

OTHER ITEMS

Execution Protocol

Section 188 of Chapter 15 of the General Statutes of North Carolina provides:

In accordance with G.S. 15-187, the mode of executing a death sentence must in every case be by administering to the convict or felon a lethal quantity of an ultrashort-acting barbiturate in combination with a chemical paralytic agent until the convict or felon is dead; and when any person, convict or felon shall be sentenced by any court of the State having competent jurisdiction to be so executed, the punishment shall only be inflicted within a permanent death chamber which the superintendent of the State penitentiary is hereby authorized and directed to provide within the walls of the North Carolina penitentiary at Raleigh, North Carolina. The superintendent of the State penitentiary shall also cause to be provided, in conformity with this Article and approved by the Governor and Council of State, the necessary appliances for the infliction of the punishment of death and qualified personnel to set up and prepare the injection, administer the preinjections, insert the IV catheter, and to perform other tasks required for this procedure in accordance with the requirements of this Article

The Senior Resident Superior Court Judge of Wake County, in an order entered on January 25, 2007, has entered a preliminary injunction enjoining the State of North Carolina from carrying out scheduled executions, as required by law, until the Governor and Council of State have reviewed and approved the protocol for the manner and method of executions as required by the above statutory provision. The Department of Correction therefore requests Council of State approval of the attached Execution Protocol.