

March 28, 2017

The Honorable Asa Hutchinson
Governor of Arkansas
State Capitol Room 250
500 Woodlane Avenue
Little Rock, Arkansas 72201

Dear Governor Hutchinson:

We write to urge you to reconsider the state's plan to execute eight inmates next month. As former corrections officials and administrators—some of whom have directly overseen executions—we believe that performing so many executions in so little time will impose extraordinary and unnecessary stress and trauma on the staff responsible with carrying out the executions. We are also concerned that the successive planned executions create an unacceptable risk of unconstitutional error and will undermine the public's faith in the professionalism of the prison staff and administration. Our first-hand and unique experience with the death penalty compels us to share our concerns with you.

Even under less demanding circumstances, carrying out an execution can take a severe toll on corrections officers' wellbeing. For those of us who have participated in or overseen executions, we have directly experienced the psychological challenges of the experience and its aftermath. Others of us have witnessed this same strain in our colleagues. The paradoxical nature of corrections officers' roles in an execution often goes unnoticed: the officers who have dedicated their professional life to protecting the safety and wellbeing of prisoners are asked to participate in the execution of a person under their care. We are gravely concerned that by rushing to complete these executions in April, the state of Arkansas is needlessly exacerbating the strain and stress placed on these officers.

While we are confident that the staff of the Arkansas Department of Correction will strive to carry out these executions with the greatest professionalism, we also fear that the burden of such a condensed schedule will increase the chance of an error occurring. Recent high-profile problems during executions in other states provide ample evidence of this risk and underscore the fact that execution of a prisoner is a complex and difficult process, with little margin for error.

For instance, after the 2014 execution of Clayton Lockett in Oklahoma, during which the medical team struggled to insert an IV (which eventually became dislodged, causing officials to halt the procedure before all the drugs had been administered), the state Department of Public Safety found that having two executions scheduled for the same night contributed to increased stress on staff—even in a state that had already carried out several executions that same year. The Department subsequently recommended scheduling no more than one execution per seven-day period.

A state's interest in justice and finality are not served by a botched execution. In this instance, we hope that you will reconsider the pace of the planned executions to protect the professionals who will carry them out and to ensure that the procedures are legal and humane.

Sincerely,

Frank AuBuchon

Criminal Justice Consultant; Texas Department of Criminal Justice-Institutional Division
(1981-2007)

Allen Ault

Dean, Eastern Kentucky University College of Justice and Safety (2003-2015); former Chief, National Institute of Corrections; former corrections commissioner in Colorado, Georgia, and Mississippi

Robert Brown, Jr.

Director, Michigan Department of Corrections (1961-1991)

Patricia Caruso

Director, Michigan Department of Corrections (2003-2011), Deputy Director (2002-2003), Regional Prison Administrator (2000-2002), Warden (1991-2000); various positions, Michigan Department of Corrections (1988-1991)

Dave Cook

Director, Oregon Department of Corrections (1995-2002)

Brian Fischer

Commissioner, New York Department of Correction and Community Supervision (2007-2013)

Jerry Givens

Captain, Virginia Department of Corrections (1974-1999); Executioner (1982-1999)

Paul Heroux

Director of Research and Planning Division, Massachusetts Department of Correction (2008-2009); Special Assistant to the Commissioner, Philadelphia Prison System (2006-2008)

Martin Horn

Secretary, Corrections of Pennsylvania (1995-2000); Commissioner, New York City Department of Correction (2003-2009); Commissioner, New York City Department of Probation (2002-2009)

Steven Martin

Expert, U.S. Department of Justice, Civil Rights Division (1993-2008); Former Corrections Official, Texas Department of Corrections

Ron McAndrew

Prison and Jail Consultant-Expert Witness (2005 – present); Director, Orange County Jail (2001-2002); Warden, Florida State Prison (ascended the uniform ranks) (1978-2001)

Dick Morgan

Acting Secretary, Washington Department of Corrections (2016-2017); Various positions, Washington Department of Corrections (1976-2010)

Dan Pacholke

Secretary, Washington Department of Corrections (2015-2016); Various positions, Washington Department of Corrections (1995-2015)

Doris Parlette

Regional Manager, Indiana Department of Child Services (2007-2008); Superintendent, Indiana Department of Correction (1990-2007)

Carroll Pickett

Chaplain, Texas State Penitentiary at Huntsville (death row) (1980-1995)

Gayle Ray

Commissioner, Tennessee Department of Correction (2010-2011)

Chase Riveland

Secretary, Washington Department of Corrections (1986-1997); Executive Director, Colorado

Department of Corrections (1983-1986)

Richard Seiter

Various Positions, Federal Bureau of Prisons (1976-1999), including Assistant Director for Industries, Education and Training (1989-1993); Warden, FCI Greenville (Illinois) (1993-1999), Warden, Federal Prison Camp Allenwood, Pennsylvania (1981-1982), and Chief, National Institute of Corrections National Academy of Corrections; Director, Ohio Department of Rehabilitation and Corrections (1983-1988)

Frank Thompson

Superintendent, Oregon State Penitentiary (1994-1998)

Eldon Vail

Secretary, Washington Department of Corrections (2007-2011); Deputy Secretary, Washington Department of Corrections (2000-2007)

Reginald Wilkinson

Director, Ohio Department of Rehabilitation and Correction (1991-2006)

Jeanne Woodford

Undersecretary, California Department of Corrections and Rehabilitation (2005-2006); Director, California Department of Corrections (2004-2005); Warden, San Quentin State Prison (1999-2004)

Rex Zent

Various Positions, Ohio Department of Rehabilitation and Correction (1970-1997); Warden, North Central Correctional Institution (1994-1995); Warden, Madison Correctional Institution (1989-1994)