

Exhibit 1

TENNESSEE DEPARTMENT OF
CORRECTION

LETHAL INJECTION
EXECUTION PROTOCOL

COMMISSIONER'S STATEMENT

The Tennessee Department of Correction ("the Department") is responsible for the incarceration of convicted felons serving sentences ranging from one year to death. Inmates sentenced to death are executed at Riverbend Maximum Security Institution ("RMSI").

As Commissioner of the Department, it is my duty to oversee the humane and constitutional execution of inmates sentenced to death in Tennessee. Tennessee law establishes lethal injection as the primary method for carrying out a death sentence and authorizes the Department to promulgate rules and regulations to facilitate executions by lethal injection. This Protocol will be reviewed as needed by me and/or my designee(s).



Commissioner

1-8-2025

Date

TABLE OF CONTENTS

I. INTRODUCTION.....	5
II. PRIMARY RESPONSIBILITIES OF DEPARTMENT AND NON-DEPARTMENT PERSONNEL.....	6
CENTRAL OFFICE PERSONNEL.....	6
COMMISSIONER.....	6
[REDACTED].....	6
[REDACTED].....	6
PERSONNEL AT RMSI.....	7
WARDEN.....	7
SPECIAL OPERATIONS TEAM.....	7
RESTRAINT TEAM.....	7
ESCORT TEAM.....	7
[REDACTED].....	7
NON-DEPARTMENT PERSONNEL.....	8
IV TEAM.....	8
PHYSICIAN.....	8
CLERGY.....	8
III. COMPOSITION, SELECTION, AND TRAINING OF DEPARTMENT AND NON-DEPARTMENT PERSONNEL.....	9
COMPOSITION AND SELECTION OF THE EXECUTION TEAM.....	9
SELECTION CRITERIA FOR MEMBERS OF THE EXECUTION TEAM.....	10
SELECTION OF SPECIALLY TRAINED NON-DEPARTMENTAL PERSONNEL.....	11
SELECTION CRITERIA FOR SPECIALLY TRAINED NON-DEPARTMENT PERSONNEL.....	11
PROTOCOL REVIEW, PRACTICE SESSIONS, AND SPECIALIZED TRAINING FOR EXECUTION TEAM MEMBERS.....	12
CHEMICALS USED IN LETHAL INJECTION.....	13
IV. PROCEDURES BEGINNING 30 DAYS BEFORE EXECUTION.....	14
30 DAYS BEFORE THE EXECUTION.....	14
21 DAYS BEFORE THE EXECUTION.....	15
14 DAYS BEFORE THE EXECUTION.....	15
48 HOURS BEFORE THE EXECUTION.....	16
12 HOURS BEFORE THE EXECUTION.....	17
DAY OF EXECUTION.....	17
POST-EXECUTION PROCEDURES.....	22
STAY OF EXECUTION.....	23
V. APPENDIX AND FORMS.....	24
AFFIDAVIT FOR METHOD OF EXECUTION.....	25
AFFIDAVIT TO SELECT INMATE WITNESSES TO EXECUTION.....	26

CHEMICAL PREPARATION TIME SHEET	27
PRIMARY SYRINGE SET	27
CHEMICAL PREPARATION TIME SHEET	28
BACKUP SYRINGE SET	28
LETHAL INJECTION CHEMICAL ADMINISTRATION RECORD	29
PRIMARY SET A	29
LETHAL INJECTION CHEMICAL ADMINISTRATION RECORD	30
BACKUP SET B.....	30
DAY OF EXECUTION-LETHAL INJECTION EXECUTION RECORDER	
CHECKLIST.....	31
POST ORDERS – SPECIAL OPERATIONS TEAM.....	34
POST ORDERS – RESTRAINT TEAM.....	36
POST ORDERS – ESCORT TEAM.....	38
POST ORDERS – BUILDING 8 CONTROL ROOM OFFICER.....	40
POST ORDERS – UNIT 2 HOUSING OBSERVATION OFFICER.....	42

I. INTRODUCTION

This Protocol summarizes the most significant events, Department procedures, and personnel responsibilities for carrying out the Tennessee Supreme Court's orders on executions by lethal injection. It will be used to ensure the humane and constitutional execution of inmates sentenced to death in Tennessee. There will be no deviation from this Protocol except by order of the Commissioner, when deemed necessary to effectuate the purpose of this Protocol.

II. PRIMARY RESPONSIBILITIES OF DEPARTMENT AND NON-DEPARTMENT PERSONNEL

CENTRAL OFFICE PERSONNEL

COMMISSIONER

The Commissioner is responsible for overseeing the administration of humane and constitutional executions in Tennessee.

[REDACTED]

[REDACTED] is responsible for the planning and overall direction of all pre-execution, execution, and post-execution activities.

[REDACTED]

[REDACTED] is responsible for notifying the inmate and the inmate's counsel of the execution date, obtaining a completed Affidavit for Method of Execution from the inmate, and serving as custodian of the Department's records related to executions in Tennessee.

PERSONNEL AT RMSI

WARDEN

The Warden is responsible for carrying out the directives of the Assistant Commissioner of Prison Operations to ensure that this Protocol is followed.

SPECIAL OPERATIONS TEAM

The Special Operations Team is responsible for preparing the lethal injection chemicals ("LIC") for administration.

RESTRAINT TEAM

The Restraint Team is responsible for inmate management immediately before, during, and after the execution, including the use of appropriate restraint procedures.

ESCORT TEAM

The Escort Team is responsible for coordinating the movement of all pre-approved witnesses.

[REDACTED]

[REDACTED]
[REDACTED]

NON-DEPARTMENT PERSONNEL

IV TEAM

The IV Team is responsible for establishing properly functioning IV lines for administration of the LIC.

PHYSICIAN

The Physician is responsible for determining that the inmate is deceased using accepted medical standards and establishing central line IV access if necessary.

CLERGY

Clergy, [REDACTED], may be approved in accordance with state law and Department policy to deliver chaplaincy services to the inmate and the inmate's family as requested.

III. COMPOSITION, SELECTION, AND TRAINING OF DEPARTMENT AND NON-DEPARTMENT PERSONNEL

COMPOSITION AND SELECTION OF THE EXECUTION TEAM

The Execution Team includes the following individuals and teams:

1. [REDACTED]
2. RMSI Warden.
3. Special Operations Team: consists of a team leader, two members and one alternate member. The team leader and members are selected by [REDACTED] with documented approval of the Commissioner.
4. Restraint Team: consists of a team leader, five other members, and two more alternate members. The team leader, members and alternate members are selected by [REDACTED] with documented approval by the Commissioner.
5. Escort Team: consists of a team leader and at least six other team members. The team leader and members are selected by the Warden.

SELECTION CRITERIA FOR MEMBERS OF THE EXECUTION TEAM

Members of the Execution Team are selected based on factors that include:

1. Length of service with the Department;
2. Job performance;
3. Professionalism;
4. Review of the individual's personnel file;
5. Staff recommendations;
6. Ability to maintain confidentiality;
7. Willingness to participate;
8. Any other relevant or specialized training related to the position.

SELECTION OF SPECIALLY TRAINED NON-DEPARTMENT PERSONNEL

Non-department personnel are selected for roles in the execution as follows:

1. IV Team: consists of at least two members who are either physicians, physician assistants, nurses, emergency medical technicians ("EMTs"), paramedics, military corpsman with relevant medical training, or other certified or licensed personnel including those trained in the United States Military. All team members are currently certified, licensed and/or qualified within the United States to place IV lines. IV Team members are selected by the Commissioner.
2. The Physician is selected by the Commissioner.

SELECTION CRITERIA FOR SPECIALLY TRAINED NON-DEPARTMENT PERSONNEL

Specially trained, non-department personnel are selected based on factors that include:

1. Education, training, and experience;
2. Professionalism;
3. Personal and professional recommendations;
4. Ability to maintain confidentiality;
5. Willingness to participate;
6. Any other relevant or specialized training related to the position.

PROTOCOL REVIEW, PRACTICE SESSIONS, AND SPECIALIZED TRAINING FOR EXECUTION TEAM MEMBERS

Review of the Lethal Injection Execution Protocol

1. After selection, the Execution Team, the IV Team, and the Physician must review this Protocol. This review is documented.
2. At least annually, the Warden or designee reviews the Protocol in its entirety with the Execution Team. This review is documented.

Monthly Practice Sessions

_____ ensures that monthly practice sessions are conducted. Practice sessions are attended by the Warden, the Special Operations Team, the Restraint Team, and the Escort Team. These regular practice sessions include simulations of all steps of the execution process beginning 2 hours before the execution, with the following exceptions:

1. Volunteers play the role of the inmate and the Physician.
2. No IV is inserted into the person playing the role of the inmate.
3. Saline solution is substituted for the LIC.
4. A body is not placed in a body bag.

Additional Pre-Execution Practice Sessions

Additional practice sessions are held at least twice weekly starting two weeks before a scheduled execution. Attendance of all practice sessions during this period is required absent illness or other unavoidable circumstances.

Documentation of Practice Sessions

All practice sessions are documented with the date and time, as well as the printed names and signatures of all participants.

Specialized Training for Department Personnel

Members of the Special Operations Team receive training in vascular access/IV therapy by a qualified third party. Updated training is conducted annually.

CHEMICALS USED IN LETHAL INJECTION

The Department uses the following LIC for executions by lethal injection:

Pentobarbital 100 ml of a 50 mg/ml solution (a total of 5 grams)

The Department will procure a sufficient supply of LIC to be used in lethal-injection executions. The LIC is subject to quality assurance and quality control testing. The Department will follow recommended guidelines for safe transportation and storage of LIC.

LIC will be secured [REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] and RMSI Warden will conduct a semi-annual inventory of the container to verify its contents and the expiration dates of LIC. An additional inventory will be conducted 30 days before a scheduled execution. All inventories will be conducted by a minimum of two persons and documented in the log. If an inventory reveals expired LIC, appropriate disposal will occur.
[REDACTED]

IV. PROCEDURES BEGINNING 30 DAYS BEFORE EXECUTION

30 Days before the Day of Execution

I. Central Office Personnel

A. [REDACTED]

1. Reviews documentation of training.
2. Confirms team leaders and members with documented approval by the Commissioner.
3. Sets pre-execution practice schedule.
4. Confirms that equipment inventory is completed and that any needed maintenance occurs.
5. Verifies and documents with the Warden the LIC to be used, including its quantity and expiration date.

B. Communications: Issues a news advisory about the date and time of the execution.

C. Office of Victim Services: Identifies family members of the victim(s) of the crime(s) for which the inmate was sentenced to death and advises them of the scheduled date and time of the execution.

II. RMSI or Debra Johnson Rehabilitation Center ("DJRC") Personnel

Warden:

1. Collects the Affidavit For Method of Execution from the inmate (if applicable) and provides copies to the Commissioner and [REDACTED] (See Appendix, p. 25).
2. Provides to the inmate the Affidavit to Select Defense Counsel Witness to Execution and Affidavit to Select Member of Clergy Preparing Inmate for Death. (See Appendix, p. 26).
3. RMSI Warden verifies and documents with the [REDACTED] the LIC to be used, including the quantity and expiration date.

4. RMSI Warden confirms that equipment inventory is completed and that any needed maintenance occurs.
5. Notifies the inmate about changes to the conditions of confinement over the next 30 days.

21 Days before the Execution

Central Office Personnel

Communications:

1. Receives media-witness applications, initiates background investigations on the applications, and advises the Commissioner of any issues arising from the investigations.
2. Sends witness agreement forms (Official Witness Agreement Form, Official Witness/Pool Reporter Agreement Form) to selected witnesses and establishes a deadline to return all completed forms.

14 Days before the Execution

I. Central Office Personnel

A. [REDACTED]

1. Directs the initiation of the Continuous Observation Logs, which record all daily activities of the inmate beginning 14 days before the execution. The logs are maintained at each post where the inmate is located until the execution occurs or a stay of execution is issued.
2. Directs the initiation of the final practice schedule.

B. [REDACTED]

Finalizes a list of all witnesses and prepares written invitations.

II. RMSI or DJRC Personnel

Warden:

1. Confirms receipt of Affidavit to Select Defense Counsel Witness to the Execution and Affidavit to Select Member of Clergy Preparing Inmate for Death.
2. Directs the transfer of the inmate to a cell for enhanced monitoring.
3. RMSI Warden finalizes arrangements with the [REDACTED] for disposition of the inmate's body.
4. RMSI Warden confirms maintenance staff are scheduled to be at RMSI at least 4 hours before the scheduled execution.

48 Hours before the Execution

I. Central Office Personnel

[REDACTED]

1. Confirms adequate staffing and vehicles are in place for regular operations and the execution.
2. Ensures that each room in the Capital Punishment Unit receives final inspection specific to its functions. The Capital Punishment Unit includes, but is not limited to, the inmate's cell, contact and non-contact visitation areas, the control room, the secure monitoring area, execution chamber, and lethal injection room.
3. Oversees transfer of female inmate from DJRC to RMSI, if applicable.

II. RMSI Personnel

Warden:

1. Verifies inventory and functionality of equipment in the Capital Punishment Unit.
2. Oversees the transfer of the inmate to a cell in the Capital Punishment Unit.

12 Hours before the Execution

RMSI Personnel

Warden:

1. Ensures that access to RMSI during the 12 hours before the execution is limited to:
 - a. On-duty Department personnel;
 - b. On-duty contract workers;
 - c. Volunteers deemed necessary by the Warden;
 - d. Approved delivery vehicles;
 - e. Law enforcement personnel on business-related matters;
 - f. Approved witnesses (i.e. defense counsel, clergy, Attorney General's designee).
2. Initiates lockdown of RMSI that will continue through the duration of the execution.
3. Ensures the inmate concludes the last meal by 12:00 a.m. the night before the execution and that all eating utensils and leftover food are removed from the cell.
4. Ensures non-contact visits and phone calls—excluding visits and calls from the inmate's attorney of record—are concluded 12 hours before the scheduled execution unless expressly approved by the [REDACTED]
[REDACTED]

Day of Execution

8:00 a.m.

A. Commissioner or designee:

Provides a brief overview of the execution for the official witnesses.

B. Special Operations Team:

1. Team Leader retrieves LIC with the Warden and/or [REDACTED]
2. Confirms that the phones in the execution chamber are operational.
3. Confirms that the camera used to monitor the IV site is operational.
4. Team Leader prepares the syringes of saline and Pentobarbital which shall be labeled as follows:

CHEMICAL CHART	
Syringe	Label
1A	50 ml Sterile Saline Solution, BLACK
2A	50ml (50mg/ml solution) Pentobarbital, GREEN
3A	50ml (50mg/ml solution) Pentobarbital, GREEN
4A	50 ml Sterile Saline Solution, BLACK

Preparation of syringes occurs in the Lethal Injection Room.

- a. One complete primary set ("Set A") of syringes is prepared and administered in carrying out the death sentence and an additional amount of LIC is available in the Lethal Injection Room for a backup set (Set "B"). Set B is only prepared if the inmate is not deceased after administration of Set A, applicable waiting period, and examination by the Physician.
 - b. The syringes are labeled, identifying the chemical contained in each syringe by (i) assigned number, (ii) chemical name, (iii) chemical amount and (iv) the designated color, as set forth in the chemical chart above. This information is preprinted on a label, with one label affixed to each syringe to ensure the label remains visible.
 - c. Once prepared, each syringe is placed into a designated tray in the order in which they are to be administered. The preparation of syringes is documented by a designated member of the Special Operations Team on the Chemical Preparation Time Sheet. (See Appendix p. 27).
5. After the Special Operations Team prepares the primary-Set A

syringes, the Special Operations Team prepares the IV lines for use by the IV Team. Each IV line consists of a sodium chloride bag, solution set, extension sets, and hemostatic clamps.

C. Escort Team:

1. Official witnesses report to the Administration Building no later than 8:30 a.m. They are greeted by the Escort Team, processed through checkpoint, and moved to the Administration Building conference room. Official witnesses are moved to the Parole Board Room in Building 8 no later than 9:45 a.m., where they remain until final movement to the official witness room.
2. Immediate family members of the victim(s) report to the Administration Building no later than 9:15 a.m. They are greeted by the Escort Team, processed through checkpoint, and moved to the conference room in Building 8 no later than 9:45 a.m., where they remain until final movement to the victim witness room.
3. The Escort Team processes, transports, and remains with the pre-approved official witnesses and victim witnesses through the conclusion of the execution and their return to designated staging areas and ensures that each witness group is always separated from the other groups.
4. [REDACTED] and the Physician are stationed in the capital punishment garage.

10:00 a.m.

1. At the command of the Warden, the Restraint Team removes the inmate from the holding cell, places him/her on the gurney, and secures him/her with restraints.
2. The Restraint Team moves the inmate to the execution chamber and secures the gurney. The Restraint Team secures the inmate's arms to arm extensions on the gurney. The Restraint Team confirms that the restraints are not so restrictive as to impede the inmate's circulation, yet sufficient to prevent the inmate from manipulating the catheter and IV lines.
3. The Warden, [REDACTED] Attorney General or designee, defense counsel witness and clergy, if requested, enter the execution chamber with the inmate.

4. Once the inmate is secured, the IV Team attaches the leads from the electrocardiograph to the inmate's chest. The IV Team confirms that the electrocardiograph is functioning properly. A backup electrocardiograph is on site and readily available, if necessary.
5. The IV Team determines the IV sites. The IV Team members insert a primary IV catheter and a backup IV catheter. The primary IV catheter is used to administer the LIC. The backup catheter is reserved in case the primary fails.
6. The Special Operations Team Leader ensures that the catheters are properly secured, properly connected to the IV lines, and out of reach of the inmate's hands. The Special Operations Team Leader opens the IV line to start a flow of sterile saline solution in each line and administers at a slow rate to keep the lines open. Any failure of an IV line shall be immediately reported to the Commissioner.
7. If necessary, the Physician will insert a central line.
8. The Escort Team secures official witnesses and victim witnesses in the appropriate witness rooms.
9. The Attorney General/designee, defense counsel witness, and any clergy member are escorted to the official witness room.
10. The camera and audio system are activated from the control room.

10:10 a.m.

1. The Warden and [REDACTED] open the blinds to the witness rooms.
2. The Warden contacts the Commissioner to ensure that no last-minute stay or reprieve has been granted.
3. The Warden asks the inmate if he/she wants to make a last statement.
4. The Warden gives the signal to proceed. The Special Operations Team Leader directs the assigned Special Operations Team Member to confirm the chemical name and order of syringes in the Primary Set A.

5. The Special Operations Team Leader administers all syringes in Primary Set A. In the event of a primary line failure with the first syringe of saline, the Special Operations Team Leader switches to the back-up IV line and administers the complete set of syringes.
6. After the four syringes in Primary Set A have been administered, the Special Operations Team Leader signals to the Warden at which time a 5-minute waiting period begins.
7. After the waiting period, all witness blinds are closed, the camera is disengaged, and the privacy curtains are closed. The Warden asks the Physician to enter the room to examine the inmate and determine if he/she is deceased. The Physician determines whether the inmate is deceased.
8. The Physician reports his findings to the Warden.
9. If the inmate is not deceased, a Backup Set B of syringes is prepared, the blinds are reopened, and steps 5 through 8 are repeated.
10. A designated member of the Special Operations Team will document all information contained on the Lethal Injection Chemical Administration Record (See Appendix, pp. 31-33).
11. The Warden announces that the sentence has been carried out and directs the witnesses to exit.

POST-EXECUTION PROCEDURES

1. The Commissioner notifies the Governor or designee and [REDACTED] via telephone that the sentence has been carried out and the time that death occurred.
2. The IV Team clamps and cuts the IV lines leaving them connected to the inmate for examination by [REDACTED]
3. [REDACTED] takes appropriate investigative measures and takes custody of the deceased inmate.
4. Witnesses are escorted out of the Capital Punishment Unit. Each group of witnesses is kept separate from the other.
5. Official witnesses who are media pool reporters are returned to the media tent to participate in the media briefing.
6. Victim witnesses who wish to speak with the media are escorted to the media tent.
7. Media may remain on site in a designated location outside the secure perimeter to complete live broadcasts.
8. The Warden determines when the prison will resume normal operations after consultation with [REDACTED]
9. [REDACTED] collects the Department's records relating to the execution.
10. The Commissioner, [REDACTED] the Warden and other relevant personnel, if any, review the execution process and determine whether any changes or modifications should be made.

STAY OF EXECUTION

1. Upon receiving notification that a court has issued a stay of execution, or the Governor has issued a reprieve, the Commissioner consults with [REDACTED] and advises the Warden.
2. Upon receiving notification, the Warden:
 - a. Advises the witnesses that a stay or reprieve has been issued.
 - b. After consultation with the Commissioner, directs the IV Team to remove the catheters, if applicable, and directs the Restraint Team to return the inmate to the holding cell.
3. The Warden informs the appropriate personnel of the stay or reprieve.
4. The Traffic Control Team Leader notifies any protestors of the stay or reprieve.
5. The Escort Team escorts witnesses from the Capital Punishment Unit.

V. APPENDIX AND FORMS

AFFIDAVIT FOR METHOD OF EXECUTION

Under Tennessee law, you have the right to have your execution carried out by lethal injection. You also have the option of waiving this right, and choosing electrocution as the method of your execution. The purpose of this affidavit is to allow you an opportunity to either waive your right to have your execution carried out by lethal injection or to decline to waive that right. Failure to complete this form will result in the execution being carried out by lethal injection. You will not be given another opportunity to waive your right to have your execution carried out by lethal injection. If you waive your right to have your execution carried out by lethal injection, you may rescind that waiver by contacting the Warden **no later than 14 days before the date of the execution** and signing a new affidavit to that effect.

I, _____ TDOC No. _____, make the following choice concerning the method of my execution set to be carried out on the ____ day of _____, _____:

_____ I waive the right to have my execution carried out by lethal injection and choose to be executed by electrocution.

Signature of Inmate

_____ I have been given the opportunity to waive my right to have my execution carried out by lethal injection and I decline to waive that right.

Signature of Inmate

I certify that I presented this Affidavit For Method of Execution to inmate _____, TDOC No. _____, and

_____ The inmate refused to sign.

_____ I witnessed the inmate sign this affidavit.

Signature of Warden/Designee

Sworn to and subscribed before me this ____ day of _____, 20____.

Notary Public

My Commission expires _____.

AFFIDAVIT TO SELECT INMATE WITNESSES TO EXECUTION

Under Tennessee law, Tenn. Code Ann. § 40-23-116, you may select one (1) defense counsel, a member of the clergy, and adult members of your immediate family to witness your scheduled execution. Below, please provide the full names of your selected witnesses.

Defense Counsel _____

Clergy _____

Inmate's immediate family _____

I, _____, TDOC No. _____, select the above witnesses:

Signature of Inmate

Date

I certify that I presented this Affidavit to Select Inmate Witnesses to Execution to inmate

_____, TDOC No. _____, and

_____ The inmate refused to sign.

_____ I witnessed the inmate sign this affidavit.

Signature of Warden/Designee

Date

Sworn to and subscribed before me this _____ day of _____, 20_____

Notary Public

My Commission expires _____

CHEMICAL PREPARATION TIME SHEET

Date _____

PRIMARY SYRINGE SET

Syringe 1A-BLACK-50 ml of Sterile Saline Solution prepared by _____

at _____ a.m.

Witnessed by _____

Syringe 2A-GREEN-50 ml (50mg/ml solution) of Pentobarbital prepared

by _____ at _____ a.m.

Witnessed by _____

Syringe 3A-GREEN-50 ml (50 mg/ml solution) of Pentobarbital prepared

by _____ at _____ a.m.

Witnessed by _____

Syringe 4A-BLACK-50 ml of Sterile Saline Solution prepared by _____

at _____ a.m.

Witnessed by _____

CHEMICAL PREPARATION TIME SHEET

Date _____

BACKUP SYRINGE SET

Syringe 1B-BLACK-50 ml of Sterile Saline Solution prepared by _____

at _____ a.m.

Witnessed by _____

Syringe 2B-GREEN-50 ml (50mg/ml solution) of Pentobarbital prepared

by _____ at _____ a.m.

Witnessed by _____

Syringe 3B-GREEN-50 ml (50 mg/ml solution) of Pentobarbital prepared

by _____ at _____ a.m.

Witnessed by _____

Syringe 4B-BLACK-50 ml of Sterile Saline Solution prepared by _____

at _____ a.m.

Witnessed by _____

LETHAL INJECTION CHEMICAL ADMINISTRATION RECORD

Inmate Name _____ Inmate # _____

Date _____

PRIMARY SET A

	Chemical	Time Begin
Syringe 1-A	Saline 50 ml	_____
Syringe 2-A	Pentobarbital 50 ml	_____
Syringe 3-A	Pentobarbital 50 ml	_____
Syringe 4-A	Saline 50 ml	_____

End Time _____

Recorder Signature _____

LETHAL INJECTION CHEMICAL ADMINISTRATION RECORD

Inmate Name _____ Inmate # _____

Date _____

BACKUP SET B

	Chemical	Time Begin
Syringe 1-B	Saline 50 ml	_____
Syringe 2-B	Pentobarbital 50 ml	_____
Syringe 3-B	Pentobarbital 50 ml	_____
Syringe 4-B	Saline 50 ml	_____

End Time _____

Recorder Signature _____

DAY OF EXECUTION – LETHAL INJECTION EXECUTION RECORDER CHECKLIST

Inmate Name _____ Inmate # _____

Date _____

TIME

_____ Report to designated area for final briefing

_____ Restraint Team and Special Operations Team report to Execution Chamber for final briefing. Special Operations Team sets up IV system.

_____ Physician in place

_____ IV Team in place (EMTs)

_____ [REDACTED] in place

_____ Warden in place

_____ Check blinds and curtains

_____ Advise Escort Team to transport Official Witnesses to Parole Room

_____ Advised by Escort Team that Official Witnesses are in Parole Room

_____ Advise Escort Team to escort Victim's Witnesses to Viewing Room

_____ Advised by Escort Team that Victim's Witnesses are in place

_____ Warden or designee checks to ensure execution is to proceed

_____ Gurney positioned in Death Watch Area

_____ Restraint Team enters cell and secures condemned inmate to gurney

_____ Advise Escort Team to transport Official Witnesses to Death Watch vestibule

_____ Advised by Escort Team that Official Witnesses are in the vestibule

_____ IV Team enters the Execution Chamber

_____ IV Team exits the Execution Chamber

_____ Advise Escort Team to "Transport Official Witnesses in place"

Recorder's Initials _____

DAY OF EXECUTION – LETHAL INJECTION EXECUTION RECORDER
CHECKLIST (continued)

Inmate Name _____ Inmate # _____

Date _____

TIME

_____ Advised by Escort Team that "Witnesses are in place"

_____ Warden checks with Commissioner to proceed

_____ Warden orders blinds opened, closed circuit TV activated, and audio activated for viewing rooms.

_____ Warden asks inmate for any last comments

_____ Warden orders Special Operations Team to proceed

_____ Lethal Injection process completed

_____ Blinds and curtains closed and closed-circuit TV deactivated

_____ Physician enters the Execution Chamber

_____ Physician pronounces death – exact time

_____ Audio deactivated to witness rooms

_____ Advise Escort Team to remove Victim's Witnesses

_____ Advise Commissioner or designee that execution is completed

_____ Physician and EMTs depart

_____ [REDACTED] escorted to chamber to take possession of body. Pictures will be taken of body and Execution Chamber before removal of body

_____ Advised by Escort Team Victim's Witnesses are at Checkpoint

_____ Advise Escort Team to remove Official Witnesses

_____ Advised by Escort Team that Official Witnesses are at Checkpoint

_____ The body removed from the institution

Recorder's Initials _____

DAY OF EXECUTION – LETHAL INJECTION EXECUTION RECORDER
CHECKLIST (continued)

Inmate Name _____ Inmate # _____

Date _____

Inmate's Comments if any:

Lethal Injection Recorder

Date

SPECIFIC POST ORDERS – Special Operations Team (3 Members including a Team Leader and 1 Alternate)

Duty Hours – 6:00 AM – Until properly relieved.

Composition of Team

1. Team Leader
2. Recorder
3. Camera Operator
4. Alternate Member

Equipment

[REDACTED]

Primary Responsibility

You have the responsibility of overseeing and leading the preparation/administration of the lethal injection chemicals, recording the steps and times of the chemical preparation/administration process, and operating the camera in the execution chamber throughout the process.

These are not all-inclusive duties; therefore, staff are subject to other duties as assigned.

Duties:

Team Leader:

1. Upon arrival at the post, visually inspects the area to ensure it is ready to carry out the sentence.
2. Ensure the camera operator tests the equipment upon arrival to the area.
3. Retrieve lethal injection chemical with either the Warden or [REDACTED] and complete inventory.
4. Retrieve IV lines, syringes, saline solution, supplies, etc. needed to perform the injection and complete inventory.
5. Ensure preparation of the lethal injection chemical.
6. Begin setup for lethal injection portion of execution process.

7. Ensure the recorder documents all steps on the Chemical Preparation Time Sheet and Lethal Injection Chemical Administration Record.

Recorder

1. Document all information on the Chemical Preparation Time Sheet(s).
2. Document all information on the Lethal Injection Chemical Administration Record(s).
3. Perform other duties as assigned by the Team Leader.

Camera Operator

1. Operate the overhead camera that monitors the IV catheter during the lethal injection process.
2. Perform other duties as assigned by the Team Leader.

Alternate Member

1. Cross train with team members to learn all duties in case the need arises.

****Depart the area once properly dismissed by the Warden or**

*****END*****

SPECIFIC POST ORDERS – Restraint Team (1 Leader/Supervisor, 5 Members, and 2 Alternates)

Duty Hours – 6:00 AM – Until relieved by a supervisor (Lieutenant or above).

Composition of Team

The team will consist of 1 Team Leader, 5 members, and two alternates.

Equipment

[REDACTED]

[REDACTED]

[REDACTED]

Primary Responsibility

You have the responsibility of safely and securely removing the inmate from the holding cell in the Capital Punishment Unit, securing the inmate to the gurney, and moving the inmate to the Execution Chamber.

Duties:

1. As a team, report to the holding cell to remove the inmate.
2. Team Leader will ask the inmate to approach the cell door and submit to restraints. If the inmate is compliant, the restraints will be applied.
3. If the inmate is non-compliant but passive, inform the inmate you will be entering the cell to apply restraints and remove him/her. The restraint team will enter the cell in the use-of-force formation and apply restraints.
 - a. Team Leader/Supervisor oversees movement and directs team members during move.
 - b. Team member 1 is responsible for pinning, if necessary, monitoring inmate, and maintaining/utilization of the cutters.
 - c. Team member 2 secures the inmates upper right appendage and applies wrist restraint.

- d. Team member 3 secures upper left appendage and applies wrist restraint.
 - e. Team member 4 secures the lower right appendage and applies leg restraint.
 - f. Team member 5 secures the lower left appendage and applies leg restraint.
4. In the event the inmate is non-compliant and exhibits threatening behavior, Team Leader will treat the situation as a potential use of force and begin de-escalation efforts to try and gain voluntary compliance. Should these efforts fail, the team will use force to remove the inmate from the cell.
5. Upon application of hand restraints, the team will remove the inmate from the cell, search the inmate, and secure the inmate on the gurney.
6. The team will transport the inmate on the gurney to the Execution Chamber. Once the gurney is in place, secure the inmate's arms to the arm extensions on the gurney.
7. The team will perform other duties as assigned.

*****END*****

SPECIFIC POST ORDERS – Escort Team (At least 6 Members and 1 Leader/Supervisor)

Duty Hours – 6:00 AM – Until relieved by a supervisor (Lieutenant or above).

Composition of Team

The team will consist of at least 6 members and 1 Team Leader.

Equipment

[REDACTED]

Primary Responsibility

Escorts are responsible for escorting official witnesses and immediate family members of the victim(s) to designated areas.

Duties:

1. The Escort Team reports to the Administration Building conference room no later than 8:00 AM to receive instructions.
2. The escorts will receive and greet official witnesses at 8:30 AM in the Administration Building. After the official witnesses are processed through checkpoint, they are moved to the Administration Building conference room. They are then escorted to the Parole Board Room in Building 8 no later than 9:45 AM. The official witnesses will remain in the Parole Board Room until final movement to the witness room.
3. The escorts will receive and greet the immediate family members of the victim at 9:15 AM in the Administration Building. After they are processed through checkpoint, the victim witnesses are moved to the conference room in Building 8 no later than 9:45 AM. The victim witnesses will remain in the conference room until final movement to the victim witness room.
4. The Escort Team processes, transports, and remains with the pre-approved official witnesses and victim witnesses through the conclusion of the execution and the witnesses' return to the designated staging areas. The Escort Team ensures that each witness group always remains separated from the other groups.

5. Upon pronouncement of the inmate's death, the Escort Team will escort immediate family members of the victim(s) out of the Capital Punishment Unit to the Administration Building for departure.
6. Once confirmation is received that immediate family members of the victim have departed, the Escort Team will escort official witnesses from the Capital Punishment Unit to the Administration Building for departure.
7. Escorts may perform other duties as assigned by a supervisor.

*****END*****

SPECIFIC POST ORDERS – Building 8 Control Room Officer

Duty Hours – 6:00 AM – 6:00 PM (Shift 2) (10A – 6P on day of move)
6:00 PM – 6:00 AM (Shift 1)

Report to Building 8 at approximately 10:00 AM (48 hours before scheduled execution) wearing the prescribed uniform and assume the duties in the Control Room in preparation for the inmate's arrival to a holding cell. If applicable, make your relief, as the equipment is issued on a 24-hour basis, you are required to indicate the key ring number and type of equipment accounted for in your post logbook. Count the keys to ensure the number of keys corresponds with the total number on the key ring chit. Key rings must be secured to a belt by a clip and a metal chain. Contact the Control Center and test your radio/body alarm.

Documentation

Logbook entries must be legible, documenting routine and unusual activity. An example of a log entry is:

6:00 AM Relieved Officer Williams and assumed duties as the Unit 2 Officer. Key Rings F-1, X-22, Radio, (1) set of handcuffs, (1) set of leg irons, (1) handheld metal detector, and (1) flashlight accounted for.
12:01 PM Count announced, Officer Smith backing count.
12:47 PM Clear count with 32 inmates.

Primary Responsibility

This post commences at approximately 10:00 AM, 48 hours before the scheduled execution. You have the responsibility of controlling all electronic access points to the Capital Punishment Unit and recording all activity. In addition, you are responsible for completion of the Lethal Injection Recorder Checklist, including when the time-specific events occur. Other non-routine activity should be noted in the post's logbook.

These are not all-inclusive duties. You are subject to other duties as assigned.

Security Measures

Building access - only authorized staff will be given access to areas within the Capital Punishment Unit. Questions regarding persons other than those with a role or previously identified in the protocols must be approved by the Warden prior to granting access. The request/approval is to be documented in the logbook.

Official count times - Official counts are conducted [REDACTED]
[REDACTED]

Duties:

1. Always remain alert and continuously monitor the unit's activity.
2. Complete the Lethal Injection Recorder Checklist form and note the times any identified activity occurs.
3. Announce official count times to the unit's observation officer.
4. Document the identity of all individuals who access the Capital Punishment Unit, including all staff and inmate visitors.
5. Conduct security inspection of the control room and document discrepancies in the log and submit work request for repairs.
6. Conduct key and equipment accountability during shift.



*****END*****

SPECIFIC POST ORDERS - Unit 2 Housing Observation Officer

Duty Hours – 6:00 AM – 6:00 PM (Shift 2)
6:00 PM – 6:00 AM (Shift 1)

Report to Unit 2 wearing the prescribed uniform and relieve the outgoing officer. After you make your relief, as the equipment is issued on a 24-hour basis, you are required to indicate the key ring number and type of equipment accounted for in your post logbook. Count the keys to ensure the number of keys corresponds with the total number on the key ring chit. Key rings must be secured to a belt by a clip and a metal chain. Contact the Control Center and test your radio/body alarm.

Equipment



Primary Responsibility

This post commences 14 calendar days before a scheduled execution. You have the responsibility of continuous direct supervision of the inmate while he/she is housed in the designated general population housing-unit cell in preparation for his/her sentence being carried out. You will be positioned directly outside the inmate's cell with a line of sight inside the cell.

These are not all-inclusive duties. You are subject to other duties as assigned.

Documentation

Logbook entries must be legible and intelligible, documenting routine and unusual activity. An example of a log entry is:

6:00 AM Relieved Officer Williams and assumed duties as the Unit 2 Officer. Key Rings F-1, X-22, Radio, (1) set of handcuffs, (1) set of leg irons, (1) handheld metal detector, and (1) flashlight accounted for.
12:01 PM Count announced, Officer Smith backing count.
12:47 PM Clear count with 32 inmates.

Security Measures / Conditions of Confinement

Restraints – The inmate will be restrained from the rear when going to the recreation area or other unit based out of cell activity. Full restraints will be used when inmate is moved outside of the unit.

Meals – The inmate will be provided meals consistent with the unit feeding schedule. All utensils and feeding materials will be retrieved following each meal.

Telephone use – The inmate will be permitted routine use of the telephone. All requests and initiated/completed calls will be documented in the logbook.

Visits – All inmate requested visits must be made in writing and approved by the Warden.

Personal property – Personal property may be transferred into the cell by/with the inmate upon prior approval from the Warden after consultation with Assistant Commissioner, Prison Operations. All items will be searched prior to allowance into the cell. He/she will be permitted to purchase commissary from the unit's approved list, maintain in the cell legal and religious materials, pencil, paper, and books. Use of hygiene items (soap and toothpaste) toothbrush, and a comb are permissible.

Females may have feminine hygiene items as needed.

All personal property will be visually inspected and electronically screened via x-ray each time items are removed or permitted inside the cell.

Recreation – The inmate will be permitted out of cell, outdoor recreation in one-hour increments on five separate days for a total of five per week. Recreation will be scheduled when the inmate is the sole person in the outdoor recreation area.

Clothing exchange – All clothing issued will be visually and electronically screened for contraband.

Bedding /Mattress– Upon initial placement, issue a new mattress, all new bedding, and towels. Authorized items include two sheets, one blanket, one pillow, one pillowcase, two wash clothes and one towel.

Showers – Upon request, razors will be issued and retrieved upon use each time.

Cell sanitation – Upon request by the inmate, sanitation supplies (broom and cleaner) may be issued only when a supervisor is present in the unit. The items must be collected immediately upon completed use.

Official count times – Official counts are conducted [REDACTED]
[REDACTED]

Clinical rounds – Ensure that Clinical Services staff visits the unit daily. The staff member will be required to initial the CR-2578 form and the officer make an entry documenting their presence in the post logbook.

Duties:

1. Always remain alert and continuously monitor inmate.
2. Ensure inmate is issued one set of clean clothing initially prior to entering cell and exchange clothing prior to re-entering the cell after each exit (shower, recreation, visitation, etc.).
3. Search inmate after each cell exit and prior to re-entering. All searches will include the use of a handheld metal detector.
4. Conduct official counts with a second staff member, sign slip, and submit to the Control Center. Staff must be certain they are observing living, breathing flesh in making an accurate count.
5. Document inmate's actions that are not indicated on the Segregation Unit Record (reading, writing, listening to music, watching tv, etc.) in the post logbook.
6. Document in the post logbook, each request made by the inmate and actions taken.
7. Document the beginning and ending times of meals, visits, and telephone calls.
8. Request a security supervisor or higher prior to removing the inmate from a secured area for supervision oversight and guidance.
9. Conduct a proper search of all items and will document the search in the logbook. Legal mail will be scanned for contraband and opened in the presence of the inmate.



*****END*****

Exhibit 2

EXECUTION PROCEDURES

FOR

ELECTROCUTION

This manual contains a summary of the most significant events and departmental procedures to be followed in the process of carrying out the orders of the Court regarding the imposition of death by electrocution. It contains a detailed listing of some of the duties and responsibilities of certain key departmental personnel. In addition, the manual covers institutional perimeter security prior to, during, and subsequent to an execution.

It will be used as a guideline for the Warden to assure that operational functions are properly planned with the staff who have designated responsibilities in performing a judicially ordered execution by electrocution.

SECTION 7 (PERIMETER SECURITY) IS

CONFIDENTIAL

AND IS NOT FOR PUBLIC RELEASE.

TABLE OF CONTENTS

ELECTROCUTION

I.	Introduction	
	Commissioner's Statement	5
II.	Definitions	
	Definitions	7
	Diagram of Capital Punishment Unit	10
III.	Duties of Management and Administrative Personnel	
	Riverbend Maximum Security Institution Personnel	12
	Warden	13
	Associate Warden of Security	14
	Electrocution Recorder	15
	Death Watch Supervisor	16
	Institutional Chaplain	17
	ITS Security Systems Technicians	18
	Physician	19
	Facility Maintenance Supervisor	20
	Assistant to the Facility Maintenance Supervisor	21
	Extraction Team	22
	Escort Officer(s)	23
	Central Office Personnel	24
	Commissioner	25
	Deputy Commissioner of Operations	26
	Assistant Commissioner of Prisons	27
	Director of Communications and Public Relations	28
	Director of Office of Investigation and Compliance	29
	Director of Victim Services	30
IV.	Selection and Training of Staff	
	Execution Team Member Selection Criteria	32
	Training of Execution Team Members	33
V.	Preparation and Procedures of Accountability	
	Electric Chair - Testing and Modification	34
	Professional Oversight	36
	Sodium Chloride Solution Preparation	38
	Pre-Execution Preparation	39
	Procedures for Usage of the Electric Chair	42

TABLE OF CONTENTS ELECTROCUTION CON'T

	Post-Execution	45
VI.	Death Watch Procedures	
	Staff Responsibilities and Special Procedures	47
	Execution Team	51
	Death Watch Supervisor	53
	Control Monitor	56
	Floor Officer Monitor	60
	Day 1	62
	Day 2	62
	Day 3 - Execution Day	62
	Day 3 - Evening Schedule	63
	Post-Execution	67
	Contingency Issues	68
VII.	Victim Services	
	Victim Services	70
VIII.	Perimeter Security – CONFIDENTIAL – Not for Public Release	
	Perimeter Assignments	73
	Perimeter Diagram	77
IX.	Forms	
	Notification Letter to Sheriff's Office to Witness Execution of Inmate	79
	Notification Letter to Inmate's Family to Witness Execution	80
	Electrocution Chronological Execution Report	81
	Day of Execution – Electrocution Execution Recorder Checklist	82
	News Release	85
	Affidavit Concerning Method of Execution	86
	Application for News Media Representative	87
	Affidavit to Select Defense Counsel Witness to Execution	93

INTRODUCTION

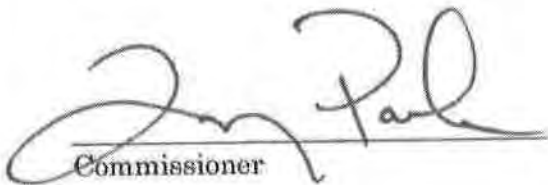


RIVERBEND MAXIMUM SECURITY INSTITUTION



The Tennessee Department of Correction is responsible for the incarceration of convicted felons serving sentences ranging from one year to death. Individuals sentenced to death are executed at Riverbend Maximum Security Institution. Upon the exhaustion of an individual's appeals, the execution process shall begin.

In the capacity as Commissioner, it is my duty by law to oversee the humane and constitutional execution of individuals sentenced to death by judicial authority in Tennessee. This manual explains the procedures for electrocution. It will be reviewed annually, or as needed, by a designated panel.


Commissioner

3/13/17
Date

DEFINITIONS



RIVERBEND MAXIMUM SECURITY INSTITUTION

DEFINITIONS

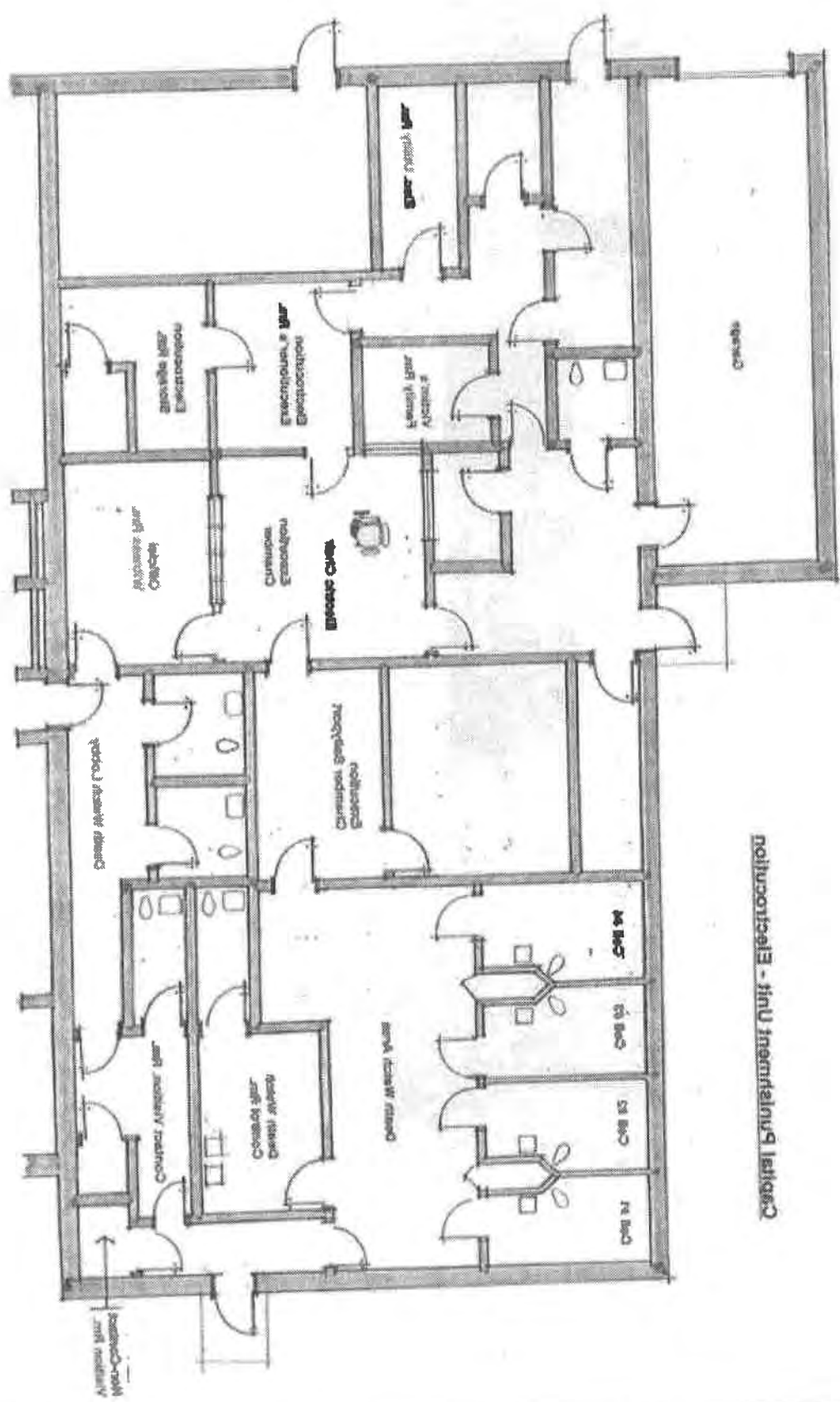
The definitions listed below only pertain to the Electrocution Process within this manual.

Amperage Meter	A device that measures the number of amperes in an electric current. Seven (7) amps are used in the electrocution process.
Amp Clamp	A device used to verify whether or not there is an electrical current going to the head piece of the electric chair during testing.
Death Watch	A period of time immediately prior to an execution during which special procedures are implemented in order to ensure that the execution is carried out in a safe and orderly manner.
Death Watch Area	An area that includes the inmate's cell(s) contact and non-contact visitation areas, the control room, and the secured monitoring area.
Electric Chair	The sitting apparatus in which the condemned inmate will be secured for electrocution. The chair is fixed to the floor.
Electrical Console	The unit used to administer electrical current to the electric chair.
Electrical Tester Lead (s)	A device used during the testing process that verifies whether or not an electrical current can be detected at the head and ankle location of the electric chair.
Electrical Utility Room	The room located behind the Executioner's Room and where the primary disconnect box is located.
Electrocution Storage Room	A room located next to the Executioner's Room. It contains equipment and materials used in the electrocution process.
Execution Chamber	See Diagram (page 10).
Execution Team	The Execution Team shall consist of: the Warden, Associate Warden of Security, Executioner, Extraction Team, Death Watch Team, Electrocution Recorder, Facility Maintenance Supervisor, Assistant to the Facility Maintenance Supervisor (electrician), ITS Security Systems Technician(s), and Escort Officer(s).
Executioner's Room	A room where the Executioner activates the electric chair at the direction of the Warden.
Extraction Team	Execution Team members who are responsible for the removal, restraint, and movement of the inmate during the time of execution.

DEFINITIONS - CON'T

Fuses	An electrical safety device. Four (4) 100 amp fuses are used in the electrocution process.
Head Piece	A leather cranial cap lined with copper mesh inside. It connects to the power cable in the head region.
High Voltage Cable	A heavy duty gray cable used for transferring electrical current from the transformer to the electric chair.
Junction Box	An enclosed and protected box inside which electrical circuits are interconnected or branched for distribution. It is located at the rear of the electric chair. The high voltage cable will be secured to this box.
Low Voltage Cable	A black cable used to transfer electrical current from the electrical console to the transformer.
Natural Sea Sponges	Sponges harvested from the ocean.
Primary Power Disconnect Box	The primary source of electrical current for the Electrocution Process. It is a gray box located in the Electrical Utility Room.
Reserved Manual Transformer	The device used as an electrical power source if there is a malfunction with the transformer. It is located in the storage room.
Secondary Power Disconnect Box	The source of power from the Executioner's Room. This provides electricity for the electrical console, transformer, amp meter, and electric chair.
Shroud	A piece of cloth or leather used to cover the condemned inmate's face during electrocution.
Sodium Chloride	Common table salt. It is used in saturation of the natural sea sponges.
Test Load Box	A device that electrically simulates an inmate's body for test purposes.
Transformer	A device that transfers electrical energy from one alternating circuit to another with a change in voltage, current, phase, or impedance.
Voltage Meter	A device on the transformer that measures that amount of voltage used in the electrocution process. 1,750 volts are used in the electrocution process.

Note: Whenever the masculine pronoun is used in this manual, it applies equally to a female.



Cabinet Enrollment Unit - Electrolution

**DUTIES OF MANAGEMENT AND ADMINISTRATIVE
PERSONNEL**



RIVERBEND MAXIMUM SECURITY INSTITUTION

**RIVERBEND MAXIMUM SECURITY INSTITUTION
PERSONNEL**

WARDEN

Primary Role

To ensure that the procedures prescribed by law and as outlined in this operating procedure are performed, either by personal performance or by delegation.

Duties:

1. To ensure that the security of the institution is maintained.
2. To ensure condemned inmates sentenced prior to January 1, 1999 are given the opportunity to select electrocution or lethal injection as a legal means of execution at least 30 days before the execution.
3. To explain to the inmate the procedures and activities which will take place during Death Watch.
4. To control any contact between the condemned inmate and other persons.
5. To coordinate the notification of official witnesses of the date and time to be at the institution to witness the scheduled execution.
6. To coordinate the appointment of execution team staff member(s).
7. To select a person to serve as Executioner.
8. To set the precise hour and minute of execution, subject to approval of the Commissioner and the Department's General Counsel.
9. To arrange for presence of a physician to carry out functions set forth on Page 20.
10. To coordinate with the Medical Examiner for disposition of the body.
11. To keep the Commissioner, Deputy Commissioner of Operations and Assistant Commissioner of Prisons informed of the progress towards and implementation of the execution.
12. To control activation of closed circuit TV to the victim family witness room.
13. To order the Executioner, either verbally or by gesture, to proceed with execution.
14. To cause the announcement to significant parties and the public of the fact that the sentence of execution has been carried out.

ASSOCIATE WARDEN OF SECURITY

Primary Role

Assist the Warden in performing execution procedures and substitute for the Warden if he is unable to perform his duties.

Duties:

1. To ensure the security of the condemned inmate.
2. To supervise preparation of the Death Watch cell area, Execution Chamber, and the condemned inmate for execution.
3. To coordinate and/or approve, with assistance by assigned security staff, visits and phone calls permitted to the condemned inmate.
4. To provide the final inspection of restraint devices to ensure the condemned inmate is secure in the chair.
5. To ensure that any blinds between the witness room and the Execution Chamber are closed prior to the witnesses entering and opened after the witnesses are seated.
6. To supervise the removal of the body from the Execution Chamber.
7. To coordinate the release of the condemned inmate's body to the authorized recipient or coordinate burial at State expense in the event no one claims the body.

ELECTROCUTION RECORDER

Primary Role

Assist the Warden in carrying out his duties.

Duties:

1. To coordinate and supervise the movement of the Execution Team to and from the Execution Chamber, and aid in maintaining the team's anonymity.
2. To process applications for the selection of news media representatives to attend executions.
3. To complete the Electrocution Chronological Execution Report and Execution Recorder Checklist.

DEATH WATCH SUPERVISOR

Primary Role

To coordinate all security requirements for the inmate during the Death Watch and to supervise all correctional officers assigned any responsibilities for direct supervision of the inmate during Death Watch, including preparation of the condemned inmate.

Duties:

1. To prepare a duty schedule for officers assigned this detail.
2. To review post orders for correctional officers and to become familiar with all functions of subordinates.
3. To ensure that the condemned inmate personally inventories his personal property and packs away all items he is not permitted to retain. The Death Watch Supervisor, inmate, and one witness will sign property inventory. The sealed property will be retained in storage in the Property Room until removed by inmate's designee.
4. To maintain a bound ledger of information related to Death Watch associated activities. This log will contain a record of all visitors, meals served, shaving, handling of mail, inmate behavior, movement, communications, etc.
5. To permit only authorized persons to enter the Death Watch area. The Warden will provide a list of authorized personnel.
6. To maintain a sufficient amount of clothing in the inmate's size in order to provide a change of clothing each time the inmate leaves the cell. The Death Watch Officers will have custody of the clothing to be stored.
7. To ensure that cellular phones, cameras, audio, and video equipment are not taken into the Death Watch area or the Execution Chamber at any time during Death Watch or at the time of execution, unless authorized by the Warden.
8. To coordinate movement of witnesses entering and exiting witness rooms during the execution process.
9. To activate and deactivate the closed circuit TV and audio speaker systems at the prescribed times during the execution process.
10. To ensure the events pertaining to the execution are documented by the Electrocution Recorder on the Electrocution Chronological Execution Report and Execution Recorder Checklist.

INSTITUTIONAL CHAPLAIN

Primary Role

To offer and deliver chaplaincy services to the condemned inmate and the inmate's family as needed.

Duties:

1. To ask the inmate to specify in writing the preferred funeral arrangements and the preferred recipients of personal property. If a legal will is requested, the Chaplain will coordinate with the TDOC Staff Attorney.
2. To say a brief prayer of intercession immediately prior to execution (if requested).
3. To assist in the release of the executed inmate's body to the authorized next-of-kin recipient or mortician through the State Medical Examiner.

ITS SECURITY SYSTEMS TECHNICIANS

Primary Role

To ensure that the closed circuit television and the audio systems between the Execution Chamber and witness room(s) are functioning properly at the scheduled time of execution.

PHYSICIAN

Physician's Primary Role

To pronounce death.

Duties:

1. To be present at the precise time of execution in the capital punishment garage.
2. To examine the body for vital signs five minutes after the electrical current ceases.
3. To notify the Warden if the inmate is not legally dead.
4. To pronounce death if no vital signs are detected.

FACILITY MAINTENANCE SUPERVISOR

Primary Role

To assure that the electrical apparatus for execution is properly maintained in working order.

Duties:

1. To conduct quarterly and pre-execution tests of the electric chair.
2. To mix sodium chloride solution.
3. To fully saturate natural sponges in sodium chloride solution.
4. To remain in the Execution Chamber and to connect and disconnect the power supply to the electric chair at the direction of the Warden.

ASSISTANT TO THE FACILITY MAINTENANCE SUPERVISOR

Primary Role

To assist the Facility Maintenance Supervisor with his duties.

Duties:

1. To assist with the testing of the electric chair quarterly and pre-execution.
2. To assist with mixing the sodium chloride solution.
3. To assist with the saturation of the natural sponges.
4. To ensure that the necessary fuses are in place prior to the activation of the electrical console.
5. To remain on standby in the electrical utility room during the activation of the electrical console.

EXTRACTION TEAM

Primary Role

To escort and secure the condemned inmate during the execution process.

ESCORT OFFICER(S)

Primary Role

To accompany and guide witnesses during the execution process.

CENTRAL OFFICE PERSONNEL

COMMISSIONER

Primary Role

To oversee the administration of judicial executions in Tennessee.

Duties:

1. Approximately ten minutes prior to the time scheduled for the execution, the Commissioner will establish telephone contact with the Tennessee Highway Patrol Officer on duty at the Executive Residence.
2. To communicate to the Warden any circumstances that could alter or delay the execution.
3. To arrange for or mandate an Employee Assistance Program (EAP) debriefing as needed.

DEPUTY COMMISSIONER OF OPERATIONS

Primary Role

To work directly with the Commissioner and perform any assigned duties.

ASSISTANT COMMISSIONER OF PRISONS

Primary Role

To be stationed at the Command Post or location designated by the Commissioner.

Duties:

1. To serve as liaison to all support units and to conduct an operational debriefing of all security and procedural personnel after the execution.
2. To maintain telephone and/or radio contact with the Warden and other personnel.
3. To coordinate with the Metropolitan Nashville Police Department and Tennessee Highway Patrol and any additional security forces required.

DIRECTOR OF COMMUNICATIONS AND PUBLIC RELATIONS

Primary Role

To coordinate all media operations associated with the execution.

Duties:

1. To provide assistance to the Warden in obtaining telephone communications needed by media representatives.
2. To coordinate all visits by media representatives both prior to and subsequent to an execution.
3. To notify the media of the witness lottery by faxing an advisory to the Associated Press.
4. To attend the media drawing held at RMSI and send out a notification to the Associated Press regarding who was selected.
5. To compile a press kit including guidelines, specifics of the case for which the inmate is being executed, and other related policies and statutes needed for the execution.
6. To communicate with the Governor's communication staff about who will be available to address media inquiries.
7. To coordinate with the Governor's Director of Communications any press releases and public messages.
8. To establish a contact sheet with names, assignments, and contact numbers of each Public Information Officer involved. The Warden will be issued a copy.
9. To coordinate with the Facility Maintenance Supervisor to create a staging area with a podium for news briefings.
10. To establish a schedule for news briefings.

DIRECTOR OF THE OFFICE OF INVESTIGATION AND COMPLIANCE

Primary Role

To coordinate all external security and tactical activities associated with the execution.

Duties:

1. No less than a week before the execution, schedule a security meeting with participating external agencies.
2. Coordinate security assignments with participating external agencies.
3. In consultation with the Assistant Commissioner of Prisons, coordinate tactical activities as necessary.
4. To work with the Escort Officer(s) in accompanying witnesses.

DIRECTOR OF VICTIM SERVICES

Primary Role

To work with victims, family members, and other interested parties involved in the execution process.

Duties:

1. To confirm the list of individuals registered for notification.
2. To mail execution notification letters and packets.
3. To work closely with the victim liaison from the Attorney General's office.
4. To work with the Escort Officer(s) in accompanying witnesses.

SELECTION AND TRAINING OF STAFF



RIVERBEND MAXIMUM SECURITY INSTITUTION

EXECUTION TEAM MEMBER SELECTION CRITERIA ELECTROCUTION

Certain persons are members of the Execution Team by virtue of their official position (i.e. Warden, Associate Warden of Security). The Warden selects the remaining team and considers at minimum the following general criteria for other members:

1. Length of service.
2. Ability to maintain confidentiality.
3. Maturity.
4. Willingness to participate.
5. Satisfactory work performance.
6. Professionalism.
7. Staff recommendations to the Warden.
8. Review of personnel files by the Warden prior to selection.

The following positions on the Execution Team are specialized and have specific requirements:

- | | |
|--|---|
| 1. Facility Maintenance Supervisor | A person knowledgeable of the institution's physical plant and equipment. |
| 2. Assistant(s) to the Facility Maintenance Supervisor | A person knowledgeable of the institution's physical plant and equipment. |
| 3. ITS Security Systems Technician(s) | Must be an Information Resource Support Specialist 3 or above with audio/visual experience. |

TRAINING OF EXECUTION TEAM MEMBERS

Execution Team

The Execution Team shall consist of: the Warden, Associate Warden of Security, Executioner, Extraction Team, Death Watch Team, Electrocution Recorder, Facility Maintenance Supervisor, Assistant to the Facility Maintenance Supervisor, ITS Security Systems Technician (s), and Escort Officer(s).

Training

1. All Execution Team members must read the *Electrocution Execution Manual* when they become members of the Execution Team. Additionally, the Warden or designee holds a class during which the manual is reviewed and clearly understood by all participants. At least annually, the Warden or designee holds an *Execution Manual* review class for all members of the Execution Team.
2. The Execution Team simulates Day 3 (Execution Day) of the Death Watch Procedures and the steps outlined in Section 4 for approximately one at least (1) hour quarterly. Additional training is held within two weeks before a scheduled execution. A training record is maintained to document all staff members who participate in the training.

The simulation includes all steps of the execution process with the following exceptions:

- A. Volunteers play the roles of the condemned inmate and physician.
 - B. Sponges are not saturated with sodium chloride.
 - C. Electrical current is not activated when a volunteer is secured in the chair.
 - D. A body is not placed in the body bag.
4. All training that occurs is documented. The documentation includes the times and dates of the training, the participants, and the training content.

PREPARATION AND PROCEDURES OF ACCOUNTABILITY

Electric Chair – Testing and Modification

The electric chair is inspected and tested quarterly along with the simulated electrocution exercise. It is also inspected and tested within two weeks before a scheduled electrocution. A log will be used to document the inspection and testing which includes the date and who inspected/tested the equipment. The Warden is responsible for maintaining testing and inspection records.

Equipment Used

1. Electrical Tester Lead(s)
2. Amp Clamp
3. Test Load Box
4. Transformer
5. Electric Console
6. Amperage Meter
7. High voltage gray cable
8. Low voltage black cable
9. Four 100 amp fuses
10. Head piece and ankle electrodes
11. Specially Designed Chair

Testing Procedures

1. The Facility Maintenance Supervisor and his assistant will remove the high and low voltage cables from the storage room. The low voltage **black** cable will be securely connected between the transformer and the electrical console. The high voltage **gray** cable will **only** be connected to the transformer and pulled through a hole in the wall that allows it to lie in the Execution Chamber near the electric chair. Make certain that the secondary power disconnect box is "OFF" before connecting the cables.
2. Once the cables are in place, the assistant will go to the electrical utility room and open the primary power disconnect box. The assistant will place two (2) 100 amp fuses in the appropriate slots, close the box, and move the lever to the "on" position. The assistant will go to the Executioner's Room and open the secondary power disconnect box. The assistant will place two (2) 100 amp fuses in the appropriate slots and close the box. Leave the disconnect on the "OFF" position.
3. The Facility Maintenance Supervisor will place the Test Load Box in the seat of the chair. A tester lead will be connected from the head power cable to the Load Box. Another tester lead will be connected from the ankle region to the Test Load Box. An amp clamp will be placed on the power cable leading to the head piece.
4. Once these devices are in place, the Facility Maintenance Supervisor will connect the high voltage gray cable to the junction box at the direction of the Warden. The Warden will instruct the assistant or volunteer employee to follow the steps outlined

in "PROCEDURES FOR THE USAGE OF THE ELECTRIC CHAIR FROM THE EXECUTIONER'S ROOM."

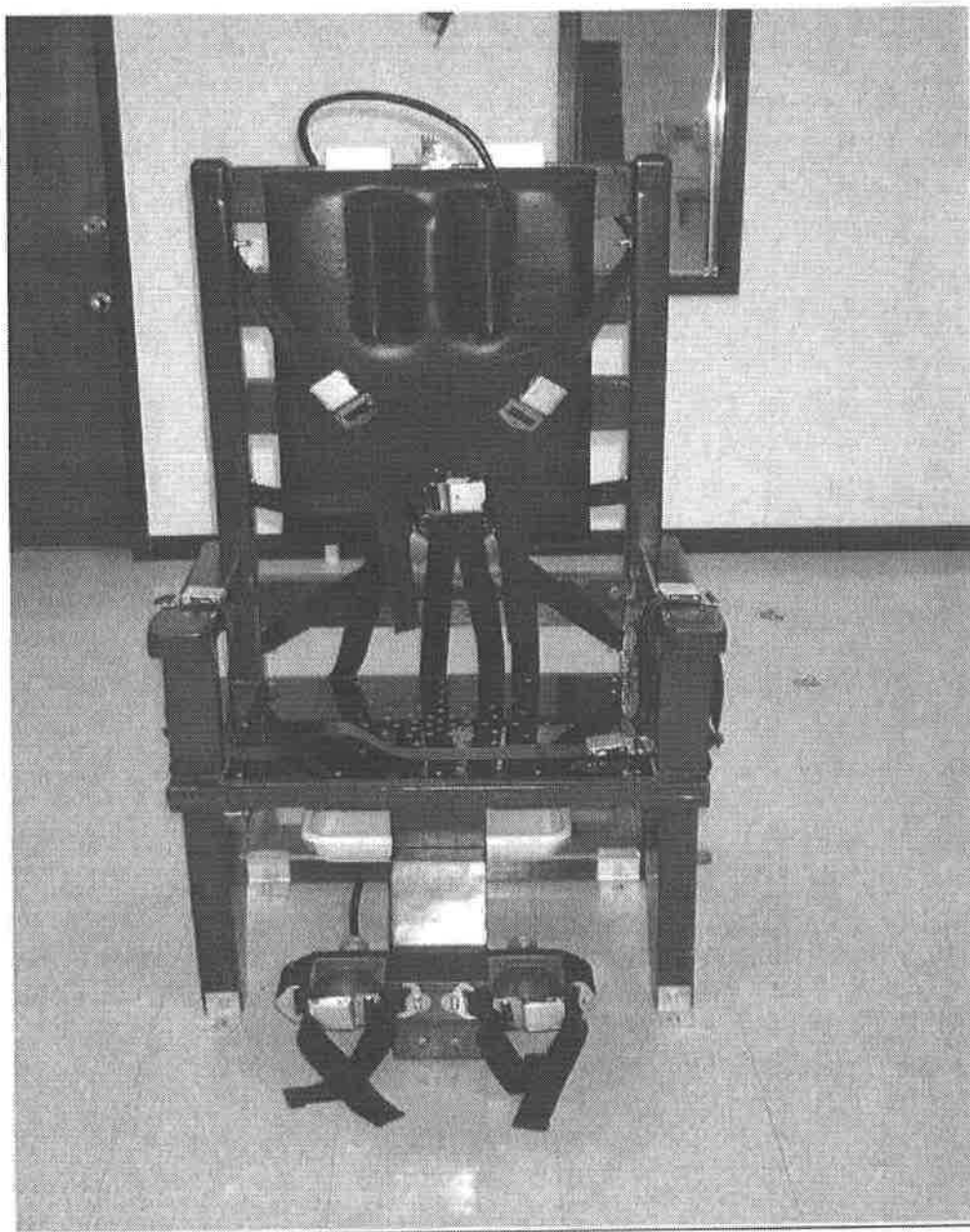
5. While the electric chair is activated, the Facility Maintenance Supervisor and his assistant will assure that the designated voltage (1,750) and amps (7) are being delivered.
6. After the electrical console has run the timed cycle, the electrical current will be deactivated and the equipment disassembled in accordance with "POST-EXECUTION-BREAKDOWN" instructions.

Modification

In the unlikely event that a modification to the electric chair is deemed prudent, a documentation log will be kept for the record. The log would include the date, the nature of/reason for the modification, who did the modification, and any accompanying paperwork. The Warden will maintain and secure the documentation log.

PROFESSIONAL OVERSIGHT

A licensed professional electrical engineer will be present during all electrocutions.



TDOC ELECTRIC CHAIR

SODIUM CHLORIDE SOLUTION PREPARATION

1. The sodium chloride solution is mixed using five (5) gallons of water at room temperature. Up to 128 ounces of iodized table salt is slowly added to the water and mixed continuously until the water will not absorb any more salt. Maximum absorption is observed when the salt will no longer dissolve in the water and collects at the bottom of the container.
2. Using natural sea sponges, prepare two five-sponge sets for a total of ten sponges (2 head and 8 ankle). Soak the natural sea sponges in the salt brine solution.

THE DRY SPONGES WILL BE NO LESS THAN ONE (1) INCH THICK

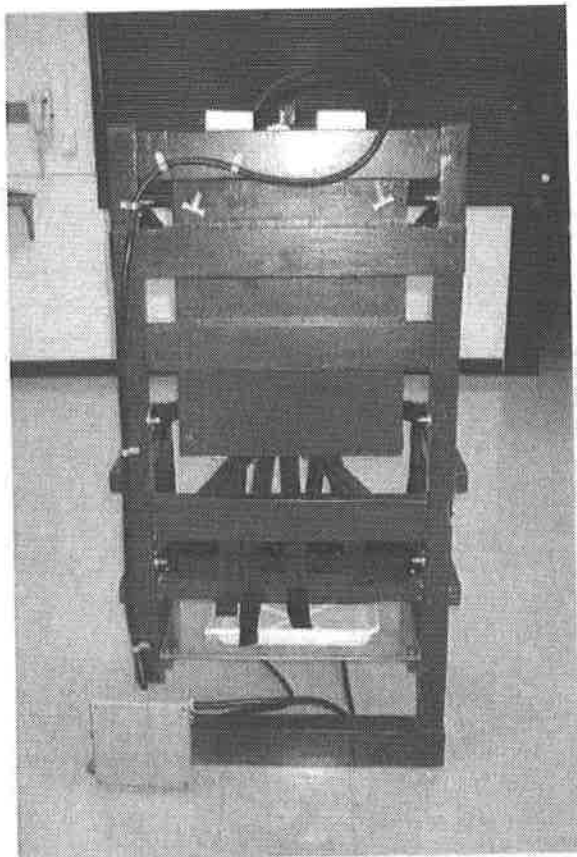
PRE-EXECUTION ELECTROCUTION PREPARATION

Prior to the condemned inmate entering the Execution Chamber, the following shall occur:

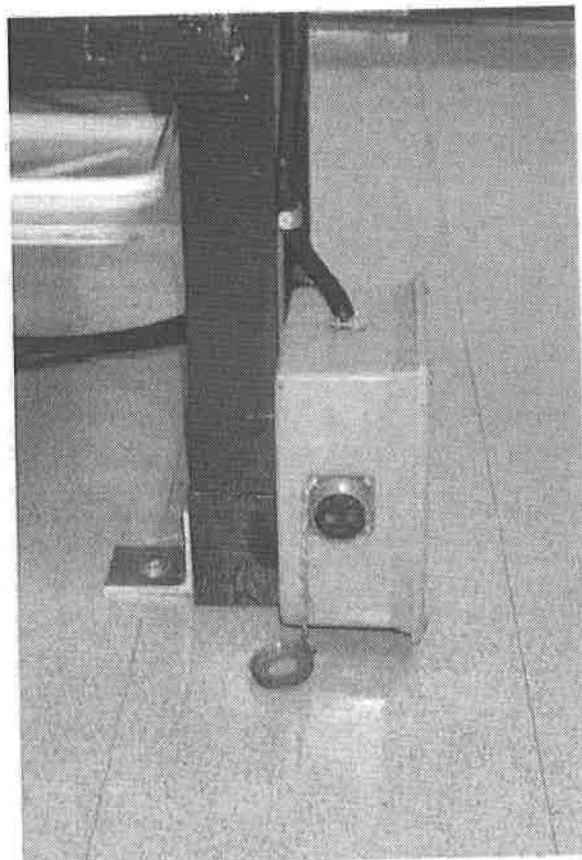
1. The Facility Maintenance Supervisor will set the container of sodium chloride saturated natural sponges and rubber mats in the Execution Chamber. The sodium chloride solution will be mixed with tap water and maintained at room temperature.
2. The Warden will issue the key to the electrical console to the Executioner.
3. The Facility Maintenance Supervisor and his assistant will remove the high and low voltage cables from the storage room. The Facility Maintenance Supervisor will make certain that the secondary disconnect is in the "OFF" position before connecting the cables.
4. The low voltage black cable will be securely connected between the transformer and the electrical console.
5. The high voltage gray cable will **only** be connected to the transformer and pulled through a hole in the wall that allows it to lie in the Execution Chamber near the electric chair.
6. Once the cables are in place, the assistant will go to the electrical utility room and open the primary power disconnect box. The assistant will place two (2) 100 amp fuses in the appropriate slots, close the box, and move the lever to the "on" position.

An electrical current is now actively going into the Executioner's Room.

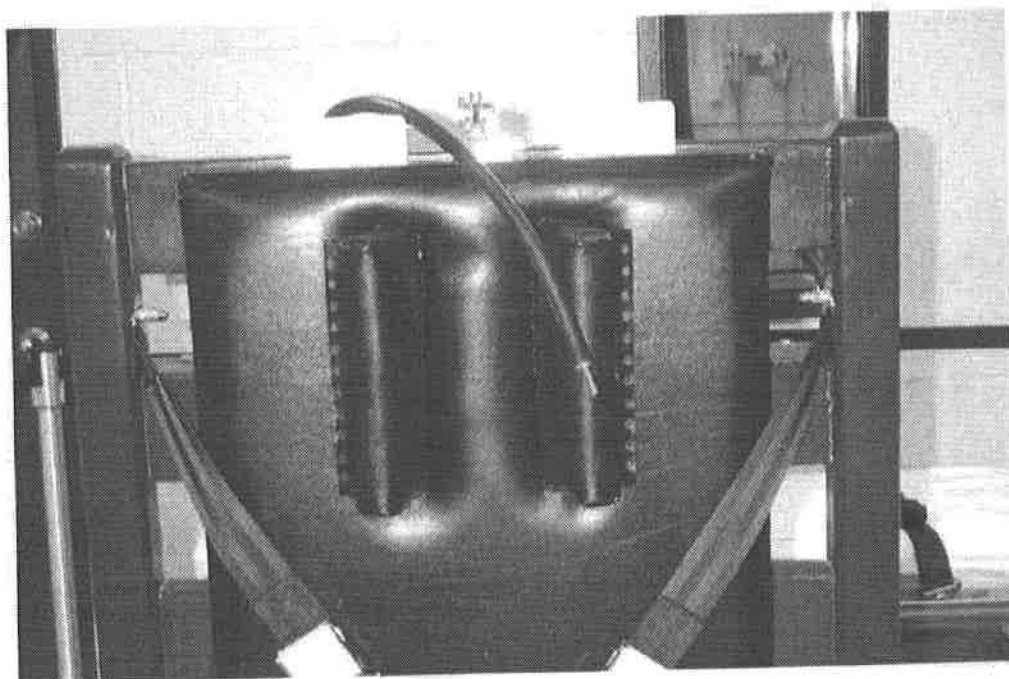
7. Next, the assistant will go to the Executioner's Room and open the secondary power disconnect box. The assistant will make certain that the secondary power disconnect box is in the "OFF" position. The assistant will place two (2) 100 amp fuses in the appropriate slots. Using a voltage meter, he ensures electricity is available. He closes the box.
8. Once the assistant completes his preparation, he will wait in the electrical utility room until the execution is over.
9. The Facility Maintenance Supervisor will be stationed in the Execution Chamber while the inmate is being escorted into the Execution Chamber and restrained in the electric chair.
10. At the direction of the Warden, the Facility Maintenance Supervisor will connect the high voltage gray cable to the junction box on the electric chair. The Facility Maintenance Supervisor will remain in the Execution Chamber.



REAR OF ELECTRIC CHAIR



JUNCTION BOX



POWER CABLE TO HEAD PIECE



POWER CABLES TO ANKLE REGION

PROCEDURES FOR THE USE OF THE ELECTRIC CHAIR FROM THE EXECUTIONER'S ROOM

After the Facility Maintenance Supervisor has connected the high voltage cable to the junction box, the Executioner shall conduct the following steps at the Warden's direction:

1. Move the secondary power disconnect box lever to the "on" position. **Labeled #1**
2. Turn on the exhaust fan switch that is located on the wall adjacent to the secondary power disconnect box. **Labeled #2**
3. Place the key into the electrical console panel in the slot **Labeled #3** and turn it to the "on" position. The "Electric Chair Energized" light should be "on".
4. Remove the key from #3 and place it in the slot **Labeled #4** and turn it to the "on" position.
5. Next, remove the key and place it in the slot **Labeled #5** and turn it to the "on" position. Leave the key in this slot. This slot is the "Fail-safe".

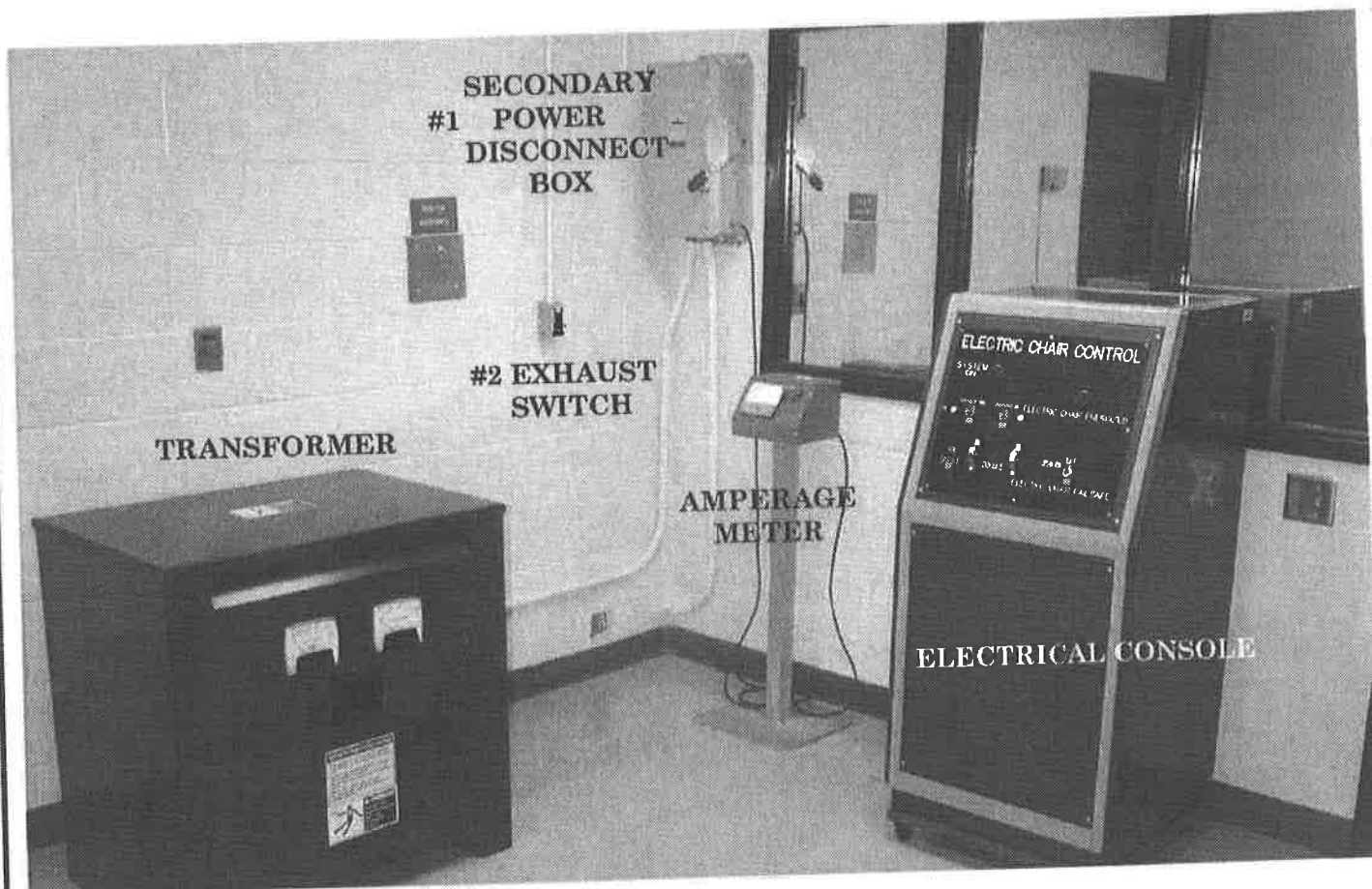
The Electrical Console is now fully prepared for activation.

The Electrical Console is designed to deliver 1,750 volts at 7 amps to the electric chair in a 20 second time cycle, disengage for 15 seconds, and re-engage for 15 seconds.

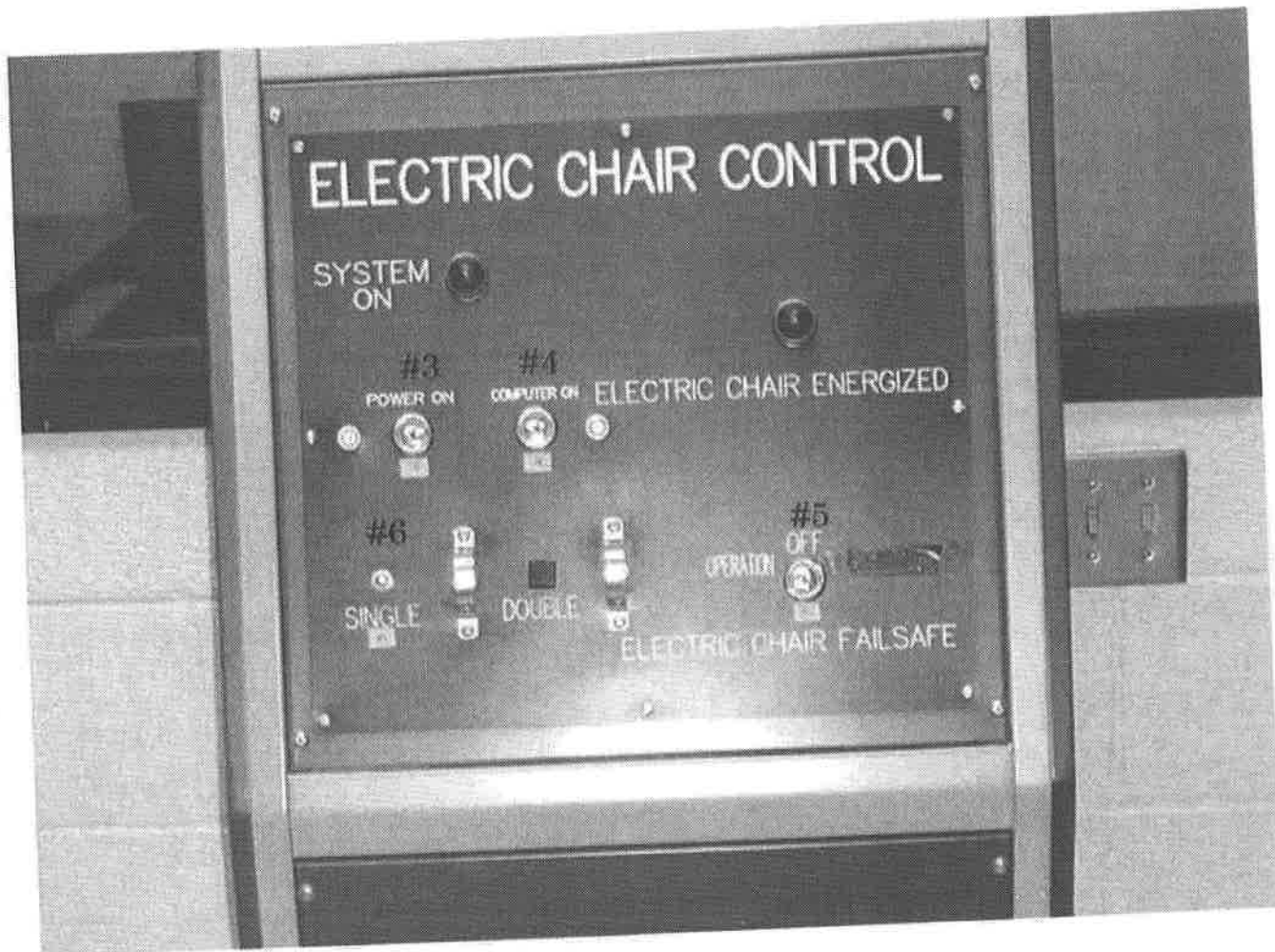
6. Press the "Single" button on the Electrical Console to deliver electrical current to the electric chair. **Labeled #6**
7. Monitor the voltage and amp meters to ensure that the electric current is being delivered at the designated levels.
8. Disengage the electrical console panel by turning slots 5, 4, and 3 into the "OFF" position. It must be turned off in this order. Switch the secondary power disconnect to the "OFF" position.

The physician cannot examine the inmate until the secondary power disconnect box is "OFF". There is a 5 minute waiting period. Close blinds and disconnect grey high voltage cable. The physician will enter the Execution Chamber and verify whether the condemned inmate is deceased.

9. The exhaust fan will remain on.



ELECTROCUTION EQUIPMENT IN THE EXECUTIONER'S ROOM



ELECTRICAL CONSOLE PANEL FOR ELECTROCUTION

POST-EXECUTION - BREAKDOWN

The following actions will occur after death has been pronounced and the witnesses have exited:

1. The assistant to the Facility Maintenance Supervisor will turn off the primary power disconnect box in the electrical utility room to ensure there is no active electrical current.
2. The assistant will remove the two (2) 100 amp fuses from the slot positions and place them in the bottom of the primary power disconnect box, unless replacement fuses are necessary.
3. The assistant will go to the Executioner's Room and remove the two (2) 100 amp fuses from the slot positions and place them in the bottom of the secondary power disconnect box, unless replacement fuses are necessary.
4. The Facility Maintenance Supervisor and the assistant will remove the high and low voltage cables and place them in the storage room.
5. The container of sodium chloride will be disposed of and the unused sponges and rubber mats will be placed in the storage room.
6. The Execution Chamber, the Executioner's Room, and the Witness Room(s) will be cleaned and restored to original condition.

DEATH WATCH PROCEDURES
ELECTROCUTION



RIVERBEND MAXIMUM SECURITY INSTITUTION

STAFF RESPONSIBILITIES AND SPECIAL PROCEDURES FOR INMATES ON DEATH WATCH

Purpose: The purpose of this operating procedure is to designate staff responsibilities and establish uniform property, privileges, and institutional guidelines for condemned inmates with signed court orders for execution.

Application: All inmates who have exhausted all appeals available to them and have an execution date within the next four days.

1. Housing and Security Assignments

A. The inmate is transferred to Building 8 (Capital Punishment) three (3) days prior to the scheduled execution.

B. Correctional officers are assigned to the housing area in a manner consistent with TDOC Policy #506.16.2, which sets forth the guidelines for the Death Watch Supervisor.

2. Middle Tennessee Institutional Notification and Advisement of Law Enforcement Agencies

Upon determination of the execution date and time, the Commissioner, Director of Communications and Community Relations, Deputy Commissioner of Operations, Assistant Commissioner of Prisons, Correctional Administrator, Correctional Program Director, Wardens of Tennessee Prison for Women, Deberry Special Needs Facility and Turney Center may be advised by Riverbend's Warden or his designee. Should circumstances develop which necessitate it, tactical activities are coordinated by the Director of Investigation and Compliance after conferring with the Assistant Commissioner of Prisons. Formulation of security personnel is at the discretion of the Assistant Commissioner of Prisons.

3. State-Issued Property and Possession Limit

The inmate is allowed only the items listed below. Any other item is considered contraband and confiscated in accordance with institutional policy.

- A. Standard issue of outer clothing
- B. One bed
- C. One mattress, pillow, and standard issue of linens
- D. One toothbrush
- E. One tube of toothpaste
- F. One bar of soap
- G. One electric razor (to be issued and used under direct supervision only)
- H. Two towels, one washcloth
- I. Two pairs of shorts and t-shirts (male inmates). Two pairs of panties and bras (female inmates). Underwear will be exchanged daily.
- J. Toilet tissue as needed
- K. Stationery – 12 sheets, 3 stamped envelopes, 3 pencils. Pencils will be in possession of officer when not in use.

- L. Religious material as issued by institutional chaplain
- M. Legal documents, books and papers as requested
- N. Medication prescribed by the institutional doctor (to be issued and used under direct supervision only)
- O. One walkman type radio (state owned)
- P. One television outside door in front of cell (state owned)
- Q. Newspapers as requested and available (no more than two in cell at a time)
- R. Feminine hygiene items as necessary and appropriate

4. Commissary Privileges

The inmate has commissary privileges with purchasing and possession limits specified in post orders. Glass, aerosol, and metal containers are not allowed during the final days of pre-execution monitoring.

5. Disposition of Unauthorized or Contraband Items

Contraband items found in the possession of condemned inmates are confiscated and disposed of in accordance with institutional Policy #506.15.1.

6. Package Permits

Package permit privileges are suspended for inmates on Death Watch. Any package already mailed is received and stored with the inmate's other property.

7. Library, Legal Library Services, Periodical Subscriptions

- A. The condemned inmate may request legal materials from the law library in writing. Such materials are carefully inspected by the Death Watch Supervisor. There will be no exchanges of communication with inmate legal clerks and the condemned inmate.
- B. The inmate may continue to receive periodical subscriptions, but may not order new subscriptions. Periodicals, newspapers, etc., are allowed to accumulate during the final week. Only two periodicals and two newspapers may be retained by the inmate.

8. Diet

Three (3) meals per day are fed to all condemned inmates, except holidays and weekends, which will be two meals just as general population. Special dietary instructions for religious/medical reasons are followed.

9. Recreation

Recreational activities for inmates on Death Watch are suspended.

10. Television and Radio Privileges

Television and radio privileges are the same as routinely provided, except that during the Death Watch period, the television is located outside the inmate's cell.

11. Personal and Legal Phone Calls

The inmate may make unlimited calls to anyone on his pre-approved telephone list. He may make and receive phone calls to legal counsel without restriction.

12. Visitation Privileges

A. Social

1. Only those individuals on the inmate's approved visiting list are allowed visits during the Death Watch.
2. All visits are held in the Death Watch area, and physical contact between the visitor(s) and inmate is not permitted. Visits are between the hours of 9:00 am and 3:00 pm, and limited to two hours duration.
3. The number of visitors allowed to visit at any one time is as flexible as circumstances permit, and is at the discretion of the Associate Warden of Security.
4. A final visit, during which physical contact between the inmate and immediate family is permitted, may be authorized by the Warden. The Warden's decision is based on the individual circumstances of each case.
 - a. Security procedures, including searches, are of the minimum deemed necessary by the Associate Warden of Security.
 - b. Contact visits are supervised by no fewer than two correctional officers chosen by the Death Watch Supervisor with the concurrence of the Associate Warden of Security.

B. Religious

1. Priest(s) or ministers of recognized religious faiths may visit the inmate in the same manner as provided for social visits in 12 (A).
2. A final visit by the inmate's priest, minister, or spiritual advisor may be permitted by the Warden between 3:00 pm - 5:00 pm, prior to the execution. This visit takes place at the front of the inmate's cell.
 - a. The priest, minister, or spiritual advisor may not accompany the inmate into the Execution Chamber.
 - b. At the inmate's request, a staff chaplain may visit on request and/or accompany the inmate into the Execution Chamber.

C. Legal Services

1. The attorney of record or other Tennessee licensed attorney representing the inmate may visit up to one (1) hour before the time of execution.
2. The attorney is permitted telephone contact with the condemned inmate during the last hour prior to execution.
3. Visits with attorneys are non-contact and are conducted with provision for the privacy of verbal exchange but under full and continuous observation by at least two correctional officers.

D. Media

1. No media interviews are held with the condemned after placement on Death Watch.
2. Telephone interviews with media representatives are not permitted.
3. Representatives of the news media are not allowed inside the secure perimeter of the institution during the time of active Death Watch or during an execution for any purpose whatsoever, unless selected as a witness to the execution.

EXECUTION TEAM

1. The purpose of this operating procedure is to outline the duties and responsibilities of the Execution Team members in carrying out the death sentence by electrocution.
2. The Execution Team shall consist of: the Warden, Associate Warden of Security, Executioner, Extraction Team, Death Watch Team, Electrocution Recorder, Facility Maintenance Supervisor, Assistant to the Facility Maintenance Supervisor, ITS Security Systems Technician(s), and Escort Officer(s). The identity of the Execution Team is confidential.
3. Readily available to the Execution Team are radios with holster, keys, and restraints.
4. The following procedures shall apply:
 - A. The Execution Team's Officer in Charge and/or the Assistant Officer in Charge conducts a training session at least each quarter at which time all appliances and the electric chair will be tested. The training includes a simulated execution.
 - B. A week before a scheduled execution, the Officer in Charge and Assistant assembles the Execution Team in the Execution Chamber area to prepare and test all appliances and the electric chair for the scheduled execution.
 - C. The Warden ensures that the Execution Team carries out the following instructions:
 1. Assemble all other members of the Execution Team in the Execution Chamber before the scheduled execution and review their specific assignments and duties.
 2. Ensure that all equipment is properly placed.
 3. The inmate is removed from the holding cell and placed in the Execution Chamber by the Extraction Team members previously assigned those duties, under the direction of the Assistant Officer in Charge.
 4. When the condemned inmate is secured in place in the Execution Chamber, all members of the Extraction Team will retire to the holding cell area.
 5. When the electrocution process has been completed, the Warden/designee is advised.
 6. After the physician pronounces the inmate deceased, the designee informs the Commissioner that the sentence has been carried out.

7. The body is removed and placed in a body bag by the Execution Team and Medical Examiner's staff.
8. The body is placed in the Medical Examiner's vehicle.
9. The Execution Team, under the direction of the Officer in Charge, cleans the equipment and Death Watch area. The holding cell is cleaned thoroughly with the mattress and pillow sanitized. Equipment shall be stored in its proper location. An entry is made in the post log documenting the completion of these procedures.
10. The Execution Chamber and Death Watch area are secured. The Execution Team reports to the Warden's Office for additional instructions.

DEATH WATCH SUPERVISOR

1. The duties and responsibilities of this post are that of observation and supervision of all activities concerning a condemned inmate(s) during pre-execution (Death Watch) monitoring. The post is the entrance area leading into the Death Watch area. The Death Watch Supervisor assumes authority of all personnel assigned to pre-execution monitoring (Death Watch). The duties are the general supervision and control of other security personnel assigned to monitor the condemned inmate during the time under Death Watch to include preparation of the condemned inmate(s) prior to execution. There may be one Floor Officer per shift assigned.
2. This officer must be a Correctional Lieutenant or higher. The officer reports directly to the Warden or Associate Warden of Security. During off-duty hours, he will remain on standby status unless relieved by another Lieutenant or Captain upon orders of the Warden or Associate Warden of Security.
3. Equipment needed: radio with holster, keys, restraints, and stab-resistant vest.
4. Specific duties and responsibilities
 - A. Immediate Action
 1. Upon notification of the assignment (normally when a Death Watch reaches active stage), the Death Watch Supervisor prepares to assume the duty schedule reflected above.
 2. He reviews the post orders for the Control Officer and Floor Officer and becomes familiar with all functions of subordinates.
 3. He ensures that the condemned inmate, upon reaching active Death Watch status, personally inventories and packs away all items he is not permitted to retain. The inmate is permitted to retain a copy of the inventory. The sealed property is retained in storage in Building 8 until ordered removed or surrendered to the inmate's designee.
 4. He is responsible for escorting the condemned inmate to Building 8 and placing him in a cell after strip searching, placing in BOSS chair, and exchanging his clothing.
 5. He ensures that all significant information is entered on the Supervisor's Log. ALL PERSONS ENTERING THIS AREA FOR ANY PURPOSE WILL SIGN IN AND OUT and a record of activity must be logged accurately.
 6. He ensures that sufficient clothing in the inmate's size is retained in the preparation area to accommodate exchange each time the condemned inmate leaves his cell.

B. Subordinate Personnel

1. He supervises all subordinate personnel
2. He ascertains the phone number and address of all subordinate personnel in order that they may be contacted after hours.
3. He ensures that all orders and instructions are read and understood by all subordinate personnel.

C. Routine Security Measures, Checks, Logs

1. He maintains or causes to be maintained (by Control Officer) a "Supervisor's Log" of activities.
2. He personally supervises the feeding of all meals during his shift. He ensures that no inmates are utilized in the feeding of any meal during an active Death Watch, including preparing the trays.
3. He keeps all unauthorized personnel out of the area.
4. He ensures that the security of the area is reported to the Control Room each half-hour during an active Death Watch.
5. He does not permit anyone to enter the condemned inmate's cell except by order of the Warden, Associate Warden of Security, or Shift Captain. The only exception is a life-threatening emergency.
6. He ensures that the condemned inmate is handcuffed from behind anytime he leaves his cell. The inmate remains handcuffed until he is returned to his cell. (The inmate may be handcuffed in front if a restraint belt is used. Restraints may be removed if the inmate is secured in non-contact visiting room.)
7. Any time the inmate is moved, he will receive a double escort.
8. At least one (1) officer remains in the area, even if it is temporarily vacant.
9. He ensures that the area is kept clean and orderly. The inmate's holding cell is cleaned daily by assigned staff. The inmate is moved to an adjoining cell while the cleaning process is being accomplished.

- D. Normally the inmate receives telephone calls from a special extension plugged in at his cell location. When not in use, ensure its security and storage away from the cell.

E. Emergencies and Other Contingencies

1. In the event of self-inflicted or other injury, the Death Watch Supervisor takes immediate and decisive action. He contacts the medical clinic immediately to send assistance.
2. He personally supervises the dispensing of any medication on a single unit dosage basis.
3. He immediately notifies the Shift Supervisor, Associate Warden of Security, or Warden in the event of an emergency.

CONTROL MONITOR

1. At the beginning of the Death Watch, the officer assigned to this post will assume his duties.
2. This officer must be a Correctional Corporal or higher. The officer reports directly to the Death Watch Supervisor, Associate Warden of Security, or Warden at the beginning of pre-execution monitoring until relieved or until the execution is stayed or carried out.
 - A. Immediate Action
 1. Upon notification, the officer assumes the duties and responsibilities as described herein and the shift supervisor is alerted of the delegated assignment.
 2. The Control Monitor begins maintenance of the Death Watch Supervisor's log ensuring the recording of significant detailed information.
 3. During pre-execution monitoring, the Control Monitor ensures that only the following persons are authorized to enter the area:
 - a. Warden
 - b. Associate Warden
 - c. Captain/Lieutenant
 - d. Officers to assist in routine functions (i.e., showers, escort, shakedown) as authorized by Death Watch Supervisor
 - e. Any medical or security personnel deemed appropriate in an emergency situation
 - f. Prison Chaplain
 - g. Commissioner
 - h. Deputy Commissioner of Operations
 - i. Assistant Commissioner of Prisons
 - j. General Counsel
 4. He ensures the cleanliness of the area as well as the cell area during pre-execution monitoring.
 - B. Routine Security Measures, Security Checks, and Logs
 1. He keeps an accurate chronological log of post activities.
 2. He keeps a sign-in and sign-out log for every person who enters or leaves the Death Watch area.
 3. He maintains close surveillance of subordinate personnel.

4. He keeps all unauthorized personnel out of the area to include inmates, other employees and visitors.
5. He reports the security of the post to the Control Room every thirty minutes.
6. He personally ensures that the condemned inmate is handcuffed (behind his back) anytime he leaves his cell. A restraint belt may be used. The handcuffs may be removed when the inmate is receiving non-contact visits.
7. He ensures that when a condemned inmate is moved, he is escorted by two officers designated by the Death Watch Supervisor.
8. He ensures that when the condemned inmate is moved from his cell, he is searched and placed in different clothing. The same clothing may be reused until soiled, so long as it is thoroughly inspected before reissuing.

C. Visiting

1. He ensures that all visiting is non-contact and is held in the visiting area next to the control room, unless otherwise directed.
2. He ensures escorts for visiting during pre-execution monitoring are provided by two experienced correctional officers assigned by the Death Watch Supervisor.
3. He ensures that supervision of visiting for condemned inmates in pre-execution monitoring is designated by the Death Watch Supervisor.
4. He ensures that an accurate log of pertinent information is maintained by the officer assigned to supervise visitation, to include names of each visitor, time of arrival and departure of each visitor.
 - a. The number of persons authorized and the visiting hours are in accordance with specific instructions issued by the Warden or Associate Warden of Security.
 - b. Allowable commissary items are listed in Section E.

- D. He ensures that the inmate is allowed only the items listed below. Any other item is considered contraband and confiscated in accordance with institutional policy.

1. Standard issue of outer clothing
2. One bed

3. One mattress, pillow, and standard issue of linens
4. One toothbrush
5. One tube of toothpaste
6. One bar of soap
7. One electric razor (to be issued and used under direct supervision only)
8. Two towels, one washcloth
9. Two pair of shorts and t-shirts (male inmates). Two pairs panties and bras (female inmates). Underwear will be exchanged daily.
10. Toilet tissue as needed
11. Stationery – 12 sheets, 3 stamped envelopes, 3 pencils (Pencils will be in possession of officer when not in use.)
12. Religious tracts as issued by Institutional Chaplain
13. Legal documents, books and papers as requested
14. Medication prescribed by institutional doctor (to be issued and used under direct supervision only)
15. One walkman type radio (state owned)
16. One television outside door in front of cell (state owned)
17. Newspapers as requested and available (no more than two in cell at a time)
18. Feminine hygiene items as necessary and appropriate

E. The inmate may order and purchase the following items on the first day of Death Watch status:

1. Colas (opened by officer and served in a paper cup)
2. Candy bars
3. Cookies, crackers, potato chips

Note: All orders and deliveries are inspected and delivered by the officer. This includes removal of non-transparent candy wrappers. He avoids handling of contents except with a napkin, tissue, or sanitary disposable gloves.

F. Telephone Calls

1. The condemned inmate may receive authorized telephone calls while in pre-execution monitoring status.
2. Specific instructions for each phone call are given by the Warden, Associate Warden of Security or Death Watch Supervisor, and are logged (no exceptions). Each phone call is supervised.
3. The inmate receives telephone calls from a special extension plugged in at his cell location. When the telephone is not in use, the Control Monitor personally ensures its security and storage away from the cell.

G. Emergencies and Other Contingencies

1. If any employee is taken hostage, he is without authority regardless of rank.
2. In the event of self-inflicted or other injury to the inmate, the Control Monitor takes immediate and decisive action. He contacts the medical clinic immediately to send a physician or ranking medical person if he is not available.
3. The Control Monitor immediately notifies the Warden, Associate Warden of Security, Death Watch Supervisor and Shift Supervisor.

FLOOR OFFICER MONITOR

1. The duties and responsibilities of this post are in the direct supervision and monitoring of a condemned inmate's activities during the final days of pre-execution monitoring.
2. This officer may be a correctional officer or higher. The officer reports directly to the Control Monitor. The officer is posted in the area directly in front of the cells. He must remain alert on his post at all times, maintaining direct observation of the condemned inmate.
3. Equipment required: radio with holster and restraints
4. Specific Duties and Responsibilities

A. Immediate Action

Upon notification, the officer assumes the duties and responsibilities as described herein and the shift supervisor is alerted of the delegated assignment.

B. Routine Security Measures, Security Checks and Logs

1. The Floor Officer Monitor closely observes the condemned inmate's activities and immediately reports to the Death Watch Supervisor or Control Monitor any unusual circumstances or activities.
2. He ensures that all eating utensils and trays are removed from the cell when not in use.
3. He remains posted at the cell front, but may enter the condemned inmate's cell with the assistance of a second officer if circumstances warrant it.
4. The cell door key(s) remains in the possession of the Control Monitor except as needed.
5. He converses freely with the inmate, but avoids opinionated or inflammatory statements. He does not discuss personal feelings regarding the death penalty. He does not make promises to the inmate. All requests by the inmate not covered herein will be referred to the Death Watch Supervisor.
6. He does not leave his post unless properly relieved.
7. He visually inspects and thoroughly examines all items permitted into or out of the inmate's cell. He carefully examines all clothing sent from the clothing room.

8. He performs a very thorough strip search of the condemned inmate any time he enters or exits his cell.
9. He exchanges the inmate's clothing any time he enters or exits the cell. The same clothing may be reused until it becomes soiled.
10. He ensures that the condemned inmate is handcuffed behind his back any time he leaves his cell. The inmate remains handcuffed until he is returned to his cell. The inmate may be handcuffed in front if a restraint belt is used. Restraints may be removed if placed in a secure, non-contact visiting room.
11. He ensures that all post orders are being followed. It is expected that all Floor Officer Monitors conduct themselves in a professional manner. A calm, mature atmosphere should be maintained.
12. The officer is responsible for the daily cleanliness of his area and the cell areas. Normally, the day shift is responsible for sweeping and mopping the entire area. However, the officer ensures that the area remains in a state of cleanliness and trash containers are emptied during his tour. All trash is to be personally removed by staff and deposited in the appropriate containers located outside the secure confines of the institution.
13. He maintains or causes to be maintained (by the Control Officer) a Supervisor's Log of Activities.
14. He personally supervises the feeding of all meals during the shift. He ensures that no inmates are utilized in the feeding of any meal during an active Death Watch, including preparing the trays.
15. He keeps all unauthorized personnel out of the area.
16. When the inmate on Death Watch is female, the Floor Officer Monitor ensures that a privacy screen is used to shield the inmate from sight of male staff and visitors while she is showering, using the toilet or changing clothing.

DEATH WATCH PROCEDURES - ELECTROCUTION

DAY 1

1. Security staff are assigned to posts in the Death Watch area. The supervisor is a Correctional Lieutenant or higher.
2. Death Watch logs are activated during the entire Death Watch period. All activity unique to the Death Watch and execution must be documented. Areas addressed include, but are not limited to: **inmate's behavior, actions, movements, communications initiated and received concerning Death Watch activities.**
3. The condemned inmate is moved to Death Watch status in Building 8.
4. The inmate's property is inventoried and stored as specified in TDOC Policy #504.02.
5. The institutional chaplain begins daily visits with the inmate.
6. The visiting status of the inmate changes to non-contact.
7. Designated personnel test all execution-related equipment to include closed circuit TV, telephones, intercoms, etc.
8. Designated electrician tests all execution equipment to include the emergency generator.
9. Inmate clothing is obtained and issued as needed.
10. The Chaplain requests instructions for release of the inmate's body in writing. If no recipient is designated, the Warden arranges for a pauper's burial.

DAY 2

1. The Food Service Manager is advised of meal needs for TDOC and other agency support staff.
2. The inmate orders his last meal.
3. The Chaplain confirms funeral arrangements with the family, if available.

DAY 3 – EXECUTION DAY

1. ITS personnel test the closed circuit TV system and audio system.
2. The Facility Maintenance Supervisor tests all execution equipment.
3. The Food Service Manager prepares and serves the last meal. The inmate may

request a special meal. The meal is provided within reason as determined by the Warden. The cost must not exceed \$20.00.

4. The Facility Maintenance Supervisor makes up the sodium chloride solution and saturates the sponges.
5. The Director of Communications and Public Relations arrives to handle media inquiries.

DAY 3 – EVENING SCHEDULE

5:00 pm

1. By prior planning, the Execution Team arrives and reports directly to the Executioner waiting area in Building 8. Their identities will be known by the fewest number of staff necessary.
2. Beginning at 5:00 pm, the only staff authorized in the capital punishment unit are:
 - a. Commissioner or designee
 - b. Warden
 - c. Associate Warden
 - d. Electrocution recorder
 - e. Death Watch Supervisor and assigned officers
 - f. Chaplain
 - g. Physician and associate
 - h. Executioner (Executioner waiting area)
 - i. Extraction Team

Any exceptions to the above must be approved by the Warden or Commissioner.

3. The inmate is dressed in cotton trousers, shirt, cotton socks, or cloth house shoes. Trousers and shirt are to be without any metal.
4. Official witnesses report to the Administration Building conference room no later than 5:30 pm. They are greeted by Escort Officers, processed through checkpoint, and moved to the Parole Board Room in Building 8, where they remain until final movement to the witness room.
5. Immediate family members of the victim report to the Administration Building no later than 6:15 pm and are greeted by Escort Officers. These witnesses are security cleared and escorted to the conference room in Building 8, where they remain until final movement to the victim family members witness room.
6. The Electrocution Recorder or designee, the physician, and the designated electricians report to the Execution Chamber for preparation. The Electrocution

Recorder or designee checks the phones in the Execution Chamber. The electrician prepares the equipment and the physician stands by in the designated waiting area.

7. The Medical Examiner's staff and the physician are stationed in the capital punishment garage.
8. The Associate Warden of Security coordinates the shaving of the condemned inmate's head and legs.

6:30 pm

1. Victim family member witnesses are secured in the Building 8 conference room by the Escort Officers no later than 6:45 pm.
2. Official witnesses are secured in the Building 8 Parole Board Room by the Escort Officers no later than 6:45 pm.

7:00 pm

1. Beginning at 7:00 pm, the only staff authorized to be in the Execution Chamber are the Warden, those TDOC employees designated by him to carry out the execution, the Attorney General/designee and the Defense Counsel witness.
2. At the command of the Warden or Associate Warden of Security, the Extraction Team approaches the holding cell and asks the condemned inmate to approach the cell door and be handcuffed. After being handcuffed, he is asked by the Extraction Team Leader to kneel on bed with head against the wall. (If the condemned inmate refuses to cooperate, the Extraction Team enters the holding cell and removes the inmate).
3. The Extraction Team escorts the condemned inmate to the electric chair in the Execution Chamber.
4. The Extraction Team prepares and secures the inmate in the chair with the electric chair harness and wrist straps. Four (4) saturated ankle sponges are taken from the container. The sponges are placed in the front and rear of each ankle and secured with the straps.
5. The Electrocution Recorder or designee records the time the condemned inmate enters the Execution Chamber.
6. Official witnesses and victim family members are secured in the appropriate witness rooms.
7. The Attorney General/designee and the Defense Counsel witness will exit the execution chamber and be secured in the official witness room.

8. The closed circuit television camera and audio system are activated.

7:10 pm

1. Blinds to the witness room(s) are opened by the Warden and Associate Warden of Security.
2. The Warden contacts the Commissioner to ensure that no last minute stay or reprieve has been granted.
3. The Warden permits the condemned inmate to make a last statement.
4. The Extraction Team takes one sponge from the container and places it on top of the inmate's head. The head piece is then secured on the head with two side straps and a chin strap. A shroud is then snapped in place around the head piece.
5. The Execution Team adds salt brine solution to the ankle sponges using a water bottle prior to exiting the Execution Chamber. The Facility Maintenance Supervisor checks the electrodes to ensure that they are properly attached.
6. The Assistant to the Facility Maintenance Supervisor proceeds to the electrical utility room to prepare and activate the primary disconnect box and ensures the secondary disconnect box is ready in the Executioner's Electrocution room.
7. The Warden gives the signal to proceed and the Executioner activates the electrical console in accordance with steps outlined in Section 4 of the manual. The Electrocution Recorder or designee records the time the process begins.
8. Once the cycle runs its course, the Facility Maintenance Supervisor indicates that the current is off. The Electrocution Recorder or designee records the time the current is disengaged.
9. Following the completion of the electrocution process, and a five-minute waiting period, all blinds are closed, the closed-circuit TV camera is disengaged, and the privacy curtain is drawn. The Facility Maintenance Supervisor ensures the secondary power supply is turned off and disconnects the electrical cable from the junction box in the rear of the chair. The Warden then asks the Physician to enter the room to conduct an examination. The Physician reports his findings to the Warden or designee.
10. The inmate is pronounced deceased by the Physician. The Electrocution Recorder or designee records the time that death is pronounced.
11. The Warden or designee announces that the sentence has been carried out and invites the witnesses to exit. The Warden announces the following: "The sentence of _____ has been carried out. Please exit."

12. The witnesses are then escorted from the witness rooms by Escort Officers. After the witnesses exit, the Warden or designee notifies the Commissioner that the sentence of death has been carried out.
13. The Commissioner or designee notifies all appropriate State officials that the sentence has been carried out. Media is notified by the TDOC Director of Communications and Public Relations or designee.
14. The Extraction Team removes the restraints.
15. The Medical Examiner staff assists in removal of the body and placement in the Medical Examiner's vehicle, which is in the capital punishment garage.
16. The Medical Examiner's vehicle is cleared to exit the facility.
17. The Electrocution Recorder completes the Electrocution Execution Recorder Checklist

POST EXECUTION

1. The body is transported to the State Medical Examiner for examination and release.
2. The Assistant Commissioner of Prisons conducts an operational debriefing at the appropriate time.
3. The Commissioner arranges for or mandates an Employee Assistance Program (EAP) debriefing as needed.

CONTINGENCY ISSUES

Repeating the Electrocution Process

If the inmate is not deceased after the initial electrical cycle, the Physician returns to the designated waiting area. The curtain is opened, blinds raised, camera activated, and the Warden gives the command to repeat the electrocution procedure. After this procedure is completed, the blinds are once again closed, closed-circuit TV camera disengaged, and the privacy curtain drawn. The Warden will once again ask the Physician to enter the room and check for signs of life.

Fire

A fire extinguisher is located in the building and is near the electric chair as a precaution.

Electricians

RMSI has 2 qualified electricians that serve as reserves if either the Facility Maintenance Supervisor or his assistant is unable to perform their duties.

Malfunctioned Transformer

The reserve manual transformer is kept in the storage room. It is used only if the stationary console or transformer is inoperable within a 23 hour period of the scheduled execution.

VICTIM SERVICES



RIVERBEND MAXIMUM SECURITY INSTITUTION

VICTIM SERVICES

Notification

The TDOC Victim Service Director works closely with the victim liaison from the Attorney General's office to confirm the list of victims/family members/interested parties registered for notification. Letters and packets are sent to each. The letter is specific to the registrant's permission to view the execution, as mandated by law:

- Victim family members: Those who are permitted to witness the execution. These persons receive a letter, requesting their choice to witness or attend the execution.
- Other victim family members: Extended family members who may wish to *attend* the execution to provide support to those who are permitted to view the execution, but by law, are not personally allowed to view the execution.
- Other interested party/support persons: Persons identified by victim family members who would attend the execution to provide support to those who are permitted to view the execution, with permission granted on a case-by-case basis by the Warden.

Packets include:

- Cover letter
- Official letter
- Official response forms
- Copy of T.C.A. §40-23-116 Manner of executing sentence of death -- Witnesses
- DVD "The Other Side of Death Row"
- Booklet "What to Expect at an Execution"
- Map
- Media guidelines
- Critical Incident Stress Management flier

These notifications are sent out to correspond in time to the announcement of the media lottery.

The Victim Services Director prepares a list of persons who plan to witness the execution, and of those who plan to attend the execution. The Victim Services Director will communicate any desire to speak to the media to the TDOC Director of Communications and Public Relations.

Accompaniment

The facility provides a private room in the Administration Building for persons viewing and attending the execution to use. Those witnessing or attending the execution are brought to the facility by the Attorney General's Office at a time agreed upon by TDOC Central Office and the Warden. The Victim Services Director meets them at the facility and escorts them to the private room. This room provides a place for witnesses to leave belongings and for attendees to wait for the return of the witnesses.

The Victim Services Director will accompany witnesses through the execution process. A designee will be assigned to remain and wait with any persons who accompany and wait in the Administration Building for witnesses to return.

At the time determined by the Warden/designee, the witnesses are processed through the check-point and taken into the prison facility room(s) next to the visitor galley, where they will remain until escorted into the victim's viewing room for the execution.

After the execution is completed, the witnesses are escorted back to the Administration Building where they are reunited with any persons who were there waiting for them. The TDOC Director of Communications and Public Relations will arrange for witnesses to speak to the media should they desire to do so. Afterward, the entire group will be escorted out of the prison to their awaiting vehicle.

CONFIDENTIAL

NOT FOR PUBLIC RELEASE

PERIMETER SECURITY

PRIOR TO, DURING, AND SUBSEQUENT TO AN EXECUTION



RIVERBEND MAXIMUM SECURITY INSTITUTION

FORMS



RIVERBEND MAXIMUM SECURITY INSTITUTION

NOTIFICATION LETTER TO SHERIFF'S OFFICE TO WITNESS EXECUTION OF
INMATE



STATE OF TENNESSEE
DEPARTMENT OF CORRECTION
RIVERBEND MAXIMUM SECURITY INSTITUTION
7475 COCKRILL BEND BOULEVARD
NASHVILLE, TENNESSEE 37243-0471
TELEPHONE (615) 350-3100 FAX (615) 350-3400

Date _____

John Doe, Sheriff
Tennessee County Sheriff's Department
PO Box 000
City, TN 37209

Dear Sheriff Doe:

Records of the Tennessee Department of Correction reflect that on _____, inmate _____ was convicted of First Degree Murder and sentenced to Death regarding _____ County case # _____. An order has been received scheduling inmate _____'s execution for _____. The execution is scheduled for 7:00 p.m. CST on that date.

Pursuant to TCA 40-23-116, the sheriff of the county in which the crime was committed is entitled to be present at the carrying out of such death sentences.

The Tennessee Department of Correction needs to know if you are interested in viewing the legal execution of inmate _____. In order to expedite this process, please sign and date on the respective line below indicating your intentions. Afterwards, fax the letter with your signature to my office at the Riverbend Maximum Security Institution at 615-350-3400. If you plan to attend, provide a telephone number where you may be contacted day or night. Further, you should be at the Riverbend Institution by 5:30 pm on _____ and bring your notification letter with you, along with a picture ID. Upon arrival at the facility, please present the letter to the Checkpoint Officer. If you have any questions regarding this matter, please feel free to contact me by calling 615-350-3100, extension 3103, for further information.

Warden

ABC:aa

I will attend. _____

Signature _____ Date _____
Telephone No. _____

I will not attend. _____

Signature _____ Date _____
Telephone No. _____

NOTIFICATION LETTER TO INMATE'S FAMILY TO WITNESS
EXECUTION



STATE OF TENNESSEE
DEPARTMENT OF CORRECTION
RIVERBEND MAXIMUM SECURITY INSTITUTION
7475 COCKRILL BEND BOULEVARD
NASHVILLE, TENNESSEE 37243-0471
TELEPHONE (615) 350-3100 FAX (615) 350-3400

Date

Ms. Mary Jane Smith
PO Box 000
City, TN 37209

Dear Ms. Smith:

Records of the Tennessee Department of Correction reflect that on _____, inmate _____ was convicted of First Degree Murder and sentenced to Death regarding _____ County case # _____. An order has been received scheduling inmate _____'s execution for _____. The execution is scheduled for 7:00 pm on that date.

Pursuant to TCA 40-23-116, members of the condemned inmate's immediate family may be present at the carrying out of such death sentence. Records indicate that you are the _____ of inmate _____; therefore, you are eligible to be present.

The Tennessee Department of Correction needs to know if you are interested in viewing the legal execution of inmate _____. In order to expedite this process, please sign and date on the respective line below indicating your intentions. Afterwards, fax the letter with your signature to my office at the Riverbend Maximum Security Institution at 615-350-3400. If you plan to attend, provide a telephone number where you may be contacted day or night. Further, you should be at the Riverbend Institution by 5:30 pm on _____ and bring your notification letter with you, along with a picture ID. Upon arrival at the facility, please present the letter to the Checkpoint Officer. If you have any questions regarding this matter, please feel free to contact me by calling 615-350-3100, extension 3103, for further information.

Warden

ABC: aa

I will attend. _____

Signature _____ Date _____
Telephone No. _____

I will not attend. _____

Signature _____ Date _____
Telephone No. _____

ELECTROCUTION- CHRONOLOGICAL EXECUTION REPORT

NAME OF INMATE: _____ INMATE # _____

	<u>TIME</u>	<u>TIME</u>
1. Inmate entered Execution Chamber		_____
2. Restraints in place on inmate		_____
3. Electrical Console engaged	_____	_____
4. Electrical Console disengaged	_____	_____
5. Visible muscular movement stopped	_____	_____
6. Examined by physician	_____	_____
7. Pronounced dead		_____
8. Body removed from Execution Chamber		_____
9. Body removed from institution		_____

Electrocution Recorder

Date

Warden

Date

NOTE: If any step is repeated, the additional times will be recorded.

DAY OF EXECUTION – ELECTROCUTION EXECUTION RECORDER CHECKLIST

Inmate Name _____ Inmate # _____

Date _____

TIME

_____ Report to designated area for final briefing
_____ Extraction Team report to Death Watch Supervisor for final briefing
_____ Physician in place
_____ Medical Examiner in place
_____ Team Leader in place
_____ Check blinds and curtains
_____ Advise Escort Officer to transport Official Witnesses to Parole Room
_____ Advised by Escort Officer that Official Witnesses are in Parole Room
_____ Advise Escort Officers (2) to escort Victim's Witnesses to Viewing Room
_____ Advised by Escort Officers (2) that Victim's Witnesses are in place
_____ Warden or designee checks to ensure execution is to proceed
_____ Extraction Team enters cell and places restraints on condemned inmate
_____ Advise Escort Officer to transport Official Witnesses to Death Watch
_____ vestibule
_____ Advised by Escort Officer that Official Witnesses are in the vestibule
_____ Offender is secured in the chair and all restraints are in place
_____ Advise Escort Officer to "Transport Official Witnesses in place"
_____ Advised by Escort Officer that "Witnesses are in place"
_____ Warden checks with Command Center to proceed

Recorder's Initial _____

DAY OF EXECUTION – ELECTROCUTION EXECUTION RECORDER CHECKLIST

(continued)

Inmate Name _____ **Inmate #** _____

Date _____

TIME

_____ Warden orders blinds opened, closed circuit TV activated, and audio activated for viewing rooms

_____ Warden asks offender for any last comments

_____ Warden orders Execution Team to proceed

_____ Head piece and shroud is placed on the condemned inmate and the electrical cable is connected.

_____ Warden orders Execution Team to proceed

_____ Electrocuting process is completed

_____ Blinds and curtains closed and closed circuit TV deactivated

_____ Physician enters the Execution Chamber

_____ Physician pronounces death – exact time

_____ Audio deactivated to witness rooms

_____ Advise Escort Officers (2) to remove Victim's Witnesses

_____ Advise Commissioner or designee in Command Center that execution is completed

_____ Physician departs

_____ Medical Examiner escorted to chamber to take possession of body. Pictures will be taken of body and Execution Chamber prior to removal of body

_____ Advised by Escort Officer (2) Victim's Witnesses are at Checkpoint

_____ Advise Escort Officer to remove Official Witnesses

_____ Advised by Escort Officer that Official Witnesses are at Checkpoint

_____ The body is removed from the institution

Recorder's Initial _____

DAY OF EXECUTION – ELECTROCUTION EXECUTION RECORDER CHECKLIST
(continued)

Inmate Name _____ Inmate # _____

Date _____

Offender's Comments if any:

Electrocution Recorder

Date

Warden

Date

State of Tennessee
DEPARTMENT OF CORRECTION

News Release

The Department of Correction reports that pursuant to the order of the Tennessee Supreme Court and in accordance with state law, the capital punishment sentence of _____ has been carried out.

Time of execution was _____ am/pm on _____
(date)

_____ was pronounced dead by attending
(Inmate's name)

physician at _____ am/pm.

Affidavit Concerning Method of Execution

Under Tennessee law, you have the right to have your execution carried out by lethal injection. You also have the option of waiving this right and choosing electrocution as the method of your execution. The purpose of this affidavit is to allow you an opportunity to either waive your right to have your execution carried out by lethal injection or to decline to waive that right. Failure to complete this form will result in the execution being carried out by lethal injection. You will not be given another opportunity to waive your right to have your execution carried out by lethal injection. If you waive your right to have your execution carried out by lethal injection, you may rescind that waiver by contacting the Warden no later than 14 days prior to the date of the execution and signing a new affidavit to that effect.

I, _____, TDOC.# _____, make the following choice concerning the method of my execution:

_____ I waive the right to have my execution carried out by lethal injection and choose to be executed by electrocution.

Signature of Inmate

_____ I have been given the opportunity to waive my right to have my execution carried out by lethal injection and I decline to waive that right.

Signature of Inmate

I certify that I presented this Affidavit Concerning Execution to inmate _____, TDOC No. _____, and

_____ The inmate refused to sign.

_____ I witnessed the inmate sign this affidavit.

Signature of Warden/Designee

Sworn to and subscribed before me this _____ day of _____, 20____.

Notary Public

My Commission expires _____.



STATE OF TENNESSEE
DEPARTMENT OF CORRECTION
4th FLOOR RACHEL JACKSON BLDG.
320 SIXTH AVENUE NORTH
NASHVILLE, TENNESSEE 37243-0465

APPLICATION FOR NEWS MEDIA REPRESENTATIVE TO ATTEND AN EXECUTION OF A SENTENCE OF DEATH

Name of Inmate Under Sentence of Death _____

Name of News Media Outlet _____

Name of News Media Representative _____

Mailing Address _____

Phone _____ Fax _____

E-Mail Address _____

Indicate the news media pool to which the applicant news media agency is to be assigned.

_____ News Media Agency (print, radio or television) in the county where the offense occurred (if print, also designate Metro or Community below)

_____ Associated Press

_____ Metro Print Media Agency

_____ Community Print News Media Agency

_____ Other Television News Media Agency

_____ Other Radio News Media Agency

PLEASE NOTE: The department will accept only one (1) application from each news media agency. A person may be named as a News Media Agency Representative on only one (1) application. No news media agency representative selected to witness the execution of a sentence of death shall have exclusive rights to the story.

Immediately after the execution of the death sentence is complete, all media representative witnesses shall make themselves available for a news conference for other news media representatives not selected to attend the execution. Submission of an application constitutes acceptance of this condition.

**RULES
OF
DEPARTMENT OF CORRECTION
ADULT SERVICES DIVISION**

**CHAPTER 0420-3-4
SELECTION OF NEWS MEDIA AGENCY REPRESENTATIVES TO ATTEND
AN EXECUTION OF A DEATH SENTENCE**

TABLE OF CONTENTS

0420-3-4-.01	Preface	0420-3-4-.04	Application and Selection Process
0420-3-4-.02	Applicability	0420-3-4-.05	Witness Guidelines
0420-3-4-.03	Definitions		

0420-3-4-.01 PREFACE

Under the authority of T.C.A. §40-23-116, the Department of Correction is authorized to promulgate rules that establish criteria for the selection of news media representatives to attend an execution of a sentence of death.

Authority: T.C.A. §40-23-116. Administrative History: Original rule filed July 28, 1999; November 29, 1999. Repeal and new rule filed November 22, 2000; effective February 6, 2001.

0420-3-4-.02 APPLICABILITY

Pursuant to the authority of T.C.A. §40-23-116, these rules shall apply to all news media agencies and their representatives.

Authority: T.C.A. §40-23-116. Administrative History: Original rule filed July 28, 1999; November 29, 1999. Repeal and new rule filed November 22, 2000; effective February 6, 2001.

0420-3-4-.03 DEFINITIONS

- (1) **Community Print News Media Agency:** A Print News Media Agency other than a Metro Print News Media Agency.
- (2) **General Interest and Coverage:** The handling of a broad range of spot news such as traffic accidents, fires, disasters, governmental events, as well as economic, business, social, sports, and human interest news.
- (3) **Metro Print News Media Agency:** A Print News Media Agency which maintains a full-time presence at the state Capitol, covering day-to-day operations of state government.
- (4) **News Media Agency:** A Print, Radio or Television News Media Agency or The Associated Press.
- (5) **News Media Agency Representative:** A person Regularly Employed by a News Media Agency and designated by such News Media Agency to attend and witness an execution of a death sentence on behalf of the News Media Agency.
- (6) **Print News Media Agency:** A newspaper of general circulation, bearing a title or name, regularly issued at least as frequently as once a week for a definite price, having second class mailing privilege, being not less than four (4) pages, published continuously during the immediately preceding one-year period, which is published for the dissemination of news of general interest, coverage and circulation in an area within Tennessee.

February, 2001 (Revised)

1

SELECTION OF NEWS MEDIA AGENCY REPRESENTATIVES
TO ATTEND AN EXECUTION OF A DEATH SENTENCE

CHAPTER 0420-3-4

(Rule 0420-3-4-.03, continued)

- (7) **Radio News Media Agency:** The Tennessee Radio Network or a radio broadcast station which regularly disseminates news of general interest and coverage and has either its city of license (as determined by the federal government) or broadcast transmitter located in Tennessee.
- (8) **Regularly Employed:** Employed on a consistent, continuing basis and not solely for the purpose of witnessing an execution of a sentence of death or otherwise on a temporary or short-term basis.
- (9) **Television News Media Agency:** A television broadcast station which regularly disseminates news of general interest and coverage and has either its city of license (as determined by the federal government) or broadcast transmitter located in Tennessee.
- (10) **Warden:** Warden of the Riverbend Maximum Security Institution.

Authority: T.C.A. § 40-23-115; § 40-23-116. Administrative History: Original rule filed November 22, 2000; effective February 6, 2001.

0420-3-4-.04 APPLICATION AND SELECTION PROCESS

- (1) The selection of News Media Agency Representatives shall be by drawing to be held at Riverbend Maximum Security Institution, 7475 Cockrill Bend Industrial Road, Nashville, Tennessee.
- (2) The Public Information Office of the Department of Correction shall notify all News Media Agencies of a scheduled drawing through issuance of an advisory to the Associated Press. An announcement will also be published in the Tennessee Administrative Register, provided, however, in the event the Department has insufficient advance notice of an execution date to meet publication deadlines for the Tennessee Administrative Register, the announcement shall be issued as soon as practicable after the Department receives notice of the execution date.
- (3) The advisory and announcement shall include the following:
 - (a) Deadline date, time and location for receiving applications from a News Media Agency desiring to be included in the open drawing to witness the execution of the death sentence.
 - (b) Date, time, and location where the open drawing will take place.
- (4) To be eligible for the drawing, a News Media Agency shall submit an application on a form provided by the Department of Correction on or before the deadline specified in the advisory and/or notice. The applicant agency shall designate its News Media Agency Representative and the news media pool for which it qualifies under these rules. The Department will accept only one (1) application from each News Media Agency. A person may be named as a News Media Agency Representative on only one (1) application.
- (5) The Warden or designee shall assign an identifying number to each application received. Prior to the commencement of the drawing the Warden or designee shall post a list containing the News Media Agency name, News Media Agency Representative name, number and assigned category of each application which meets the requirements set forth in this rule.
- (6) **Procedure for Drawing:**
 - (a) From those applications received which meet the requirements set forth in this rule, a total of seven (7) News Media Agencies shall be selected. The agencies shall be selected from the following categories in the following order:
 - 1. The Associated Press (one application);

February, 2001 (Revised)

SELECTION OF NEWS MEDIA AGENCY REPRESENTATIVES
TO ATTEND AN EXECUTION OF A DEATH SENTENCE

CHAPTER 0420-3-4

(Rule 0420-3-4-.04, continued)

2. One News Media Agency in the county where the offense occurred;
 3. One Metro Print News Media Agency;
 4. One Community Print News Media Agency;
 5. Two Television News Media Agencies; and
 6. One Radio News Media Agency.
- (b) In the event more than one qualifying application is received for category (a)(ii), the applications not selected in that category shall be reassigned to appropriate categories.
- (c) If one or more categories cannot be filled due to an insufficient number of qualifying applications in the category, qualifying applications remaining after all other selections have been made shall be combined into one selection pool from which an application shall be drawn to fill each unfilled position.
- (d) After seven (7) News Media Agency Representatives have been selected through the process set out in (a) through (c), all remaining applications shall be combined into one selection pool from which a first alternate and a second alternate shall be drawn. Alternates shall be allowed, in order of selection, to substitute for a News Media Agency Representative selected as a witness who is unable to attend and witness the execution of a death sentence.
- (7) After the drawing the Department of Correction shall promptly issue an advisory to the Associated Press identifying the News Media Agency Representatives selected.
- (8) News Media Agency Representatives shall be subject to the approval of the Warden. The Warden may, in the Warden's discretion, disapprove or exclude a witness for reasons of safety or security. No News Media Agency Representative shall be related to the condemned prisoner or the condemned prisoner's victim or victims or have any personal interest in the case. News Media Agency Representatives must be eighteen (18) years of age or older.
- (9) The Department of Correction will allow no substitution of News Media Agencies or News Media Agency Representatives.
- (10) In the event the execution does not take place within one (1) year of the date of the drawing, the Commissioner, in the Commissioner's sole discretion, may cancel the result of a drawing and, if necessary, direct that a new drawing be held.

Authority: T.C.A. § 40-23-116. Administrative History: Original rule filed November 22, 2000; effective February 6, 2001.

0420-3-4-.05 WITNESS GUIDELINES

- (1) No News Media Agency Representative allowed to witness the execution of a death sentence shall have exclusive rights to the story. Immediately after the execution of the death sentence is complete, all News Media Agency Representatives shall make themselves available for a news conference of other news media representatives and shall remain at the news conference until it is completed.
- (2) The news conference shall be held at a location designated by the warden immediately following the execution.

February, 2001 (Revised)

SELECTION OF NEWS MEDIA AGENCY REPRESENTATIVES
TO ATTEND AN EXECUTION OF A DEATH SENTENCE

CHAPTER 0420-3-4

(Rule 0420-3-4-.05, continued)

- (3) Photographic or recording equipment are prohibited at the execution site during the execution.
- (4) News Media Agency Representatives shall abide by all departmental and institutional rules and policies, and the directives of authorized staff. Failure of a witness to do so may result in the witness being excluded and /or removed from the premises. The News Media Agency Representative and the News Media Agency being represented shall be ineligible to attend future executions without the specific approval of the Commissioner.

Authority: T.C.A. § 40-23-116. Administrative History: Original rule filed November 22, 2000; effective February 6, 2001.

Affidavit to Select Defense Counsel Witness to Execution

Under Tennessee law, TCA 40-23-116, you may select one (1) defense counsel to witness your scheduled upcoming execution. The Department of Correction needs to know who you are selecting to be your witness.

I, _____, TDOC# _____, select the
following defense counsel witness: _____

Signature of Inmate

Date

I certify that I presented this Affidavit to Select Defense Counsel Witness to Execution to inmate

_____, TDOC# _____, and

_____ The inmate refused to sign.

_____ I witnessed the inmate sign this affidavit.

Signature of Warden/Designee

Date

Sworn to and subscribed before me this _____ day of _____, 20____

My Commission expires _____
Notary Public

Exhibit 3



THE DEATH PENALTY.

Execution of Knox Martin, the
Bell's Bend Murderer.

FROM TEN TO TWELVE THOUSAND PEOPLE SEE HIM HANGED.

Dead in Ten Minutes After Being
Swung Off.

HIS CONFESSION BEFORE LEAVING THE JAIL
FOR THE SCAFFOLD.

George Berry Implicated as His
Accomplice.

VAIN ATTEMPTS OF THE DOCTORS TO RE-
SUSCITATE HIM.

The old Mosaic law of "a life for a life" was once more enforced in the penalty which Knox Martin, colored, paid yesterday for the murder of John Wittemmeier and his wife, in Bell's Bend, last January.

Martin was tried on the 25th of February, and a verdict of guilty rendered, and he was sentenced to be hanged March 28.

Efforts were made to have him appeal to the Supreme Court, but he refused, preferring, as he said, to die rather than remain in jail a whole year and then be hanged at last.

HIS CONDUCT IN JAIL.

Since his confinement in the jail his actions and conduct have been peculiar. When first incarcerated he said he would give the officers no trouble, and to this promise he adhered to the end. Shortly after the trial he requested that he be placed in a cell to himself, and that no one be permitted to see him but ministers and his brother. He had everything he wanted, and every request, as far as was consistent with the rules, complied with. He gained several pounds during his confinement.

VISITS OF THE CLERGY.

Rev. Nelson G. Merry, pastor of the First Colored Baptist Church, two or three colored Methodist ministers, and the Sisters of Charity were the only persons who visited him, for spiritual purposes. The frequent visits of the Sisters, and their kind treatment, induced Knox to become a Catholic. Under their admonitions he was received into the church, in his cell, on Thursday morning, by Father Veale, in the presence of two Sisters and Sheriff Price.

HIS LAST HOURS.

Knox went to bed on Thursday night, and slept well, only waking up once, until 6 o'clock yesterday, at which time he got up, put on his new clothes, and made himself ready for the execution. He had breakfast about 9 o'clock, and ate a very hearty meal. The breakfast was brought to him by the Sisters, who called and remained with him engaged in devotional exercises for three-quarters of an hour.

When asked yesterday morning by Sheriff Price how he felt, Knox said, "All right, sir; how are you making it?"

He was then asked if there was anything he wanted. "Yes, Sir, I would like to have a glass of wine." "Would you like to have your picture taken this morning," was the next question asked by the Sheriff, and the answer yes, sir, given.

HIS FAREWELL STATEMENT.

Shortly before eating breakfast he was called upon by the members of the city press, and to them, in answer to interrogatories, he made the following farewell statement:

I was born and raised in Jackson county, Ala., July 27, 1858. I used to belong to John Martin, a farmer, who owned a number of other slaves, and ran twelve or fourteen plows. I staid with him until Nov. 3, 1878, when I came to Nashville. I came here on a Saturday night. On Monday, I met George Berry, colored, at the Chattanooga depot. I had known him for nine or ten years, as he lived in the same county I did. I spoke to him, but he did not know me when he first saw me, as he had left Jackson county about five years before. After I made myself known to him, he recognized me; we then got on the train going South, and went down to a stone quarry about half a mile from Nashville, where George had been working. We got off at the quarry where they were cutting stone. We spent the day looking over the town. He asked me where I was traveling. I told him that I came to try and get work on the Northwestern railroad. He told me that he thought he could get me into a better job than that. He told me he would take me out to the country to a fellow he had been working with. On Monday evening he took me out to Wittemmeier's, where I secured employment. I worked for Mr. Wittemmeier until three days before Christmas, when I left because I thought I would go back home to Alabama. I liked the work, but I had a little falling out with Wittemmeier, because I quit, although I promised to work another year for him. On the day before Christmas I returned to Wittemmeier's, and told Mr. Wittemmeier that I had given up the notion of going to Alabama, and would work another year. He got mad because I did not fill out the contract, and I told him we had better have a settlement, as he owed me \$4.50. He said he would not settle with me, as I had not done what I promised. I told him I thought he ought to pay me, as I had worked and earned it, but he would not do it. After I told him that, he drew a knife on me and told me to get out of his house. I left, and came to town. I didn't go back there any more until the night I killed him.

On the evening of the 14th of January, I went out to Bell's Bend, part the way on Jim Dozier's wagon. Me and George Berry had made up our minds to kill Wittemmeier. George was to go out to the Bend by Hyde's Ferry, and I was to go by Cleve's Ferry. George was to meet me in Bloomstein's woodland early that night. I got out there about two or three o'clock. I went to Harvey Bennett's house. I met George in the woodland that night between 7 and 8 o'clock. We went over to Wittemmeier's house, reaching there about 8 o'clock. Upon getting there, George went in first and I followed. George struck him first with a rock, and then I struck him with a stick. Wittemmeier never hollered when George hit him, as George had knocked him senseless. George only hit him once, and I struck him twice with a piece of wood that came out of a wagon wheel frame. When I struck Wittemmeier with the stick the first time, the end of it hit Mrs. Wittemmeier. After I hit her the first time, George told me to hit her again. I struck her once more, killing her. George looked in the top drawer in a bureau, and got a lot of money, in big bills, out of a day-book. I don't know how much he got. I only got half a dollar. After the murder, I put the stick in the fire, and George Berry put the rock in his pocket. George ate some preserves and asked me how much money I got. I told him only fifty cents. He then told me that as I didn't get any money, I had better get some clothes. I took an overcoat, a pair of black pants and a hat, but didn't get any rings or jewelry. Neither George nor myself outraged Mrs. Wittemmeier before or after the murder. We left the house together, and going to a hay stack near the house, lay down and staid there until two hours before day. We did not sleep much, but lay there. We then got up and started toward town. George came with me as far as Charles Meyer's house. George stopped there a little while and talked. George afterward walked off in the direction of Hyde's Ferry, and I went toward Cleve's Ferry. I got to Nashville about 10 o'clock, and went to the house of my brother, Peter Martin, No. 40 South Jersey street, and staid there off and on until I was arrested on Thursday night. I saw George on the night before I was arrested, and on Thursday, too. He came to my brother's house on Wednesday, and we went over to Edgfield to see a white man about some money he owed George. He didn't get the money, and we came back to town. I don't know what George did with the money he got.

When we talked about the murder at Meyers' house, George told me that it would get in the

newspapers, and that when it did he would come and let me know, and we could get out of town. On the night I was arrested, George came to my brother's house and told me to come out, as he wanted to see me. We went into the alley, and he told me that it was in the papers about the murder and that he was afraid of it. He said that he was going down to Broad street to see a man who owed him some money, and then he would come back and we would shove out. He told me to stay at my brother's until he got back. He left, and the next thing I knew the officers came and arrested me.

Martin stated that he desired to express his thanks to Sheriff Price, Capt. J. M. Hinton, the Jailor, Beverly Price, John L. Price, Jr., Capt. W. M. Graham and the "trusties" at the jail, for their kindness to him. Every wish expressed by him had been gratified, and he felt very grateful to them all.

Leaving the jail, Sheriff Price returned again at 10 o'clock accompanied by a photographer. He was then taken into the yard and photographed. He wore a black cloth coat and vest, a pair of navy-blue trousers, a clean white shirt, white linen necktie, a silk hat and a pair of No. 10 shoes.

These were the clothes given him to be buried in, and when he put them on in the morning he put on his hat and did not take it off until placed on the scaffold, except for religious services and for the photographer. He was given a turn-down collar, but, instead of using it as intended, he turned it upside down.

PARTING WITH HIS BROTHER.

Peter Martin, a brother of the murderer, called to see Knox yesterday morning and bade him farewell. This was the only time during his confinement when Knox shed tears. He wept as his brother left him.

MARTIN AND BROWN TALK.

Knox said that he was present at the hanging of Brown Coble, at Winchester, one year ago, and remembered the reporters who called to see him there. He continued that he little expected then that he himself would go to the scaffold.

IN A TALKATIVE MOOD.

He was in a more talkative mood yesterday than at any time since his confinement, and was very restless after 11 o'clock, wishing that the Sheriff would come and that the execution might be over, as he had nothing to fear, was ready to die and wanted to go.

LEAVING THE JAIL.

Exactly at 12 o'clock Father Veale arrived, and went directly into the prisoner's cell, where they were left alone. Fifteen minutes later Sheriff Price arrived, with a large furniture wagon, escorted by nearly forty members of the police force. The prisoner was brought out and placed in a chair in the wagon.

The outside of the jail presented a scene seldom witnessed. Front street, from the Public Square to below Clark street, was a solid mass of people. The number is said to have been three thousand. In the wagon with the prisoner were seated Sheriff Price, Deputy Sheriffs John L. Price, Jr., Thomas E. Moore, Wm. C. Blackman and M. C. Cotton, Jailor Hinton, John H. Wood and Rev. Father Veale, the spiritual adviser of the prisoner, and two of the *American's* reporters. The wagon was protected from the crowd by the police, under command of Sergeant W. E. McAllister, and followed by Rev. Father Ryan in a buggy.

ALONG THE LINE OF MARCH.

Notwithstanding the immense crowd which were constantly following along with and after the wagon, often blockading the streets, the windows of the houses passed were all filled with spectators anxious to get one look at the doomed man.

The line of march was down Front street to Broad, through Broad to Market, out Market to the junction of the Murfreesboro turnpike, along the Murfreesboro turnpike to Maple street, through Maple and South Hill streets to Brown's creek; thence along the public road to the place of execution—a hollow between two hills, about midway between the Tennessee & Pacific Railroad and the Catholic Orphan Asylum.

Knox sat smoking a cigar part of the way, in a very unconcerned manner. Just after crossing Brown's creek, one of the planks of the wagon-bed gave way and Martin was precipitated to the ground, only the upper part of his body, head and arms being above the wagon-bed. He was helped up and smiled at the mishap.

THE PLACE OF EXECUTION.

Arriving at the place of execution at 20 minutes after 1 o'clock, after an hour's ride, it was found that an immense crowd had assembled on the ground. It was estimated by careful and experienced judges that from ten to twelve thousand people were present, consisting of all classes of people, all ages, colors and sexes. It was with difficulty that the surging mass could be held back from the rope fence inclosing the scaffold.

WITTEMMEIER'S RELATIVES PRESENT.

Among the crowd present were John Foster and his wife, the mother and father of Mrs. Wittemmeier; James Foster and his wife, a brother and sister-in-law of the murdered woman; Nelson Foster, another brother; Mrs. Benhardt and daughter, also relatives of the deceased, and Charles Francis Wittemmeier, age 18 months, the infant foundon its dead mother's breast. The entire party were admitted inside the railing. They said they came to hear the speech of Knox Martin, and learn what Mrs. Wittemmeier said before being killed, and were greatly disappointed because Knox made no speech.

THE SCAFFOLD.

The scaffold was put up yesterday morning by John Kirk & Son. It was made of poplar and oak, was six feet from the ground, and the floor was ten feet square, with the addition of the trap-door about three by four feet, with a drop of four feet. It was erected in the most convenient place to be found anywhere around Nashville, the hills on either side serving to make it a large amphitheatre.

ARRIVAL OF THE PRISONER.

The wagon containing the prisoner and the officers of the law, as above stated, arrived at 40 minutes after 1 o'clock. Knox was helped out of the wagon by Rev. Father Veale and Rev. Father Ryan, and assisted upon the scaffold. For the first time, at this moment, he began to show weakness, and trembled some.

Upon the scaffold were Sheriff Price, the prisoner and the two priests, Deputy Sheriffs Cotton, Moore and Blackman, and the newspaper reporters.

Every one of these soon lifted his hat from his head, and Sheriff Price read the following

SERVICES ON THE SCAFFOLD.

The Sheriff was interrupted in the reading of the warrant once or twice by persons in the crowd crying out, "Londer!" "Londer!" At the conclusion of the reading, Sheriff Price asked Father Veale if Knox had anything to say, and, upon being asked by the clergyman, Martin said, "No."

The prisoner, Father Veale and Father Ryan then knelt; a prayer was offered in Latin, and the prisoner was granted absolution. The three then arose and the following conversation took place in a low tone:

Father Veale—"Good-bye, Knox."
Knox Martin—"Good-bye."
Father Veale—"I will pray for you, Knox. I am with you. Put your trust in God."
Knox Martin—"Yes, sir."

The prisoner then advanced to the trap-door, his hands were tied by Deputy Sheriff Moore, his feet by Deputy Sheriff Blackman, and the black cap adjusted by Sheriff Price.

While the rope was being placed over his head, Knox leaned over Sheriff Price's shoulder and whispered in his ear, "Good-bye, Mr. Price."

Father Veale said: "I'll pray for you. Remember what I told you." Martin nodded assent.

One step more was taken by Martin, and he was upon the trap door, and, at a signal from the Sheriff, Mr. Cotton, at 1:33 o'clock, cut the rope, and Martin fell four and a half feet. As he dropped the crowd cheered. Two convulsive movements of the body were noticed, and in ten minutes Drs. McMurray, Summers, Steger and other physicians pronounced him dead. The body was allowed to hang for fifteen minutes, and at 1:48 o'clock it was cut down and turned over to the physicians to whom Martin gave it several days ago.

INCIDENTS OF THE DAY.

Just about the time the rope was cut, the accidental discharge of a pistol caused a general stampede. Joseph Richards had his wagon there and helped a number of young girls into it, and upon his getting into it, sat down upon his pistol, causing it to go off. The ball made a flesh wound in the leg of Miss Lillie Myers.

A young man from Robertson county, who came down to see the hanging, was so much overcome from standing in the sun that he fainted, and had to be taken out of the crowd. He had been standing three hours in the sun, waiting.

Many women carried babies in their arms, leading two or three small ones by the hand. One had a baby, a boy about four years old, a girl of six and two larger ones in tow.

A Bank alley carpenter, who was not at his shop yesterday afternoon, returned at night and found on his slate the legend: "Closed on account of the death of Knox Martin."

Among the numerous requests for dismissal, a South Nashville teacher received this: "Please excuse Joseph—he wants to see the man hung—by request of his mother."

Another read: "If you will let the children go to see Knox Martin hung, to-day, I will not ask you any more."

Another: "Please let Thomas go to the hanging. I hope it will do him good."

The negroes seemed to be in perfect accord with the sentence pronounced against Martin, feeling that he justly deserved it. As one old

negress remarked while gazing at the dangling body, "Let him die; if hee repented hee gwine to de Lord; if he didn't hee wid the devil."

The large size of the crowd and the general excitement considered, it was an orderly hanging.

THE STORY OF THE CRIME.

The circumstances of the crime are familiar to our readers. On the morning of Jan. 14 last, the bodies of Mr. and Mrs. John Wittemmeier, humble Germans living in Bell's Bend, ten miles from Nashville, were found lying on the bed at their home, having been brutally murdered. In the same bed were two children, one of whom had crawled upon its mother's breast. The scene was described by witnesses as extremely horrible. Blood was scattered all around, and from certain circumstances it was supposed that Mrs. Wittemmeier had also been outraged. Suspicion at once rested on two negroes, George Berry and Knox Martin, who had worked for and quarreled with Wittemmeier. The former, to relieve himself, hunted up Martin, finding him at the house of his brother in the city. Berry charged him with the crime, and finally Martin confessed fully. Berry informed the police, a descent was made on the house and Martin captured. He reiterated his confession in the presence of several persons.

So strong was the feeling against Martin that he was removed to the jail, and then secretly sent to Gallatin. On Feb. 20, Martin was convicted and sentenced to die March 28. The principal witness for the prosecution was Berry. Although urged to do so, Martin persistently refused to appeal to the Supreme Court. His great fear seemed to be that, if there was any delay, he would fall into the hands of a mob.

WHERE IS BERRY?

After Martin had made his confession, yesterday, implicating George Berry, the negro who caused his capture and was the principal witness against him at his trial, reporters of the *American* made diligent search for Berry, but could learn nothing of his whereabouts. The impression among the public is that he has left the city. After his discharge from jail, where he was detained for some time to ensure his appearance as a witness at the trial, he collected some money a South Nashville lady owed him and told her he was going away. His pay as a witness amounted to between \$30 and \$40, on account of his long detention. The police do not seem to credit Martin's story that Berry assisted him to commit the murder, and say the doomed man's motive was revenge. In none of the confessions made by Martin when first arrested did he accuse Berry. The disappearance of Berry is accounted for on the score of fear that he might be lynched by the friends of the murdered people in case they should believe Martin's charge of complicity to be true.

IN THE HANDS OF THE DOCTORS.

As Martin dropped a number of eager doctors gathered around his suspended form. After the slight convulsive movements had stopped, they began to apply tests to discover when animation ceased. It had become generally known that an effort would be made to restore Martin to life. By many it was treated jestingly, but with the little knot of professional men about the scaffold the matter was a serious one. The report of the proposed experiment had spread through the crowd, and it was with the utmost difficulty the police could keep anything like order. As stated above, in ten minutes all the doctors had pronounced Martin dead. With a distrust natural when doctors had such an interesting subject in prospect, Sheriff Price made them look him in the eye and give their opinion. Still, to prevent any possible trouble in case the experiment proved unsuccessful, the Sheriff would not let the rope be cut until fully fifteen minutes had passed. Mr. Cotton had no sooner climbed the last strand than the eager hands of the medical men eased the rope to the ground. It was the work of an instant to remove the loop from his neck, and efforts were at once taken to restore the dislocated bones to place and relieve the pressure on the spinal cord. The coffin was pulled from under the scaffold, and the dead body placed therein. Several persons took hold, and, surrounded by physicians, students and a mass of spectators, the coffin was hurriedly taken to the crown of an adjacent hill. Here a cow-shed had been covered with canvass. A guard of police was on hand, but nothing could restrain the impetuosity of the crowd. The coffin was brought in and laid on the ground. Several persons roughly crowded in, until the air became so hot and close that breathing was a difficult operation. The crowd outside pressed up to the shed and now and then a plank would be pulled off to give a better view of the interesting proceedings within. Some of the more adventurous started to mount the top of the shed, while the apprehensive cries of those inside, fearful of a falling in, mingled with curses and demands for more room. They pressed hard on the body of the negro, and even had he been half alive, his chances of resurrection would have been small. Just as soon as the coffin dropped to the ground, Martin's shirt, pants and shoes were torn off, and then began a vigorous rubbing of his legs and arms, while efforts were made to restore breathing by alternate pressure and relaxation on the chest. His head was raised, and in a minute a strong galvanic battery was attached. All began to work and watch for the least signs of returning consciousness. The perspiration poured from the brows of the experimenters, and with more than one of them there was a feeling of faintness. Remarks, not expressive of the least possible chance of the doctors' success, were fully passed around, but still the medical men worked away, and the spectators craned their neck for a glance now and then at the object of so much interest.

At last convulsive twitching of the muscles of the face was noticed. Then a movement was discernible in his limbs, and finally the most remarkable and satisfactory portion of the experiment—the body gave three deep drawn gasps for air. After that the efforts seemed to meet with no response, and shortly the doctors ceased operations.

The experiment proved an interesting if not an entirely successful one. With the usual length of time for hanging, and a place where plenty of pure air could have been obtained, there is some probability Martin might have been revived.

The crowd finally began to disperse. Martin's body was placed in an express wagon and taken to the Medical College. Here it was dumped, sans everything but his white shirt, into the receptacle at the foot of the elevator. The long pulling rope was attached, and the body hauled up to the dissecting room, a heavy load for four pairs of hands. Thrown out on the floor, the magnificent proportions of the murderer were the subject of comment, his six feet or more of height showing a fine specimen of manhood. From a casual examination of his neck, it was determined the fall had produced dislocation, and his death was an easy and immediate one. Another fact worthy of comment was the exceeding small forehead Martin had, the cranium sloping back almost directly from the eyebrows. The body was removed to a table, an incision made in the neck, and the usual operation of injecting for preservation followed. The body will next figure on the dissecting table, under Prof. Summers' scalpel, as Martin himself had desired.

A DOCTOR'S ACCOUNT OF THE EXPERIMENTS.

The experiments upon the body of the criminal were conducted by Drs. McMurray, Steger, Harwell and Summers, assisted by others of the medical profession and of the laity also, who seemed much interested in the result. Immediately after the body was pronounced dead by Dr. McMurray, the Jail Physician, Dr. Summers reduced the dislocation of the neck, and the body was placed in a coffin and conveyed to a hut near by, over which a tarpaulin had been thrown to obstruct the view of the vast multitude that pressed in upon and around the spot with all that morbid curiosity characteristic of the vacant mind. After being deposited in the hut, Dr. Steger arranged the batteries and applied the electrodes to the base of the brain and the chest. Immediately upon turning on the current the contortions of the muscles were visible. Every expression of emotion was manifested—pain, fear, anxiety, hope, delight, anger and disgust. Once the experimenters seemed to offer hope of success. Artificial respiration having been kept up from the beginning the body showed signs of life in about five minutes. The pulse came back, the hands were clinched and a deep breath indicated returning vitality. The eyes opened and stared about vacantly while the muscles of the face played actively under the electric influence. A very strong current was used—equivalent to fifty cells of Grove's battery. The animal heat of the body was 90 deg at the beginning, 98½ deg. five minutes after and 99½ deg. in ten minutes.

The most interesting result of the experiment was the spontaneous erection of the head and neck of the body in the coffin. There seemed to be a perfect expression of life and it seemed Knox Martin was once more a living man. Great excitement prevailed and threats of mob violence were made if the experiments proved successful.

When the muscular activity ceased under the battery, the body was carried to the Medical College, where the experiments were renewed, but with no more positive result. The report of the dissection will appear in the *American* of Sunday.

Suffice it to say that more was accomplished in the direction of developing vitality than ever before—the pulse having been revived and the animal heat and respiration restored, with all the facial and general muscular expressions of vitality. Had the surroundings been favorable, much more could have been accomplished,

and enough was done to show the actual possibility of developing vitality in a body in which life is extinct.

The police and officers upon the grounds merited the thanks of all interested for their kind and efficient protection, under circumstances so peculiarly exciting to the minds of the vast multitude, who so eagerly demanded a view of the experiments.

FORMER EXECUTIONS.

Near the place where Knox Martin was executed, yesterday, a negro named Jacob was hanged on the 28th of January, 1873, for the murder of his master. On the 10th of February, 1843, only two weeks later, three men, Payne, Kirby and Carroll, were hanged for murder, within a few hundred yards of the place occupied by yesterday's scaffold. Three men were hanged on Fort Houston in May, 1866, for the killing of Mr. Heffernan.

The last hanging in this county was that of Bill Kelley, colored, for rape on the 8th of April, 1874, on almost the identical spot where Martin was executed, yesterday.

Exhibit 4

ACTS

OF THE

STATE OF TENNESSEE,

PASSED BY THE

FORTY-THIRD GENERAL ASSEMBLY,

1883.

PUBLISHED BY AUTHORITY.

NASHVILLE:
ALBEET B. TAVEL, PRINTER TO THE STATE.
1883.

demand, turn over the Jail and Workhouse and prisoners, together with all the property belonging thereto, to said superintendent, he giving his receipt for the same. Said superintendent shall be subject at all times to the control and direction of the commissioners; shall have custody of all prisoners, State and county; shall receive for the board of State prisoners such compensation as is now by law allowed the Jailor; for boarding, guarding and superintending while at work the county prisoners he shall receive such compensation as may be allowed him by the commissioners, not to exceed the compensation now fixed by law for boarding alone, and no fees as turnkey shall be charged by said superintendent in receiving or discharging either State or county prisoners.

SEC. 4. *Be it further enacted*, That prior to the first Monday in April, 1883, all the powers vested by this Act in the Judge and commissioners, shall be vested in the County Judge and Jail committee of Montgomery county.

SEC. 5. *Be it further enacted*, That all laws and parts of laws in conflict with this Act, be and the same are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 20, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 22, 1883.

WM. B. BATE,

Governor.

CHAPTER CXII.

AN ACT to provide for the infliction of the death penalty in private.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That when the death penalty shall be enforced, the same shall be inflicted within the prison where the convict shall be confined, or within an enclosed yard of said prison, if there be one, or within an

inclosure erected for the purpose, adjacent to the prison, at the discretion of the Sheriff, or other officer, whose duty it shall be to inflict the same.

SEC. 2. *Be it further enacted*, That the inclosure within which the death penalty shall be inflicted shall be higher than the gallows, or so constructed as to exclude the view of persons outside thereof.

SEC. 3. *Be it further enacted*, That the Sheriff and his assistants, and the following persons may be present at the execution, and none other: The clergymen in attendance upon the prisoner, the immediate family of the prisoner, and such other persons as he may designate, not exceeding three in number, and such other persons as the Sheriff may designate, not exceeding six in number.

SEC. 4. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring.

Passed March 20, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 22, 1883.

WM. B. BATE,

Governor.

CHAPTER CXIII.

AN ACT to repeal an Act passed March 26, 1877, entitled "An Act to regulate the lien acquired by judgments, decrees," etc.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That an Act passed March 26, 1877, entitled "An Act to regulate the lien acquired by judgments, decrees," etc., being chapter 120 of said Acts, be and the same is hereby repealed.

Exhibit 5

L A W S
OF THE
TERRITORY OF KANSAS,

PASSED AT THE THIRD AND FOURTH SESSIONS

OF THE
LEGISLATIVE ASSEMBLY;

THE THIRD SESSION

HELD AT THE CITY OF LECOMPTON, DECEMBER, 1857.

THE FOURTH SESSION BEGUN AT THE CITY OF LECOMPTON, ON THE
FIRST MONDAY OF JANUARY, 1858, AND HELD
AND CONCLUDED

AT THE
CITY OF LAWRENCE.

PUBLISHED BY AUTHORITY.

LECOMPTON, K. T.:
S. W. DRIGGS & CO., PRINTERS.

1858.

SEC. 4. That the bill of exceptions must contain so much of the evidence only as is necessary to present the question of law upon which the exceptions were taken.

Evidence in bill of exceptions.

ARTICLE XII.

JUDGMENT AND EXECUTION.

SEC. 1. That after verdict of guilty, or finding of the court, against the defendant, if the judgment be not arrested or a new trial granted, the court must pronounce judgment.

After verdict of guilty, court must pronounce judgment.

SEC. 2. That for the purpose of judgment, if the conviction be for an offence punishable by imprisonment, the defendant must be personally present; if for a fine only, he must be personally present, or some responsible person must undertake for him to replevy the judgment and costs, judgment may then be rendered in his absence.

Defendant to be present.

SEC. 3. That when the defendant is convicted of any offence, if he be in custody, the court may direct the officer, in whose custody he is, to bring him before it for judgment.

Officer to bring defendant before court for judgment.

SEC. 4. That if in any case the defendant is not present when his personal attendance is necessary, the court may order the clerk to issue a warrant, for his arrest, which may be served in any county in this Territory, as a warrant of arrest, in other cases.

Warrant may be issued for his arrest if not present.

SEC. 5. When the defendant appears for judgment, he must be informed by the court, of the verdict of the jury, and asked whether he have any legal cause to show why judgment should not be pronounced against him.

Defendant may show why judgment should not be pronounced against him.

SEC. 6. If no sufficient cause be alleged or appear to the court why judgment should not be pronounced, it shall thereupon be rendered.

If no sufficient cause be shown, it shall be rendered.

SEC. 7. When the defendant is adjudged to pay any fine and costs, the court shall order him to be committed to the jail of the county, until the same are paid or replevied.

When defendant is adjudged to pay any fine &c., court may order him to jail until same is paid.

SEC. 8. Upon a judgment for fine and costs, execution shall be issued against the property of the defendant, and returned in the same manner as in civil actions.

Execution shall be issued.

SEC. 9. Any person imprisoned for failure to pay or replevy any fine or costs, may be ordered to be discharged by the court, or by the judge of any court, after being imprisoned one day for every fifty cents of the fine and costs, if it appear by satisfactory proof, that such person is unable to pay or replevy the same;

Any person may be discharged from prison by the court.

Conditions. but execution may issue against the property of the defendant as on other judgments.

Defendant may stay execution for fine and costs for ninety days.

SEC. 10. Every defendant in a criminal action, against whom a judgment has been rendered, may stay the execution for the fine assessed and costs, for ninety days from the rendition of the judgment, by entering replevin bail in like manner as is provided in civil actions; the entry of replevin bail has the same force as in civil actions.

Death must be by hanging.

SEC. 11. The punishment of death prescribed by law must be inflicted by hanging by the neck, at such time, not less than fifteen days after conviction, as the court may adjudge.

When execution is respited by the Governor to a farther day. Duty of sheriff.

SEC. 12. When execution of such sentence is respited to a farther day, by the Governor, the sheriff must note the same on the warrant, and the defendant must be detained in custody until the day to which the respite is granted, at which time the sheriff, unless the judgment is reversed or the defendant pardoned, must execute the sentence between the hours specified in the judgment, and return the warrant with the respite.

Sentence of death executed in some private enclosure. Persons who must be present.

SEC. 13. That sentence of death shall be executed in some private enclosure, as near to the jail as possible. The sheriff shall invite to be present at the execution, by at least three days notice, the prosecuting attorney, clerk of the court, together with two physicians and twelve reputable citizens, to be selected by him. He must also, at the request of the defendant, permit any minister of the gospel whom the defendant may name, and any of his relatives, to attend the execution; and also such peace officers as the sheriff may deem proper. No person other than those mentioned in this section can be present at the execution, nor can any person under age be allowed to witness the same.

Persons sentenced to prison, clerk must certify copy of judgment to sheriff.

SEC. 14. That, when any person is convicted and sentenced to imprisonment in the Territorial prison, the clerk must, without delay, certify, under the seal of the court, a copy of the judgment to the sheriff.

Duty of sheriff.

SEC. 15. That the sheriff must, as soon as practicable, convey the convict to the Territorial prison, and deliver him to the keeper thereof, with the copy of the judgment, and take from the keeper a receipt for the convict.

Same.

SEC. 16. That the sheriff, in conveying a convict to the Territorial prison, may demand the assistance of any sheriff, jailor or citizen, and the use of any jail, in any county through which he may pass, as occasion may require.

SEC. 17. That, in case of a conviction for an offence not punishable by death or imprisonment in the Territorial prison, in addition to the punishment required by law, the court may require the defendant to enter into a recognizance, with surety, in a reasonable sum, to keep the peace for any time not exceeding one year, or, in default thereof, to stand committed.

Court may bind defendants to keep the peace.

SEC. 18. That the sheriff must return every process issued to him, with his doings endorsed thereon.

Sheriff must return process endorsed.

ARTICLE XIII.

NEW TRIAL AND ARREST OF JUDGMENT.

SEC. 1. A new trial is a re-examination of the issue, in the same court.

New trial.

SEC. 2. That the granting of a new trial places the parties in the same position as if no trial had been had; the former verdict cannot be used or referred to either in the evidence or argument.

Same.

SEC. 3. That the court may grant a new trial for the following causes, or any of them: 1. When the jury has received any evidence, papers or documents not authorized by the court, or the court has admitted illegal testimony, or for newly discovered evidence. 2. When the jury has been separated, without leave of the court, after retiring to deliberate upon their verdict, or have been guilty of any misconduct tending to prevent a fair and due consideration of the case. 3. When the verdict has been decided by means other than a fair expression of opinion on the part of all the jurors. 4. When the court has misdirected the jury in a material matter of law. 5. When the verdict is contrary to law or evidence; but not more than two new trials shall be granted for this cause alone.

Court may grant new trial for causes.

SEC. 4. That the application for a new trial must be made before judgment.

Application.

SEC. 5. That a motion in arrest of judgment is an application, on the part of the defendant, that no judgment be rendered on a plea or verdict of guilty, or finding of the court, and may be granted by the court for either of the following causes: 1. That the grand jury who found the indictment had no legal authority to inquire into the offence charged, by reason of it not being within the jurisdiction of the court. 2. That the facts stated do not constitute a public offence.

A motion in arrest of judgment is an application, and may be granted for causes.

SEC. 6. The court may also, on its view of any of these defects, arrest the judgment without motion.

Exhibit 6

LAWS OF MISSOURI,

PASSED AT THE SESSION OF THE

THIRTY-FOURTH GENERAL ASSEMBLY,

BEGUN AND HELD AT THE CITY OF JEFFERSON,

WEDNESDAY, JANUARY 5, 1887.

(REGULAR SESSION.)

BY AUTHORITY.



JEFFERSON CITY, MO.:

TRIBUNE PRINTING COMPANY, STATE PRINTERS AND BINDERS.

1887.

CRIMES AND CRIMINAL PROCEDURE: EXECUTIONS PRIVATE.

AN ACT to amend article 19 of chapter 24 of the Revised Statutes of the state of Missouri, entitled "of crimes and criminal procedure," by adding thereto three new sections, to be known as sections 1956a, 1956b and 1956c.

SECTION 1. Death sentence to be executed in jail or enclosure—who be present—officer's return.

Be it enacted by the General Assembly of the State of Missouri, as follows:

SECTION 1. That article 19 of chapter 24 of the Revised Statutes of Missouri of 1879, entitled "of crimes and criminal procedure," be amended by adding thereto three new sections, to be known as sections 1956a, 1956b and 1956c, and to read as follows: Section 1956a. The sentence of death shall be executed within the walls of the jail at the county seat of the county wherein the conviction was had, when such jail is so constructed that the execution can conveniently take place therein, but if the jail is not so constructed, then such sentence shall be executed in an inclosure surrounded by a wall, palisade or fence higher than the gallows and sufficiently close to exclude the view of persons on the outside; and said inclosure shall be adjoining or as near to the jail as possible. Section 1956b. At the execution there may be present, besides the officers of the court wherein the conviction was had, such other officers and such guards and assistants as the officer executing the sentence may see proper to admit. He shall request the presence of the prosecuting attorney of the county, the clerk of the court and twelve reputable citizens of the county, to be selected by him, two of whom shall be physicians or surgeons, and he shall also permit the presence of the counsel of the convict and such minister of the gospel as the convict may desire, and such of the convict's relations as the officer may deem prudent, but no person under twenty-one years of age, not related to the convict, shall be allowed to witness the execution. Section 1956c. The officer executing a sentence of death shall make return on the warrant of the execution thereof, which shall be further certified to by at least two of the persons present thereat, and be by said officer returned to the clerk of the court from which said warrant was issued, and be by him filed among the records and proceedings in said case as a part thereof.

Approved March 19, 1887.

CRIMES AND CRIMINAL PROCEDURE: IMPRISONMENT IN
WORK-HOUSE.

AN ACT to amend section 1963 of article 19 of chapter 24 of the Revised Statutes of Missouri, entitled "verdict and judgment and proceedings thereon."

Exhibit 7

ACTS
OF THE
STATE OF TENNESSEE

PASSED BY THE
FIFTY-SIXTH GENERAL ASSEMBLY

1909

PUBLISHED BY AUTHORITY

NASHVILLE, TENN
McQUIDDY PRINTING COMPANY
1909

TENNESSEE STATE LIBRARY

aside part of the fund collected under the Act to any particular district or districts, that the Superintendent may, with the consent of the Turnpike Board, use such part of said fund apportioned to said district as he may see proper in repairing and maintaining the turnpikes in said district.”

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 30, 1909.

M. HILLSMAN TAYLOR,
Speaker of the House of Representatives.

WM. KINNEY,
Speaker of the Senate.

Approved May 1, 1909.

MALCOLM R. PATTERSON,
Governor.

CHAPTER 500.

HOUSE BILL No. 72.

(By Mr. Scott.)

AN ACT to be entitled “An Act to provide that the execution of all persons condemned to death by the courts of this State shall be held within an inclosure of the penitentiary, at Nashville, in privacy and seclusion, and that no witnesses shall be admitted to such execution except a priest or minister of the gospel, the prison physician, the Sheriff of the county in which the crime was committed, and such attendants as are necessary to properly carry out and perform such legal execution.”

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That in all cases in which the sentence of death has been passed upon any person by the courts of this State, it shall be the duty of the Sheriff of the county in which such sentence of death has been passed to remove the person so sentenced to death from such county to the State penitentiary at Nashville within a reasonable time before the date fixed for the execution of the death

sentence in the judgment and mandate of the court pronouncing the same; and on the date fixed for such execution in said judgment and mandate of the court the Warden of the State penitentiary at Nashville shall cause such death sentence to be carried out within an inclosure to be prepared for that purpose in strict seclusion and privacy, and the only witnesses who shall be entitled to be present at the carrying out of such death sentence shall be the Warden of the State penitentiary or his duly authorized deputy, the Sheriff of the county in which the crime was committed, a priest or minister of the gospel who has been preparing the condemned person for death, the prison physician, and such attendants chosen and selected by the Warden of the State penitentiary as may be necessary to properly carry out the execution of the death sentence; *provided*, that members of the family of the condemned prisoner may be present and witness the execution.

No other person or persons than those hereinabove mentioned shall be allowed or permitted to be present at the carrying out of the death sentence, and it is hereby declared to be a misdemeanor, punishable by a fine of not less than one hundred (\$100) nor more than five hundred dollars (\$500) for the Warden of the State penitentiary to permit any other person or persons than those above provided for to be present at such legal execution.

SEC. 2. *Be it further enacted*, That the Sheriff of any county in Tennessee failing to remove a prisoner condemned to death to the State penitentiary at Nashville as provided in Section 1 of this Act shall be deemed guilty of a misdemeanor, and, upon conviction, shall be fined not less than one hundred (\$100) nor more than five hundred dollars (\$500) for each offense, and every violation shall constitute a separate offense.

SEC. 3. *Be it further enacted*, That this Act take

effect from and after its passage, the public welfare requiring it.

Passed April 22, 1909.

M. HILLSMAN TAYLOR,
Speaker of the House of Representatives.

WM. KINNEY,
Speaker of the Senate.

Approved May 1, 1909.

MALCOLM R. PATTERSON,
Governor.

Exhibit 8

THE STATE OF OHIO.

GENERAL AND LOCAL LAWS

AND

JOINT RESOLUTIONS,

PASSED BY THE

SIXTY-SIXTH GENERAL ASSEMBLY

AT ITS ADJOURNED SESSION,

BEGUN AND HELD IN THE CITY OF COLUMBUS, JANUARY 6, 1885.

VOLUME LXXXII.

COLUMBUS:
MYERS BROTHERS, STATE PRINTERS.
1885.

SEC. 3. That said original section 6454, as amended March 9, 1880, March 9, 1882, March 7, 1883, February 26, 1884, March 27, 1884, and February 12, 1885, and said section 6454a, be and the same are hereby repealed. Repeal.

SEC. 4. That this act take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

Passed April 29, 1885.

[Senate Bill No. 409.]

AN ACT

To amend sections 7338, 7339, 7340, 7341 and 7343 of the Revised Statutes of Ohio, and to repeal section 7342 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That sections 7338, 7339, 7340, 7341 and 7343 of the Revised Statutes of Ohio be amended so as to read as follows :

Section 7338. 1. The mode of inflicting the punishment of death shall be by hanging by the neck until the person is dead ; and the sheriff, or in case of his death, inability or absence, the coroner of the county in which sentence of death is pronounced, shall be the executioner. And when any person shall be sentenced, by any court of the state having competent jurisdiction, to be hanged by the neck until dead, such punishment shall only be inflicted within the walls of the Ohio penitentiary, at Columbus, Ohio, within an enclosure to be prepared for that purpose, under the direction of the warden and board of managers thereof, which enclosure shall be higher than the gallows, and so constructed as to exclude public view.

Mode, place
and time of
inflicting the
death pen-
alty; sheriff's
fees.

2. All executions of the death penalty by hanging shall take place according to the provisions of this act, and on the day designated by the judge passing sentence, but before the hour of sunrise of the designated day, and the sheriff of the county shall receive for his services one hundred dollars and the same fees as are paid in other felony cases, to be paid out of the county treasury, on the return of the sheriff showing the due execution of the sentence, duly attested and approved by the warden of the penitentiary.

Section 7339. When a person is sentenced to death, all writs for the execution of the death penalty shall be directed to the sheriff by the court issuing the same, and the sheriff of the county wherein the prisoner has been convicted and sentenced, shall, within the next thirty (30) days thereafter, in as private and secure a manner as is possible to be done, convey the prisoner to the Ohio penitentiary, where the said prisoner shall be received by the warden, and securely kept until the day designated for his execution ; and the sheriff shall receive for conducting the prisoner sentenced to death to the Ohio penitentiary, the same fees and

Conveyance
of sentenced
prisoner to
the peniten-
tiary ;
sheriff's fees.

- mileage that is provided by law in other cases, when duly approved by the warden of the penitentiary.
- Erection of gallows at penitentiary.** Section 7340. After the passage of this act, all such warrants shall be executed within the walls of the Ohio penitentiary. It shall be the duty of the board of managers and warden of the penitentiary to proceed at once to the erection of a suitable building and scaffold, (which building and scaffold shall be permanent), in and on which to carry out the provisions of this act, the cost of which said building, scaffold and other necessary material for the completion of a permanent gallows, shall be paid out of any funds on hand appropriated for the maintenance and support of the Ohio penitentiary.
- Who may attend executions.** Section 7341. Besides the warden, the following persons may be present at the execution, but none others: the clergyman in attendance upon the prisoner, such other persons as the prisoner may designate, not exceeding three in number, and five other sheriffs in the state, as the warden may designate, the chaplain and board of managers of the penitentiary, the coroner or the county in which the prisoner was sentenced, and a reporter for each one of the two leading newspapers of opposite politics published in said county that the sheriff may designate.
- Execution and return of warrant.** Section 7343. Unless a suspension of execution be ordered by the supreme court, or two judges thereof, the sheriff or coroner shall proceed at the time and place named in the warrant, to cause the prisoner sentenced to be hanged by the neck until he be dead; and of the manner of his execution of the warrant and his doings thereon, he shall forthwith make return to the clerk of the county from whence the prisoner was sentenced, who shall record the warrant and returns in the records of the case.
- Disposition of the body of the person executed.** SEC. 2. The body of the executed person shall be returned to the friends in any county in the state for burial that they may request in writing, if made on the warden the day before, or on the morning of the execution; and he may draw his order on the auditor of state, and he on the state treasurer, for paying the transportation and other funeral expenses, not to exceed the sum of fifty dollars; and if no request is made by the friends as aforesaid, the body to be disposed of as provided by law for such cases.
- To whom this act does not apply.** SEC. 3. The provisions of this act shall not be held to apply to cases of persons under sentence of death, and time of execution fixed to take place prior to July 1, 1885, but all persons under sentence of death, and time of execution fixed, to take place prior to July 1, 1885, shall be executed as provided in warrants issued at the place in such warrants named.
- Repeal.** SEC. 4. Said original sections 7338, 7339, 7340, 7341, 7342 and 7343 are hereby repealed.
- SEC. 5. This act shall take effect and be in force from and after its passage.

A. D. MARSH,

Speaker of the House of Representatives.

JOHN G. WARWICK,

President of the Senate.

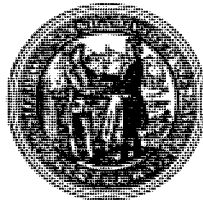
Passed April 29, 1885.

Exhibit 9

ACTS OF THE GENERAL ASSEMBLY
OF THE
Commonwealth of Kentucky

PASSED AT

The Regular Session of the General Assembly, which was begun
and held in the City of Frankfort, Kentucky, on Tuesday,
January the Fourth, 1910, and ended on Tues-
day, March the Fifteenth, 1910.



PROPERTY OF THE COMMONWEALTH OF KENTUCKY

LOUISVILLE
THE CONTINENTAL PRINTING COMPANY
1910

CHAPTER 38.

AN ACT designating electrocution as the means of inflicting the death sentence.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That from and after the period that this law shall take effect the mode of the execution of a death sentence must in every case be by causing to pass through the body of the condemned a current of electricity of sufficient intensity to cause death as quickly as possible, and the application of such current must be continued until the condemned is dead. All executions of the death penalty by electrocution shall take place within the walls of the State penitentiary, hereafter indicated by the Board of Prison Commissioners, and in such inclosure as will exclude public view thereof.

Death Penalty
to be by electro-
cution.

§ 2. The sheriff and jailer of the county in which the condemned under sentence of death is confined, shall, upon the order of the court in which the condemned was sentenced, cause said condemned person to be conveyed as expeditiously, privately and safely as may be, to said penitentiary, and to deliver said condemned person, together with a duly certified copy of the judgment ordering the execution, to the warden of said penitentiary, and the warden thereof shall receive said condemned person and safely keep the same until the day designated for the execution, unless said condemned person be otherwise disposed of by due course of law. Said sheriff shall be paid therefor the same fees as are now allowed sheriffs for the conveyance of persons convicted of felony to the penitentiary.

Sheriff and
jailer's duties.

Warden to execute sentence.

§ 3. The warden of said penitentiary or his deputy shall proceed at the time and place named in the judgment of the court in which the condemned person was tried and convicted to cause the same to be electrocuted according to the provisions of this act, before sunrise on the day designated in the judgment aforesaid, unless the execution be stayed by due process of law. The warden or his deputy executing the death sentence shall be paid therefor the sum of twenty dollars from the State Treasury.

Persons entitled to be present.

§ 4. The electrician and the warden of said penitentiary and his deputy or deputies and guards, the sheriff of the county in which the condemned was convicted, the Prison Commissioners, the physician and chaplain of the penitentiary, and a clergyman and three other persons selected by the condemned, and one representative of every newspaper published in the county in which the condemned was convicted, and one representative of every daily newspaper published in the State, may attend such execution, but no other persons shall be permitted to be present.

Disposition of body.

§ 5. The warden of said penitentiary shall make due return on the copy of the judgment of the court pronouncing the death sentence, of the manner, time and place of its execution by him, which return shall be made by the clerk of said court filed in the papers of the cause in his office.

§ 6. The body of the condemned shall be delivered to any friend or relative making request therefor, and the State shall pay the expense for the return of the body to its home, not to exceed thirty dollars, but if no such request is made, it shall be buried and the cost of such burial, not to exceed thirty dollars, shall be a claim against the treasury of the State.

§ 7. If the condemned under sentence of death escapes from custody and be recaptured after the expiration of the date fixed for the execution, the

Governor, upon being notified of such recapture by the warden of said penitentiary in writing, shall send his warrant of execution to said warden by special messenger and shall name therein the day of execution and thereupon the warden shall proceed to the execution thereof according to the provisions of this act.

Duty of Governor in certain instances.

§ 8. If the condemned under sentence of death be insane or pregnant with child on the day designated for the execution, said execution shall be suspended until said condemned be restored to his or her right mind or until she be delivered of child, and then said execution shall take place under the warrant of the Governor and at the time herein designated by him unless stayed by due process of law.

Disposition of accused insane or pregnant.

§ 9. There shall be installed and erected in the State penitentiary, under direction and management of the Prison Commission the necessary electrical apparatus for the electrocution of persons under sentence of death, and the sum of seven thousand dollars, or so much thereof as is necessary, is hereby appropriated for the purchase and installation of the same.

Appropriation

§ 10. This act shall not apply to crimes committed before this act takes effect; the punishment of such crimes shall be such as was prescribed by the law in effect when the crime was committed.

Time when act to be effective.

§ 11. All acts and parts of acts inconsistent or in conflict herewith are hereby repealed.

Repeal.

Approved March 21, 1910.

Exhibit 10

FAR WORSE THAN HANGING

KEMMLER'S DEATH PROVES AN AWFUL SPECTACLE.

THE ELECTRIC CURRENT HAD TO BE TURNED ON TWICE BEFORE THE DEED WAS FULLY ACCOMPLISHED.

AUBURN, N. Y., Aug. 6.—A sacrifice to the whims and theories of the coterie of cranks and politicians who induced the Legislature of this State to pass a law supplanting hanging by electrical execution was offered to-day in the person of William Kemmler, the Buffalo murderer. He died this morning under the most revolting circumstances, and with his death there was placed to the discredit of the State of New-York an execution that was a disgrace to civilization.

Probably no convicted murderer of modern times has been made to suffer as Kemmler suffered. Unfortunate enough to be the first man convicted after the passage of the new execution law, his life has been used as the bone of contention between the alleged humanitarians who supported the law, on one side, and the electric-light interests, who hated to see the commodity in which they deal reduced to such a use as that. For fifteen months they have been fighting as to whether he should be killed or not, and the question has been dragged through every court. He has been sentenced and resented to death, only to be dragged back from the abyss by some intricacy of the law.

The uncertainty in which he has so long lived would have driven any ordinary man insane. That suffering has culminated in a death so fearful that people throughout the country will read of it with horror and disgust.

The execution cannot merely be characterized as unsuccessful. It was so terrible that the word fails to convey the idea. It was, as those who advocated it desired that it should be, attended by men eminent in science and in medicine, and they almost unanimously say that this single experiment warrants the prompt repeal of the law. The opinion is further expressed that the public will demand its repeal, and that it is the first and last electrical execution that this State will ever witness. As might have been expected, such of the so-called humanitarians as witnessed Kemmler's fearful death still insist that their hobby will be a success "under proper conditions." The publication of the scenes that were enacted in the death room will probably prevent them from ever having another opportunity to prove their assertion.

Fortunately there was no difficulty in getting the full details of the affair, despite the fact that the advocates of the law attempted to do their work concealed from the eyes of the public.

WAITING FOR THE EVENT.

It is doubtful if any of those who were directly interested in the fate of Kemmler slept soundly last night. Not until late in the evening was the hour for the execution definitely known. When each of the men whom Warden Durston had bidden to be present retired he did so knowing that at 5 o'clock he was to be ready to enter the prison gates. Some of them did not seek their beds until late and all of them showed the effects of loss of sleep as they walked down State Street in the early morning.

This is the list of those who accepted the invitation of the Warden to witness Kemmler's death: Dr. E. C. Spitzka, Dr. George F. Shradly, Dr. Carlos F. Macdonald, Deputy Coroner W. T. Jenkins, all of New-York; Dr. Louis Balch of the State Board of Health, Drs. W. J. Nellis, Joseph Fowler, C. M. Daniels, and A. P. Southwick of Buffalo; Oliver Jenkins, Sheriff of Erie County; District Attorney George P. Quimby of Buffalo, Dr. H. E. Allison, Superintendent of the Auburn Asylum for Insane Criminals; Dr. T. K. Smith and the Rev. O. A. Houghton of Auburn, C. E. Huntley of Buffalo, Dr. Henry Argue of Elmira, Robert Dunlap of New-York, Dr. George E. Pell, Joseph C. Veiling, Deputy Sheriff of Erie County; Tracy C. Becker of Buffalo, George G. Bain of Washington, Frank W. Mack of the Associated Press, Michael Conway, State Agent for Discharged Convicts; the Rev. Horatio Yates, Chaplain of the Auburn Prison, and George W. Irish of Cazenovia.

The gentlemen went to the prison by twos and fours, and all of them were present at the appointed hour. District Attorney Quimby looked pale as he walked through the gate, and those who knew him best predicted that he would not stay to witness the execution. Mr. Quimby has prosecuted many murderers, but he never yet has been able to see a man killed. This prediction was verified.

By 4 o'clock this morning people were astir on the streets, and an hour later the street in front of the prison contained not less than 500 people. At 6 o'clock it was almost impossible to force a passage through the throng. Every eye that could be pressed to the openings between the bars of the gate was directed toward the window which lighted Kemmler's cell. While the crowd was still gathering, and some time after the witnesses had entered the prison, a party of night guards emerged from the gloomy old pile with their lunch baskets and marched in single file out through the gate, which swung open at their approach. The crowd hated to give way to permit them to pass, but was forced to fall back. Nevertheless, each of the guards was eagerly questioned, but no information relating to the one topic of the day was forthcoming from these men. They knew absolutely nothing about the doings in the death chamber. None of them had seen Kemmler since his arrival at the prison.

As the morning wore on and the time for the execution drew near, the trees and house-tops in the vicinity began to be peopled. Young men climbed telegraph poles and gazed eagerly toward the vine-clad prison. Men and women on their way to their daily labor joined the crowd at the entrance. The platform of the railway station across the street was black with people, and the temporary office of the Western Union Telegraph Company, which had been established in the freight station directly opposite the prison, showed many expectant faces. Just before 7 o'clock it seemed as if all Auburn had congregated in the immediate neighborhood of the prison. Suddenly a bell was heard to ring, and messengers who had been stationed in advantageous places waved their handkerchiefs as a signal that the murderer had been killed. They were in error. The bell was simply a notice to the civilians employed in the prison shops, most of whom were in the crowd outside, to form in line and prepare to enter. The gate was opened for them and the crowd grudgingly allowed them to march through.

KEMMLER SAYS HE IS READY.

Then the weary wait for news from the inside began again. In the meantime Warden Durston had arisen and had gone to the cell of the condemned man. He carried with him the death warrant, and he read it to Kemmler as the latter sat on the side of his bunk. Kemmler's sole remark when the Warden had finished reading was: "All right, I am ready." The Warden then left the cell, and in the entrance hall above met the witnesses who had accepted his invitation. While most of the visitors loitered about the hall, Warden Durston went with J. C. Veiling, Kemmler's old Buffalo keeper, to the murderer's cell. Kemmler was apparently greatly pleased to see Veiling, and insisted that he should remain to breakfast with him. To this proposition Veiling assented, and a good breakfast was soon set before them. While they were waiting for it the Rev. Drs. Houghton and Yates entered the cage. Kemmler greeted them in a pleasant manner, and they talked with him a few minutes on the subject of his coming death. Then the clergymen and Kemmler knelt upon the floor, the murderer in his shirt sleeves, and a prayer for the soul of the condemned man was offered up.

Breakfast followed, and throughout the meal Kemmler was in the best of spirits. After the meal Kemmler was asked if he had any objection to having his hair cut, and he said he had not. Veiling therefore produced a pair of shears and cut the hair from the murderer's head. Kemmler sat smiling while the shears were being piled. Veiling was very nervous, and made a sorry job of the haircutting. When he had finished his work the crown of Kemmler's head from which the hair had been cut had the appearance of a great scar.

Several times the murderer addressed Veiling. "They say I am afraid to die," he said, "but they will find that I ain't. I want you to stay right by me, Joe, and see me through this thing and I will promise you that I won't make any trouble."

The last moment in the old cage came soon and Kemmler arose to follow the Warden into an adjoining room. He had previously bidden the faithful Daniel farewell. His eyes roved over the dingy quarters a moment and then he looked straight toward the door. "Come William," said the Warden, and together they walked into the chamber of death. A solemn hush had fallen upon the witnesses as Warden

Durston left the death chamber to bring in the doomed man. There was a very apparent nervousness among the men, used as most of them are to sights that would chill ordinary men's blood. The uncertainty of what was to come filled them with awe. Somebody attempted to speak, but his voice was lost in its own faintness. A step was heard outside. Allevies turned toward the door leading into the chamber. Warden Durston appeared, and beside him was the man who stood on the verge of an awful death. Yet there was nothing in his appearance to suggest this. His face was composed and he walked in an easy manner as though he were entering a room to receive a party of friends.

After he had crossed the threshold there was for an instant the deadest silence. It was broken by Warden Durston.

"Gentlemen," he said, "this is William Kemmler."

And Kemmler bowed, "Gentlemen," he said, "I wish you all good luck. I believe I am going to a good place, and I am ready to go. I want only to say that a great deal has been said about me that is untrue. I am bad enough. It is cruel to make me out worse."

As he finished this little speech, he bowed again, and was about to sit down in a chair which had been placed beside the death chair. Warden Durston, seeing this, stepped forward, and Kemmler, noticing his action, saw that the time had come, and instead of sitting where he had intended, turned and easily dropped into the seat. Still he did it much as one might after a long walk fall into the welcome arms of an easy chair. He sat with the light from the window streaming full on his face, and immediately in front of him was the semicircle of witnesses. Warden Durston stepped to the chair, and at his request Kemmler arose. It was desired to see whether his clothing had been so cut away at the base of the spine as to allow of a clean contact between the electrode and the flesh. It was found that the outer garments had been cut, but the lower clothing had not been so. Durston took out a pocket knife and cut two small triangular pieces out of the shirt.

Then Kemmler easily settled back into the chair again. As he did so Durston started to get the rear piece in position. A murmur of surprise passed among the witnesses when Kemmler turned calmly to the Warden and in such tones as one might speak to a barber who was shaving him, said calmly, "Now take your time and do it all right, Warden. There is no rush. I don't want to take any chances on this thing, you know."

"All right, William," answered Durston, and then began to adjust the headpiece. It looked horrible with its leather bands crossing the doomed man's forehead and chin and partially concealing his features. When the job was finished Durston stepped back. Kemmler shook his head as one might when trying on a new hat, and then just as coolly as before said: "Warden, just make that a little tighter. We want everything all right, you know."

The Warden did as requested and then started to fix the straps around the body, arms, and legs. There were eleven of them. As each was buckled Kemmler would put some strain on it so as to see if it was tight enough. All appeared to suit him, and in answer to a question by the Warden he answered: "All right." Durston then stepped to the door. The last minute had come.

THE FATAL CURRENT TURNED ON.

Standing on the threshold he turned and said quietly: "Is all ready?" Nobody spoke. Kemmler merely lifted his eyes and for a moment turned them enough to catch a glimpse of the bright, warm sunlight that was streaming through the window of the death chamber.

"Good-bye, William," said Durston, and a click was heard. The "good-bye" was the signal to the men at the lever. The great experiment of electrical execution had been launched. New-York State had thrown off forever the barbarities, the inhumanities of hanging its criminals. But had it? Words will not keep pace with what followed. Simultaneously with the click of the lever the body of the man in the chair straightened. Every muscle of it seemed to be drawn to its highest tension. It seemed as though it might have been thrown across the chamber were it not for the straps which held it. There was no movement of the eyes. The body was as rigid as though cast in bronze, save for the index finger of the right hand, which closed up so tightly that the nail penetrated the flesh on the first joint, and the blood trickled out on the arm of the chair. Drs. Spitzka and Macdonald stood in front of the chair, closely watching the dead or dying man. Beside them was Dr. Daniels, holding a stop-watch.

After the first convulsion there was not the slightest movement of Kemmler's body. An ashen pallor had overspread his features. What physicians know as the "death spots" appeared on his skin. Five seconds passed, ten seconds, fifteen seconds, sixteen, and seventeen. It was just 6:43 o'clock. Dr. Spitzka, shaking his head, said: "He is dead." Warden Durston pressed the signal button, and at once the dynamo was stopped. The assembled witnesses who had sat as still as statues up to this point gave breath to a sigh. The great strain was over. Then the eyes that had been momentarily turned from Kemmler's body returned to it and gazed with horror on what they saw. The men rose from their chairs impulsively and groaned at the agony they felt. "Great God! he is alive!" some one said; "Turn on the current," said another; "See, he breathes," said a third; "For God's sake kill him and have it over," said a representative of one of the press associations, and then, unable to bear the strain, he fell on the floor in a dead faint. District Attorney Quimby groaned audibly and rushed from the room.

Drs. Spitzka and Macdonald stood and toward the chair. Warden Durston, who had started to loosen the electrode on the head, raised it slightly and then hastily screwed it back into place. Kemmler's body had become limp and settled down in the chair. His chest was raising and falling and there was a heavy breathing that was perceptible to all. Kemmler was, of course, entirely unconscious. Drs. Spitzka and Macdonald kept their wits about them. Hastily they examined the man, not touching him, however. Turning to Warden Durston, who had just finished getting the head electrode back in place, Dr. Spitzka said: "Have the current turned on again, quick—no delay." Durston sprang to the door, and in an instant had sounded the two bells, which informed the man at the lever that the current must be turned on.

THE CURRENT TURNED ON AGAIN.

Again came that click as before, and again the body of the unconscious wretch in the chair became as rigid as one of bronze. It was awful, and the witnesses were so horrified by the ghastly sight that they could not take their eyes off it. The dynamo did not seem to run smoothly. The current could be heard sharply snapping. Blood began to appear on the face of the wretch in the chair. It stood on the face like sweat.

The capillary or small blood vessels under the skin were being ruptured. But there was worse than that. An awful odor began to permeate the death chamber, and then, as though to cap the climax of this fearful sight, it was seen that the hair under and around the electrode on the head and the flesh under and around the electrode at the base of the spine was singeing. The stench was unbearable.

How long this second execution lasted—for it was a second execution, if there was any real life in the body when the current was turned on for the second time—is not really known by anybody. Those who held watches were too much horrified to follow them. Some said afterward that it lasted a minute. One said it lasted fully four minutes and a half. Opinions ranged all the way between these figures. Dr. Spitzka, who was as cool as any man could be under such circumstances, says it was not more than a minute. It was 6:51 o'clock when the signal went to the man at the lever to shut off the current. Kemmler had been in the chair just eight minutes from the time the current was first turned on. There is nobody among the witnesses present who can tell just how much of that time the current was passing through the body of Kemmler.

As soon as the current was off again Warden Durston rapidly unscrewed the electrodes and unbuckled the straps. Kemmler's body again was limp. This time he was surely dead. There was no doubt of that. The body was left sitting upright in the chair, and the witnesses of the tragedy that had been enacted passed out into the stone corridors as miserable, as weak-kneed a lot of men as can be imagined. It had nauseated all but a few of them, and the sick ones had to be looked out for. They were all practically silent for some time. Their minds were too busy to enable them to talk. They all seemed to act as though they felt that they had taken part in a scene that would be told to the world as a public shame, as a legal crime.

DOCTORS AFRAID TO USE THE KNIFE.

The body of Kemmler was soon after laid upon a dissecting table that had been placed in front of the chair in which he had met such an awful death. A little over half an hour after the current had been finally turned off, the doctors who were to perform the autopsy went down and viewed the body. Dr. Spitzka found at that time the temperature, taken at the back of the neck, just below where the headpiece electrode had rested, was one degree higher than blood temperature. It is a rule of medical science that no body is dead which is capable of producing heat. In view of this fact, though he had no doubt that life was absolutely extinct, Dr. Spitzka protested that the body should lay for three hours before the scalpel was put to it, and his fellow-physicians agreed with him in this precaution. It may not have been necessary, but it at least will do away with the danger of even a suggestion that Kemmler died under the scalpel, and not from electric current.

The witnesses had been slowly leaving the building. District Attorney Quimby was the first to leave. His eyes were suffused with tears,

and he looked like a man who had suffered the most intense agony.

RESULTS OF THE AUTOPSY.

An autopsy was held about three hours after death and was conducted by Drs. George F. Shradly, Carlos F. MacDonald, E. C. Spitzka, and William T. Jenkins of New-York City, and C. M. Daniels of Buffalo. They all agree that unconsciousness was instantly produced and death was apparently painless. Extensive charring of the body at the points of contact of the electrodes, also minute hemorrhages, were found in the serous membranes and in the ventricles of the brain. The blood was fluid and dark. In the longitudinal sinus corresponding with the region of contact the blood was carbonized. There was decided change in the consistency and color of the brain corresponding with point of contact. Destructive changes of the blood corpuscles were noted.

So marked was the rigor that the remains preserved when placed upon the table the attitude of sitting. Drs. MacDonald and Shradly examined the head. They found that there was a deep, circular imprint on the top of the head made by the sharp pressure of the electrode's rim. The spot where a tuft of Kemmler's hair had been cut off just before death was found to constitute not more than one third of the area of contact with the electrode, and close examination disclosed that the edge of the copper within the electrode had slightly burned the scalp just where the hair had been cut. Had not Kemmler's desire to avoid disfigurement by the cutting of the hair prevailed the contact would have been more perfect. The chances of instantaneous death would have been greater, and possibly disfigurement, which he dreaded, would have been avoided.

Drs. Shradly and Macdonald sat upon a bench chatting as they looked at the body in its strange posture.

"Well, Doctor, there is marked rigor in that position," remarked Macdonald.

"Yes," was Shradly's response, "but we don't know how much is due to electrocution."

"What does that mean?" asked a layman who listened.

"That means the conditions of death by electric force," laughed both the doctors.

"I'd have taken the chance, I think," remarked Dr. Shradly, as he scanned the remains, "of resuscitating that man with hypodermics, even an hour after the current was taken off at the first time, and before its re-application," and as he spoke he went to the table and placed a palm under the nape of Kemmler's neck. After a moment he turned to Drs. MacDonald and Spitzka, who had come near. They all felt the base of the skull, the nervous centre. There was appreciable warmth, though the man had been declared dead 2 hours and 21 minutes before. Then Spitzka called for a thermometer. One was brought, pressed into the folds at the nape of Kemmler's neck and secured there with a rubber band passed over the head and on to the neck. At this point a convict with a bucket of water and sponges entered and undressed the body. Death evidences were found where the buckles of the straps had sunk into the flesh. The lividity was tending downward and death pallor was ensuing.

Kemmler's head measure was found to be 21½ inches, or 54½ centimeters, being the horizontal circumference of the skull. The temperature at the back of the neck was found to have sunk in the interval of two tests twenty minutes apart from 99½° to 97½°, which was declared to be post-mortem temperature. Then at 9:57 A. M., three hours and six minutes after the current through Kemmler was stopped, the table was wheeled beneath the windows, through which the sunlight then was streaming and at the call for "inspection" all gathered around while Dr. Jenkins of New-York prepared to use the scalpel and the saw. Dr. Shradly sat near and in short hand took the running description of conditions developed, himself prompting and at times directing.

Examination of the electrodes on the fatal chair discloses that the sponge at the base of the spine was dried and scorched by heat generated, owing to imperfect contact or to insufficient wetting of the sponge during contact. The result was a terrible burning of the back clear through to the spine. The skin in contact had been burned to a black cinder and the flesh above had been cooked until yellow, while the inner tissues had been baked.

The sponge in the upper electrode had been singed, though not so much as the other, and the scalp only singed instead of incinerated.

Finally, there is said by all the physicians to be no doubt that consciousness was stricken instantly from his brain. The fact that he was not instantly killed is the result of improper contact or of insufficient voltage or pressure. Contact certainly was not perfect at the head, for two-thirds of the contact was upon the man's thick, smoothly-brushed hair, the clipped spot being one-third the size of the electrode's diameter. There has been no information that Kemmler's back at point of contact had been saponified to cleanse away the fatty substances in the pores which offer high resistance.

Warden Durston says 1,700 volts or pressure of current was first applied to Kemmler. When questioned to-night as to whether the twenty incandescent lamps on the circuit, to indicate presence of current, were burning when the bolt was discharged into the murderer, he stated that they were. They should not have been. The moment before switching the current into Kemmler the test lamps should have been cut out. Each lamp consumes 50 volts, hence the 20 took 1,000 volts at once out of the current sent to Kemmler. That left 700 to cause death. The best authorities state that 15 per cent. of a current is stopped at the points of contact, and that 85 is thus expended in the body. Eighty-five per cent. of the 700 volts not consumed to-day by the test lamps is 595 volts of pressure. This is not enough to surely kill a man instantly with good contact, and that of to-day was not perfect. Only one of to-day's witnesses got within the secret room where the apparatus was, and while there he was told by the person in charge and before Kemmler was put in the chair that the machinery "out there," meaning at the dynamo room, "was not working right." But within ten minutes Kemmler was shocked. Either the machinery recovered or a bolt was sent out with uncertainty as to all being right this morning, though last night at midnight light appliances were in such order that it was not certain whether the execution would take place to-day, even though he had summoned his guests to the prison at an early hour this morning.

THE OFFICIAL REPORT.

Dr. Shradly this evening gave out the following as the official report of the autopsy so far, as information for public use:

Body fairly well nourished. Rigor mortis marked particularly in the muscles of the jaw, neck, and thorax, and gradually extending from above downward, involving the feet and legs last. The post-mortem hyperstasis marked over lower portion of body, and extending up as far as the anterior axillary line; also on the pendant surface of the upper and lower extremities. The upper extremities are partly flexed and rotated outward, the nails showing post-mortem lividity.

There was marked discoloration of the forehead about an inch in width, corresponding with the position of the strap, beginning at the hair line on the left side and extending to the hair line on the right side. A corresponding discoloration from the pressure of the chin strap was also noted.

There was an oval depression of the scalp upon the vertex, beginning at the anterior hair line and measuring 4 inches in its long and 3½ inches in its short diameter. Anterior to the posterior portion of the depression, and in the immediate line there was a burn of 1½ inches in length and half an inch in width, superficial in character, slightly scorching the hair, and crescentic in shape. On the small of the back, corresponding to the level of the fourth sacral vertebra below, and 4½ inches in vertical diameter and 4½ inches in transverse diameter, was a burn presenting the four concentric zones, of which the outermost had a pale area, corresponding to that of the rubber cup of the electrode, and one-quarter of an inch in diameter.

Then follows a partial and complete vesication, partial below and complete above, about an inch in diameter above and one-third of an inch below. Then follows a transition zone which is in its upper third a complete eschar, black in appearance and in its lower part showed desiccation and was of a greenish brown color. The internal zone showed a number of vesicles, chiefly peripheral, and below the centre a black eschar, half of an inch in its vertical and five-eighths of an inch in its transverse diameter.

Above is a tongue-shaped, pale area, with a lateral projection to the left of the median line, extending about two inches, and an upper projection in the dorsal furrow, which is more sharply pointed, and which on its upper surface there was a reddish quarter, with here and there vesication. In addition the back showed a number of depressions produced by the folds of the shirt and suspenders as are commonly found in dead bodies lying on the back.

On incising the skin over the sternum the blood which escaped was unusually dark and fluid, and remained so on exposure. There was no venemous action of the diaphragm extended from the fifth intercostal on the left and the fourth on the right.

The blood from the cut surface of the liver was of a crimson-like color. Abdominal organs were normal in position and appearance. The muscles of the thorax were of the usual color.

Tardieu spots were noticed on the posterior border of the lower lobe of the left lung. Over half of the lung, located when placed in water, showing a marked emphysematous condition. The bronchi were normal in appearance and contained mucus and air bubbles. The right lung was adherent throughout to the diaphragm. In the middle lobe of this lung there were numerous well-marked tardieu spots.

The spleen was normal in size and appearance. The left kidney weighed 3½ ounces and the right kidney weighed 3 ounces. Both were intensely congested. The stomach contained a put of undigested food. The gall bladder was distended with bile. The heart weighed five and three-quarter ounces, valves were healthy. Bladder contracted.

The scalp, on being removed, showed the vertex of the skull to be in a desiccated condition corresponding with the contact of the electrode, as previously noted, but

Copyright © The New York Times