein, or any
other problem.

2. In the event that an IV fails,
leaks, if the catheter comes
out of the vein, or any other
problem arises, the execution
team shall be ordered to
switch to the back-up IV.

3. In the event the execution
team is ordered to switch to
the back-up IV, the DIO
Director/Warden shall watch
the back-up IV site for
failure, leakage, the catheter
coming out of a vein, or any
other problem.

J. Post Lethal Injection Steps

1. When the physician declares death, the
Executive Director/designee, DIO

2. The DIO Director and Warden shall close the viewing room curtains.
3. The Executive Director/designee shall make appropriate contact with the Governor and Attorney General informing them of the completion of the execution.

K. Disposal of BIO-Hazardous Contaminated Items

1. The execution team leader shall place items that have been contaminated with blood or other potentially infectious materials (OPIM) that have the potential to puncture into a puncture proof container (sharps container).
2. The execution team leader shall place other types of blood or other potentially infectious materials in trash containers lined with a red BIO-Hazardous waste bag.
3. The Correctional Medical Administrator shall ensure that the contaminated waste is disposed of in the proper Dumpster.

TMF 01/05.16 Execution by Firing Squad

A.

B.

1. Refer to TMF 01/05.10.
2. The team leader shall load the weapons and prepare to issue them to the members of the firing squad.
3. Two rounds shall be loaded in each weapon.
4. Care shall be taken to preclude any knowledge by the members of the firing

- C. The Warden shall direct that an aiming point or target be placed over the condemned inmate's heart.
- D. Upon completion of "C", above, the Warden shall direct the person who placed the target to exit the execution chamber.
- E. After the target is in place and all witnesses are secured, the Warden shall direct that the viewing room curtains be opened.
- F. After all preliminaries are completed, the Warden, at the conclusion of the condemned inmate's last words (which shall not exceed two minutes and cease at any point should the condemned use foul language), shall place the hood over the condemned's head.
 - (1) Audio recording equipment may be used by the Department for the purpose of recording the defendant's last words.
 - (2) The Department shall permanently destroy the recording made under this subsection not later than 24 hours after the completion of the execution.
 - (3) No form of duplication of the audio shall be permitted.
 - (4) The Warden, witnessed by the DIO Director/designee, shall destroy any audio recording.
- G. The DIO Director/designee, Warden, and any other observers shall exit the execution chamber.
- H. When the Warden enters the executioners' room and secures the door, if no stay or delay in the execution has been ordered, the Executive Director/designee shall immediately order the firing squad team leader to begin the cadence for the executioners to fire.

- I. A designated execution team member shall start a stopwatch once the first volley has been fired.
- J. If the condemned inmate appears to be unconscious, upon the order of the Executive Director, the Warden and DIO Director shall re-enter the execution chamber after the first volley.
 - 1. The Warden shall wait a maximum of three minutes after the first volley and then call for the physician to check the vital signs of the condemned.
 - a. If there are signs of life, the physician shall wait beside the condemned and check the vital signs every 60 seconds.
 - b. When no vital signs are detected, the physician shall certify death in keeping with standard medical practices.
 - c. After death is certified, the Warden shall direct that the viewing room curtains be closed.
 - 2. If, after a maximum of ten minutes from the first volley, the inmate is unconscious but alive, the Warden shall direct the physician to make a final check of the condemned's vital signs.
 - a. If on final check, vital signs are detected, the Warden shall order the physician to exit the execution chamber.
 - b. The Warden and DIO Director shall re-enter the executioner's room.
 - d. The Executive Director/designee shall order the firing squad team leader to make the weapons ready to fire.
 - e. The Executive Director/designee shall immediately order the firing squad team leader to begin the

cadence for the firing squad to fire a second volley.

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f. After the firing of the second volley, the Warden and DIO Director shall re-enter the execution chamber and proceed with paragraph "J,1", above.

K. If, after the first volley is fired, the condemned is obviously conscious, the Executive Director/designee shall instruct the firing squad team leader to immediately prepare the weapons to fire again.

1. The firing squad team leader shall ready the weapons in a controlled and safe manner.
2. The firing squad team leader shall ensure the executioners do not see which weapon contains the blank cartridges.
3. When the weapons are ready, if the condemned is still obviously conscious, the Warden shall ensure no staff members are in the execution chamber.
4. Upon notice from the Warden that the execution chamber is clear, the Executive Director shall immediately order the firing squad team leader to begin the cadence for the executioners to fire a second volley.
5. After the second volley, continue with "J", above.

L. The Executive Director shall make notification of the condemned's death to the Governor and the Attorney General.

TMF 01/05.17

Pre-Execution Rehearsals and Practices

A. A minimum of three rehearsals and practices shall be conducted to carry out an execution in a timely fashion maintaining the necessary

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security. Practice/rehearsal shall be provided for but will not be limited to: **Public**

1. briefing;
2. removing the condemned inmate from the observation cell;
- 3.
4. escort to execution chamber;
5. tie-down procedures completed;
6. approximate time for IV injection procedure (execution time approximate);
7. clearing and escorting witnesses to/from execution site;
8. security curtains opened and closed;
9. condemned inmate's body removed from execution table/chair;
- 10.
11. clean-up;
12. debriefing outlined;
13. firing of weapons; and
14. ensure sufficient precautions are taken to minimize the risk of bio-hazardous exposure.

B. Planning backward from the execution shall be used to develop realistic time lines for each function involved in the execution.

C.

1. Discrepancies, concerns or proposed modifications due to system problems

shall be immediately reported to the
Warden.

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2.

TMF 01/05.18 Support Services Functions

A. Food Services

1. Observation Period Meal Service

a.

b. The Food Services Director/designee shall confirm the condemned's choice of a last meal. The confirmation should be made 48-24 hours prior to the execution.

c.

d.

e. Alcoholic beverages shall not be served nor used for cooking.

2. Beverage and Food Service for Staff

a. Because of the length of time many persons will be required to remain on site without being able to leave, it may be necessary to serve food and beverages to those assigned to the execution.

b.

c. Food and beverage services may be provided to:

- (1) the command post;
- (2) the Information Center;
- (3) the food preparation area of the building in which the execution will occur;
- (4) to the Draper site Security Deputy Warden for delivery to perimeter posts; and
- (5) other sites as needed.

d.

B. Medical Staff

1. Receipt of Death Warrant

Upon receipt of the death warrant the Correctional Medical Administrator shall:

- a. review the medical procedures, post orders and equipment checklist and make recommendations in writing to the Warden concerning any back-up or duplication of any medical

b. shall confer with the Chief Physician and assign all execution-related tasks to be completed.

2. Thirteen to Seven Days

a. At least thirteen days prior to the execution the Warden shall provide to the pharmacist, for his official record, authorization to purchase drugs. Authorization shall be in the form of a memorandum including:

- (1) the names of the drugs which shall be obtained;
- (2) a copy of the judgement of death; and
- (3) a copy of the state statute (77-19-10 (2) UCA).

b. At least seven days prior to the execution the pharmacist shall order the drugs from the vendor (refer to chapter TMF 01/05.11).

- (1) If the state's prime vendor cannot deliver the drugs, the pharmacists shall make arrangements with other vendors or hospitals to obtain the drugs.
- (2) If the drugs cannot be delivered to the prison by the primary vendor or their delivery service to the prison, the pharmacist shall notify the Correctional Medical Administrator.
- (2) The Correctional Medical Administrator shall make arrangements with the Draper site Security Deputy Warden to have an officer accompany them

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to the location where the
other drugs may be obtained
Public

c.

3.

4.

5.

a.

b.

c.

6.

a.

- (1) the sodium pentothal syringes shall be prepared by the pharmacist at the direction of the Warden when it appears the execution shall be carried out;

(2) a medical-response team shall be on standby to provide any medical attention which may be needed during the time of the scheduled execution;

(3) a USP emergency equipment kit and a back-up kit shall be made available at the execution site; and

(4) the Correctional Medical Administrator (CMA)/designee and a USP Medical staff with skills in intravenous injections, I.V. set-up, cut-down, etc., shall be available at the execution site to provide medical assistance in the execution chamber, if necessary.

b. Equipment and lethal drugs shall be gathered up by the CMA/designee following the execution.

(1) The CMA/designee shall be responsible for the disposal of the medical equipment used for lethal injection in accordance with TMF 01/05.15.

(2)

C. Maintenance Staff

1. Receipt of Death Warrant

a. Upon receipt of the death warrant the Deputy Warden Support Services shall:

(1) review the maintenance procedures and the equipment checklist and make recommendations in writing for changes, additional equipment, etc. as is viewed essential

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and provide such recommendations to the Warden prior to the scheduled execution date; and

- (2) confer with the Maintenance Director and assign all execution related tasks to be completed.

b. The Maintenance Director shall then prepare a task completion calendar which shall be presented to the Deputy Warden Support Services for approval, including:

- (1) a review of the maintenance procedure and the equipment checklist;
- (2) recommendations to the Warden in writing of changes, additional equipment, etc. as is viewed essential prior to the scheduled execution date;
- (3) identification of strategies to ensure that all systems, equipment, and mechanisms associated with the execution facility are functional and are readily repairable given an unexpected malfunction;
- (4) identification of emergency equipment, materials, and substances necessary to ensure that system, equipment, and/or mechanism malfunctions are expeditiously remedied;
- (5) establishment of inspection checklist and time frames for:
 - (a) the facility designated for the execution;
 - (b) the observation cell; and
 - (c) emergency backup systems;

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- (6) ensuring that all maintenance service/repair trucks are in good operational condition and supplied with equipment, tools, and supplies necessary to correct all execution related emergencies; and
- (7) identification of maintenance personnel necessary to address all execution day maintenance emergencies.

2.

The Maintenance Director shall:

- a. complete a pre-inventory check of the necessary equipment; and
- b. complete a written report to the Deputy Warden Support Services of equipment, etc. requiring repair, replacement or duplications, including recommendations to correct problems and time frame necessary to make necessary corrections.

3.

The Deputy Warden Support Services shall direct the Maintenance Director to:

- a.
- c. conduct an inspection of the following equipment:
 - (1) execution chamber;
 - (2) observation cell; and
 - (3) emergency back-up systems and equipment.

4.

a.

(1)

(2)

(3)

b. A pre-inventory check shall be completed to ensure equipment is operational and in proper working order.

5.

a.

(1)

(2)

(a)

(b)

(c)

(3) emergency back-up systems and equipment.

b. Emergency equipment shall be checked to ensure readiness for the execution.

6.

a. Complete the procedures as outlined in 5, above.

b.

c.

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d.

(1)

(2)

(3)

(4)

(5)

(6)

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TMF 01/07.00	WITNESSES
TMF 01/07.01	General Provisions
TMF 01/07.02	News Media Witnesses
TMF 01/07.03	Designation of Persons Required, Permitted or Prohibited from Witnessing
TMF 01/07.04	Witness Agreement

TMF 01/07.00

WITNESSES

TMF 01/07.01

General Provisions

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A. Purpose of Chapter

The purpose of this chapter is to:

1. identify the types and number of witnesses permitted to attend the execution; and
2. to provide legal requirements concerning the witnessing of the execution.

B. Policy

It is the policy of the Department that:

1. procedures for selecting witnesses to the execution shall conform with 77-19-11 UCA;
2. witnesses shall enter into written agreements before being approved for attendance; and
3. witnesses shall be subject to search prior to being admitted.

TMF 01/07.02

News Media Witnesses

- A. Members of the news media shall be permitted to witness the execution.
- B. Selection shall be at the discretion of the Executive Director/designee.
- C. Refer to TMF 01/08 for news media selection procedures.

TMF 01/07.03

Designation of Persons Required, Permitted or Prohibited from Witnessing

- A. The Utah Code limits and identifies those persons who may attend and witness the execution.

1. The Executive Director of Corrections/or his designee shall:
 - a. cause a physician to attend the execution, 77-19-10 (5) UCA; and
 - b. permit the attendance at the execution of members of the press and broadcast news media named by the Executive Director of the Department/or his designee, 77-19-11 (4) UCA.
2. At the discretion of the Executive Director of the Department of Corrections/designee, the following may attend the execution:
 - a. the prosecuting attorney, or his designated deputy, of the county in which the defendant committed the offense for which he is being executed, 77-19-11 (2) (a) UCA;
 - b. no more than two law enforcement officials from the county in which the defendant committed the offense for which he is being executed, 77-19-11 (2) (b) UCA;
 - c. the Attorney General or his designee, 77-19-11 (2) (c) UCA;
 - d. religious representatives, friends, or relatives designated by the defendant, not exceeding a total of five persons, 77-19-11 (2) (d) UCA; and
 - e. unless approved by the Executive Director, no more than five close relatives of the deceased victim, as selected by the Executive Director, but giving priority in the order listed in TMF 01/01.04.
3. The persons enumerated in Subsection (2) may not be required to attend, nor may any of them attend as a matter of right, 77-19-11 (3) UCA.

4. The following persons may also attend the execution:
 - a. staff as determined necessary for the execution by the Executive Director of the Department of Corrections/designee; and
 - b. no more than three correctional officials from other states that are preparing for executions, but no more than two correctional officials may be from any one state, as designated by the Executive Director of the Department of Corrections or his designee, 77-19-11 (7) (a) UCA.
5. Other necessary staff designated by the Executive Director of the Department of Corrections/designee shall be permitted to the execution.
 - a. The "necessary staff" shall include those persons identified in the post orders and procedures in TMF 01.
 - b. "Necessary staff" shall not be limited to members of the Utah Department of Corrections but may include members of allied agencies assisting with the execution.
6. The Department is empowered and directed by 77-19-11 (8) UCA to adopt rules governing the attendance of persons at the execution.
7. No person under the age of 18 may attend the execution.

B. For those persons who shall carry out the execution or serve in support roles in the execution area, refer to TMF 01/05.05 B, C.

TMF 01/07.04 Witness Agreement

(See following page for Witness Agreement.)

Rules of Conduct for Witnesses Observing an Execution
at the
Utah State Prison

1. That you will not bring onto prison property anything constituting legal or illegal contraband under any applicable statute, rule, or policy including any firearm, dangerous weapon, implement of escape, explosive, spirituous or fermented liquor, medicine, poison, or any other item creating a threat to the safety, security, or management of the prison;
2. That you agree to submit to a reasonable search for contraband and other searches as considered necessary by the Department for entry to Department prison and staging area property;
3. That you conduct yourself in a lawful and orderly manner;
4. That you comply with all lawful directives of correctional personnel while on Department property;
5. That you will not bring to the execution site any photographic or recording equipment; and
6. That you understand that the Department of Corrections will not provide mental health services to witnesses.
7. That you understand the Department of Corrections is required to record/report the names of all witnesses in attendance as well as provide the information to media representatives.

I have read the above rules and agree to abide by them. I understand that my failure to comply with the rules will result in my immediate removal from Department of Corrections property and that I may be subject to criminal prosecution.

Signature of Witness

Date _____

UDC Representative

Date _____

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TMF 01/08.00	NEWS MEDIA PROCEDURES
TMF 01/08.01	General Provisions
TMF 01/08.02	News Media Selection
TMF 01/08.03	Alternate Coverage/Accommodations
TMF 01/08.04	News Media Attendance at the Execution
TMF 01/08.05	Limitations on Coverage
TMF 01/08.06	News Media Briefing
TMF 01/08.07	News Media Support and Equipment
TMF 01/08.08	Media Representative Agreement

TMF 01/08.00 NEWS MEDIA PROCEDURES

TMF 01/08.01 General Provisions

A. Purpose of Chapter

The purpose of this chapter is:

1. to provide the policies, procedures and requirements for providing access to the execution and information relating to the execution to the news media;
2. to provide the procedure for:
 - a. releasing background information;
 - b. releasing information during the execution;
 - c. coverage of the execution; and
3. to provide requirements for safeguarding the institution and protected information.

B. Policy

1. It shall be the policy of the Department to permit press access to the execution and information concerning the execution consistent with the requirements of the constitutions and laws of the United States and state of Utah.
2. The Department is generally required to provide no more access to the news media, to the inmates and facilities it supervises and controls than that available to the general public.
3. The Department and the Utah Code recognize the need for the public to be informed concerning executions conducted by the Department of Corrections.
 - a. The Department will participate and cooperate with the news media to inform the public concerning the execution.
 - b. Information should be provided in a timely manner.

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4. If the condemned is willing, the Department may allow an opportunity for the condemned to speak with the news media. If allowed, the interview may:
 - a. include those members of the news media selected to witness the execution;
 - b. include additional members of the news media authorized by the Department, but not including more than one reporter from the same agency; and
 - c. be held at a time and location determined by the Department.
5. During exigent circumstances, communication may be temporarily suspended until the situation has been stabilized. Exigent circumstances shall include, but not be limited to:
 - a. riots;
 - b. hostage situations;
 - c. fires or other disasters; or
 - d. other inmate disorders.
6. Refer to Chapter AGr05, "Media Relations" for general news media access to information, inmates and facilities.

TMF 01/08.02 News Media Selection

A. Number in Attendance

The Department shall permit members of the press and broadcast news media to witness the execution.

B. Authority to Select

The Executive Director/designee shall be responsible for selecting the members of the

news media who will be permitted to witness the execution. 77-19-11(4) UCA

C. Selection Process

1. After the court sets a date for the execution of the death penalty, news directors or editors may submit a written list of news media witnesses (one per organization) and other news personnel needed at the execution, to the attention of the Executive Director at least 30 days prior to the execution. When administrative convenience or fairness to the news media dictates, the Department in its discretion may extend the request deadline.
2. Requests for consideration may be granted by the Executive Director/designee provided they contain the following:
 - a. a statement setting forth facts showing that the requesting individual falls within the definition of "member of the press and broadcast news media" set forth in these regulations;
 - b. an agreement to act as a pool representative as described in these regulations;
 - c. an agreement that the media member will abide by all of the conditions, rules and regulations while in attendance at the execution; and
 - d. agreement that they will conduct themselves consistent with existing press standards.
3. Upon receipt of a news director's or editor's request for permission for news media witnesses to attend the execution, the Executive Director/designee may take such steps as he deems necessary to verify the statements made in the request. After verifying the information in the requests, selection

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of witnesses shall be made by the **Public**
Executive Director/designee.

4. The Executive Director/designee shall identify the media members who have been selected to witness the execution. Media members shall be selected on a rotating basis from the following organizations:
 - a. Salt Lake daily newspapers;
 - b. television stations licensed and broadcasting daily in the State of Utah;
 - c. one newspaper of general circulation in the county in which the crime occurred;
 - d. one radio station licensed and broadcasting in the State of Utah; and
 - e. the remainder from a pool of broadcast, print and wire services news media organizations operating in Utah.
5. In the event that the Executive Director is unable to name a news media witness from each of the above-described organizations, he shall name other qualifying media members to attend.
6. No news media witnesses other than those named to attend the execution as described in this chapter shall be permitted to witness the execution.

D. Pool Photographers

1. Two photographers shall be appointed as pool photographers to photograph/film the execution chamber following clean up.
2. The pool photographers may be selected from agencies other than those

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represented among those witnessing the execution.

TMF 01/08.03 Alternate Coverage/Accommodations

A. Additional Media Selected

1. The Executive Director may designate additional members of the press and broadcast news media who request and receive permission to be allowed at a location designated by the Executive Director on prison property during the execution.
2. The additional media selected shall be from both the print and broadcast media.

B. Alternate Location

1. The alternate location shall be a press briefing area.
2. Media members must contact the Department's Public Affairs Director at least 14 days prior to the execution date to make any special arrangements for hook ups or other necessary arrangements. Any expense incurred shall be borne by the specific news media requiring special equipment or hook ups.
3. No special access nor briefings will be provided to members of the press who are not selected as witnesses nor selected for the alternate site.
4. The alternate site shall be made available to the selected members of the news media at 1700 hours the day prior to the scheduled execution date.

C. Briefing Media at the Alternate Site

1. The Public Affairs Director shall arrange for:
 - a. pre-execution briefings;
 - b. distribution of media briefing packages;

c. briefings throughout the execution event; and

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d. post-execution briefings by the news media who witnessed the execution.

2. The news media witnesses to the execution shall be returned to the media briefing area to answer questions from media members at the alternate site.

TMF 01/08.04 News Media Attendance at the Execution

A. The Warden/designee shall permit the members of the press and broadcast news media, selected by the Executive Director/designee in accordance with these regulations, to witness the execution.

B. Each news media witness attending the execution shall be carefully searched prior to admittance to the execution chamber.

1.

a. Electronic or mechanical recording devices include, but are not limited to, still, moving picture or video cameras, tape recorders or similar devices, broadcasting devices, or artistic paraphernalia, such as notebooks, and drawing pencils or pens, etc.

b. Violation of this prohibition is a class B misdemeanor. 77-19-11(5)

c. Only a small notebook (no larger than 4" x 6") and a pen or pencil issued by the Department shall be permitted.

2. Only the selected members of the news media (witnesses and two pool photographers) shall be allowed to

attend the pre-execution briefing. The group will be escorted into a briefing room.

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a.

b.

c.

3.

a.

b.

4. Persons requesting to witness the execution shall be required to sign a statement or release absolving the institution or any of its staff from any

C. The Warden/designee shall not exclude any news media witness duly selected in accordance with these regulations from attendance at the execution except as described in these regulations, nor may the Warden/designee cause a selected news media witness to be removed from the execution chamber unless the media member:

1. refuses to submit to a reasonable search as permitted in these regulations;
2. faints, becomes ill or requests to be allowed to leave during the execution;
3. causes a disturbance within the execution chamber; or
4. refuses or fails to abide by the conditions and regulations set forth by the Department.

D. The execution chamber shall be arranged so as to provide space for the attending news media witnesses and the space arranged shall have a view of the execution site, with the exception of:

1. a view of the members of the firing squad, if employed; or
2. if lethal injection is chosen, those directly administering the method of execution, who shall be concealed from the view of the media members so that their identities will remain unknown.

E. The selected news media witnesses shall be transported as a group to the execution location prior to the execution and shall be allowed to remain there throughout the proceeding.

F. The Department shall designate a representative or representatives to remain with the media members throughout the execution proceedings for the purpose of supervising and escorting.

G. News media witnesses shall be admitted to the execution area on the date set for the execution only after:

1. proof of identification have been presented to the Public Affairs Director/designee at the staging area;
2. receiving an orientation by the Public Affairs Director/designee; and
3. signing an agreement to abide by conditions required of news media witnesses to the execution.

H. After the execution has been completed and the site has been restored to an orderly condition, news media witnesses may be permitted to return to the execution chamber for purposes of filming, photographing and recording the site.

1. Re-entry to the site shall be permitted only after the site has been restored to an orderly condition, including:
 - a. removal of the body of the condemned;
 - b. evacuation of those involved in administering the execution; and
 - c. clean up of the execution chamber.
2. Restoring the site to an "orderly condition" prior to the filming opportunity shall not unnecessarily disturb the physical arrangements for the execution.
3. Media members permitted to return to the execution chamber for the filming and recording of the site shall include:
 - a. the news media witnesses who were selected to witness the execution;
 - b. one pool television camera man; and
 - c. one pool newsprint photographer.

4. The film/videotape shall not be used in any news or other broadcast until made available to all agencies participating in the pool. All agencies receiving the film/videotape will be permitted to use them in news coverage and to retain the film/videotape for file footage.

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I. News media representatives shall, after being returned from the execution to the staging area, act as pool representatives for other media representatives covering the event.

1. The pool representatives shall meet at the designated media center and provide an account of the execution and shall freely answer all questions put to them by other media members and shall not be permitted to report their coverage of the execution back to their respective news organizations until after the non-attending media members have had the benefit of the pool representatives' account of the execution.

a. News media members attending the post-execution briefing shall agree to remain in the briefing room and not leave nor communicate with persons outside the briefing room until the briefing is over.

b. The briefing shall end when the attending news media members are through asking questions or after 90 minutes, whichever comes first.

2.

TMF 01/08.05 Limitations on Coverage

A. The Warden, with the concurrence of the Executive Director, may alter these regulations to impose additional conditions, restrictions and limitations on media coverage of the execution when such requirements become necessary for the

preservation of prison security, personnel safety or other legitimate interests which may be in jeopardy.

B. If extraordinary circumstances develop, the additional conditions and restrictions shall be no more restrictive than required to meet the exigent circumstances.

TMF 01/08.06 News Media Briefing

A. Pre-Execution Briefing Packets

1. The Public Affairs Director shall prepare a press briefing packet for reporters approved to witness the execution, or to cover the execution from the news media staging area.
2. The briefing press packet should be provided to news media representatives as they arrive at the staging area.
3. The contents of the press briefing packet shall include, but not be limited to, biographical information on the condemned, the list of official witnesses, pool reporters, family witnesses, execution procedures, sequence of events, and the history of executions in Utah.
4. Updates will generally be communicated and/or distributed to the press on an hourly basis beginning about 1700 hours the day preceding the execution. Briefing updates should include:
 - a. a summary of activities related to the execution procedures and sequence of events; and
 - b. a summary of the condemned inmate's activities during his final 24 hours.

B. Death Announcement

1. The Public Affairs Representative/designee shall read a prepared statement to the press, prior to the post-execution press conference, announcing that the execution has been completed.

2. The announcement shall include, but not be limited to:

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a. the time of the execution;

b. the time the condemned was pronounced dead; and

c. the condemned's final words.

C. Post-Execution Conference

1. The post-execution conference shall begin immediately following the arrival of the pool reporters from the execution site.
2. The Public Affairs Director shall introduce the members of the press who witnessed the execution and facilitate the post-execution conference.
3. The Executive Director, Deputy Director, Institutional Operations Division Director and/or Warden may appear and answer questions at the press conference.
4. The post-execution conference shall continue for ninety minutes or until the questioning of the reporters who witnessed the execution has been completed; whichever comes first.

D. Travel Routes

1.

2.

E. Media Center

1. The Media Center shall be located in the designated staging area.

2. The Public Affairs Director shall assume responsibility for routine press briefings at the Media Center.
3. Press briefings and the post-execution conference will be held at the Media Center.
4. News media personnel may not access nor occupy any other part of the staging area. The media shall have access only to the designated media center.
5. Members of the news media may not seek, speak to or interview any official visitor while at the staging area.
- 6.

TMF 01/08.07 News Media Support and Equipment

A. Telephones

1. The Public Affairs Director shall coordinate all telephone needs with the Deputy Warden Support Services at the Utah State Prison.
2. Each news agency requiring dedicated telephone lines, shall submit in writing its telephone needs to the Public Affairs Director 14 days prior to the scheduled execution. Agencies requesting dedicated phone lines will be responsible for the cost of those lines.
3. The Department shall install a reasonable number of telephones, for local use and collect calls only, for news media use at the Media Center. If the Department is unable to install collect-call only telephones, personal cellular phones may be used.

B. Electrical Outlets

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Each news agency must communicate its needs for electrical power to the Public Affairs Director 14 days prior to the scheduled execution.

C. Refreshments

The Public Affairs Director may inquire about having a private caterer at the staging area for the media to purchase items.

D. News Media Support Vehicles

1.

2.

TMF 01/08.08 Media Representative Agreement

(See following page for Media Representative agreement.)

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Rules of Conduct for Media Representatives Observing an Execution
at the
Utah State Prison

1. That you will not bring onto prison property anything constituting legal or illegal contraband under any applicable statute, rule, or policy including any firearm, dangerous weapon, implement of escape, explosive, spirituous or fermented liquor, medicine, poison, or any other item creating a threat to the safety, security, or management of the prison;
2. That you agree to submit to a reasonable search for contraband and other searches as considered necessary by the Department for entry to Department prison and staging area property;
3. That you conduct yourself in a lawful and orderly manner;
4. That you comply with all lawful directives of correctional personnel while on Department property;
5. That you will not bring to the execution site any photographic or recording equipment;
6. That you understand that the Department of Corrections will not provide mental health services to witnesses; and
7. That you understand the Department of Corrections is required to record/report the names of all witnesses in attendance as well as provide the information to media representatives.

I have read the above rules and agree to abide by them. I understand that my failure to comply with the rules will result in my immediate removal from Department of Corrections property and that I may be subject to criminal prosecution.

News Organization _____

Signature of News Media Witness

Date

News Agency Editor/Producer

Date

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TMF 01/20.00	REVIEW AND DOCUMENTATION
TMF 01/20.01	General Provisions
TMF 01/20.02	Review Assignment
TMF 01/20.03	Documentation of Execution
TMF 01/20.04	Retention and Safeguarding Documentation
TMF 01/20.05	UDC Employee Questionnaire

TMF 01/20.00 REVIEW AND DOCUMENTATION

TMF 01/20.01 General Provisions

A. Purpose of Chapter

The purpose of this chapter is to provide the policies, procedures and requirements for reviewing the execution process.

B. Policy

1. It shall be the policy of the Department that of the execution process shall be performed as ordered by the Executive Director.
2. Auditors assigned to perform these reviews shall be allowed access to designated aspects of the execution preparation.
3. Auditors participating in the review of the execution are not to be involved in the execution preparation process, but shall act as observers only and, at all times, act in such a way that they create the least disruption possible in that process.
5. Appropriate documentation of the execution shall be created, collected, safeguarded, and retained to provide an adequate review trail and a proper historical record.
6. Documentation shall be protected in accordance with 64-13-25(2) UCA.

TMF 01/20.02 Review Assignment

Authority to Conduct a Review

1. The Executive Director shall be responsible for determining if a review is to take place in each execution.
2. The Auditor(s) selected for the execution review shall, upon direction

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from the Executive Director, prepare a questionnaire to be completed by staff involved in the execution process. The survey shall be approved by the Executive Director and all responses shall be confidential. Only the Executive Director may grant release of the survey responses.

TMF 01/20.03 Documentation of Execution

Documentation to be Retained

Documentation which shall be retained shall include:

1. the warrant and all other legal papers;
2. correspondence, both official and unofficial, which is received by the Department of Corrections;
3. minutes of meetings held for purposes of planning or disseminating information;
4. inter-agency written communication;
5. intra-departmental written communication;
6. logs, journals, chronological notes, etc., of key locations; and
7. a newspaper file.

TMF 01/20.04 Retention and Safeguarding Documentation

A. Execution File

1. An execution file shall be established for each condemned person. The file shall be organized into sections which should include:
 - a. legal documents;
 - b. official correspondence;

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- c. unofficial correspondence;
- d. intra-departmental written communication;
- e. chronological notes, logs, etc.; and
- f. meeting minutes.

2. Each section of the execution file shall have material filed in chronological order.
3. All working documents which cannot be filed during the execution process or immediately after, shall be copied and a copy shall be placed in the execution file.
4. All intra-departmental communication shall have a courtesy copy to the execution file.

B. Execution File Maintenance

1.

2.

C. Access to Execution File

Only those individuals authorized by the Executive Director of Corrections, DIO Director, or Warden, shall have access to the execution file.

D. Long-Term Storage

To ensure that all documents concerning an execution shall be retained to provide a reviewtrail and an adequate historical record, the execution file shall be stored in accordance with the archive's plan of the Department.

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TMF 01/20.05 UDC EMPLOYEE QUESTIONNAIRE

Name of the Condemned

INSTRUCTIONS:

Please complete this questionnaire as soon after the execution as possible. Answer each question completely and accurately. Add as many pages as necessary if answers need more space.

Complete and return this questionnaire to the AuditBureau at Utah Department of Corrections, 14717 S. Minuteman Drive, Draper, 84020, by _____.

Thank you.

FULL NAME: _____

TITLE: _____

LOCATION: _____

FUNCTION DURING THE
EXECUTION: _____

1. Were you provided adequate direction for your area of responsibility?

If you answered "No," please explain what direction would have been beneficial to you.

2. Were you adequately trained or briefed in your area of responsibility?

Yes No

If you answered "No," please explain what training or briefing would have been beneficial to you.

3. Did you observe anything that you thought was not adequately addressed?

Yes No

If you answered "Yes," please explain.

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4. Please make any additional comments or suggestions.

THANK YOU!

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TMF 01/21.00 TRAINING AND BRIEFING

TMF 01/21.01 General Provisions

TMF 01/21.02 Training and Briefing Components

TMF 01/21.00 TRAINING AND BRIEFING

TMF 01/21.01 General Provisions

A. Purpose of Chapter

The purpose of this chapter is to provide the policy and procedure concerning briefing and training of staff, members of allied agencies and others involved in an execution.

B. Policy

It is the policy of the Department that staff and others involved in carrying out an execution:

1. receive comprehensive briefings covering:
 - a. their duties and responsibilities;
 - b. the specifics of post orders covering assigned positions;
 - c. communication and chain of command;
 - d. overview of functions and activities during the execution;
2. are provided copies of post orders outlining the duties and responsibilities of assigned positions;
3. receive the level of briefing and training necessary based on the requirements of assigned duties;
4. rehearse and practice functions which involve:
 - a. difficult timing;
 - b. a high degree of skill;
 - c. procedures of a highly critical nature; and/or
 - d. moderately difficult or complex interaction with others; and

5. receive instructions concerning back-up systems to provide:
 - a. problem-resolution assistance;
 - b. policy decisions;
 - c. crisis management assistance; and
 - d. information requests.

TMF 01/21.02 Training and Briefing Components

A. General

Training and briefing shall include, but not be limited to:

1. issuing all members or other participants a post order for their assigned positions;
2. providing an orientation or briefing covering assigned duties and general operational information;
3. if necessary, detailed training covering legal, operational or technical aspects of assigned position;
4. if necessary, rehearsal of job functions; and
5. key positions in Manual TMF 01.

B. Post Orders

1. Each member or other participant shall be issued the post order or instructions for his assigned position.
2. The post order shall include, but not be limited to:
 - a. the position title;
 - b. location(s) of assignment;
 - c. title of supervisor;

- d. supervisory role, if any;
- e. duties and responsibilities-- general and specific; and
- f. emergency role.

3. When appropriate, one or more chapters of TMF 01 may be issued with a post order.
4. All post orders (and any accompanying manual material) shall be returned at the completion of the execution event.

C. Briefing/Orientation

1. Most assignments will be very specialized, involving a narrow range of duties. For such positions, briefing/orientation sessions will be all the training required in addition to the general training skills and experience of the persons assigned.
2. Orientation sessions shall include but not be limited to:
 - a. an overview of the execution process and operational components;
 - b. location of assigned post;
 - c. chain of command and organizational information;
 - d. an overview of the countdown of activities and procedures leading to the execution;
 - e. an explanation of support and crisis intervention systems;
 - f. interaction with the news media;
 - g. a review of the specific post order requirements, duties and other elements; and

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h. a question-and-answer period.

D. Training/Rehearsal

1. For assignments requiring more technical or complex functions, critical timing or interaction elements, or duties of a particularly difficult nature, more comprehensive training shall be required.
2. Team leaders shall be responsible for training and scheduling rehearsals as needed for team members.

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