

IN THE SUPREME COURT OF FLORIDA

Case No. SC2026-0718

Lower Court Case No. 01-14055-CF-10A

**RICHARD KNIGHT,
Appellant,**

v.

**STATE OF FLORIDA,
Appellee.**

**EMERGENCY CAPITAL CASE,
DEATH WARRANT SIGNED,
EXECUTION SCHEDULED:
MAY 21, 2026 AT
6:00 PM**

_____/

APPELLANT'S EMERGENCY MOTION FOR STAY OF EXECUTION

COMES NOW THE APPELLANT, RICHARD KNIGHT, by and through his undersigned counsel, and herein moves the Court to enter a stay of his execution currently set for May 21, 2026, at 6:00 p.m. In support thereof, Mr. Knight states as follows:

1. Shortly after noon EST on Thursday, May 21, 2026, the undersigned became aware of an ongoing situation in Tennessee.

2. Tony Von Carruthers was set to be executed by lethal injection in the State of Tennessee today, May 21, 2026, at 12:00 p.m.

3. The Tennessee Department of Corrections execution team attempting to execute Mr. Carruthers made two or three attempts to establish venous access while Mr. Carruthers was in the death

chamber on the gurney.

4. According to a witness or witnesses present at the death chamber, Mr. Carruthers was in agony and bleeding.

5. At or around 12:00 p.m., the Tennessee Department of Corrections removed Mr. Carruthers from the gurney.

6. According to a witness or witnesses present at the death chamber, an execution team member stated that the execution was discontinued.

7. Those events led Mr. Carruthers's legal team to file an emergency request in the Tennessee Supreme Court to halt the ongoing attempted execution. (Attachment A).

8. Counsel for Mr. Knight subsequently learned that the Tennessee Governor has issued a reprieve to Mr. Carruthers and the execution has been called off. *See* (Attachment B).

9. Tennessee and Florida have similar provisions setting the range of qualifications required of execution team members responsible for gaining venous access.

10. In relevant part, Tennessee's protocol provides as follows:

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.

(Attachment C at 11).

11. However, unlike Florida, Tennessee’s protocol affirmatively requires at least one physician in addition to the “IV Team.” (Attachment C at 8). This physician “is responsible for determining that the inmate is deceased using accepted medical standards and establishing central line IV access if necessary.” (Attachment C at 8).

12. Despite the requirements set forth in Tennessee’s lethal injection protocol for execution team member qualifications, Mr. Carruthers’s execution was botched because the execution team—which required and, in fact, included a physician—failed to establish venous access.

13. This is the worst case scenario that was presented by Mr. Knight in his facial constitutional challenge brought to this Court in the above-captioned case. Before another botched execution is allowed to take place, this time in Florida, Mr. Knight submits that a

stay of execution is warranted in order to allow his counsel to investigate the Tennessee situation and raise the necessary challenges to Mr. Knight's execution based on that information.

14. This Court should grant a stay of execution so that a full investigation can be conducted in light of the botched execution in Tennessee just hours ago. *See Ford v. Wainwright*, 477 U.S. 399, 424 (1986) (Powell, J., concurring in part and in the judgment) (“[F]undamental fairness is the hallmark of the procedural protections afforded by the Due Process Clause.”).

15. Stays are particularly appropriate where, as in Mr. Knight's case, a warrant is set on a short timeframe and time is literally of the essence. *Jimenez v. State*, No. SC18-1321 (Fla. Aug. 10, 2018) (granting stay of execution on a 27-day warrant and modifying *nunc pro tunc* the expedited post-warrant scheduling order without making any findings of substantiality on any issue); *see also Jimenez v. State*, 265 So. 3d 462, 493 (Fla. 2018) (Pariente, J., concurring) (explaining that the “extremely short warrant period” meant that “[t]he postconviction court and Jimenez's attorneys were forced to race against the clock in reviewing and presenting all of Jimenez's claims, respectively” and that without a stay there would

be “inadequate time to thoroughly review his claims”).

WHEREFORE, based on the foregoing, Mr. Knight moves this Court to issue an order staying his execution scheduled for May 21, 2026, at 6:00 p.m., pending further Order from the Court.

Respectfully submitted,

/s/ Todd G. Scher
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COUNSEL FOR KNIGHT

May 21, 2026

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing is being filed using the State of Florida E-filing Portal, which will provide electronic service to the persons listed below on May 21, 2026.

/s/Todd Scher
TODD SCHER
Assistant CCRC-South
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ATTACHMENT A

DEATH PENALTY CASE
Case No. W1997-00097-SC-DDT-DD

IN THE TENNESSEE SUPREME COURT
AT NASHVILLE

TONY VON CARRUTHERS,
Movant,

v.

STATE OF TENNESSEE,
Respondent.

EMERGENCY MOTION FOR A STAY OF EXECUTION

FEDERAL PUBLIC DEFENDER
MIDDLE DIST. OF TENNESSEE
CAPITAL HABEAS UNIT

AMY D. HARWELL, BPR#18691
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164 Rosa L. Parks Blvd
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1. The Tennessee Department of Correction (TDOC) has been unable to obtain intravenous access to administer lethal injection to Mr. Carruthers.
2. Repeated attempts to obtain access at alternate IV sites has been unsuccessful.
3. The 2025 Tennessee Execution Protocol provides that if the executioners are unable to obtain peripheral venous access, the physician is charged with establishing a central line.
4. On information and belief, TDOC's contracted physician is not qualified to establish a central line.
5. Pursuant to the Eighth Amendment and the Tennessee Constitution continuous attempts to obtain venous access constitute cruel and unusual punishment.
6. Attempting to obtain venous access through a central line placed by an unqualified physician creates a grievous risk of suffering in violation of the Eighth Amendment and the Tennessee Constitution.
7. Mr. Carruthers respectfully prays that this Court will stay Mr. Carruthers's execution.

Respectfully submitted this the 21st day of May, 2026.

Amy D. Harwell, BPR #18691
First Assistant Federal Public
Defender

Marshall Jensen, BPR # 36062
Asst. Federal Public Defender

FEDERAL PUBLIC DEFENDER
MIDDLE DISTRICT OF
TENNESSEE

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BY: /s/ Amy D. Harwell
Counsel for Tony Von Carruthers

CERTIFICATE OF SERVICE

I, Amy Harwell, certify that on May 21, 2026, a true and correct copy of the foregoing was served via electronic filing to opposing counsel, Nicholas Spangler, Sarah Stone, and John Bledsoe, Asst. Attorneys General, P.O. Box 20207, Nashville, Tennessee 37202.

BY: /s/ Amy Harwell
Counsel for Tony Von Carruthers

ATTACHMENT B

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED

05/21/2026

Clerk of the
Appellate Courts

STATE OF TENNESSEE v. TONY CARRUTHERS

Criminal Court for Shelby County
Nos. 94-02797, 94-02798, 94-02799, 95-11128, 95-11129

No. W1997-00097-SC-DDT-DD

ORDER

On May 21, 2026, counsel for Tony Carruthers filed an Emergency Motion for a Stay of Execution. Shortly after the motion was filed, Governor Bill Lee issued a reprieve. Accordingly, the emergency motion is DENIED as moot.

PER CURIAM

ATTACHMENT C

**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

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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]

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] 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.

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] [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]

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 [REDACTED]

[REDACTED]**

*****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]

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



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 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]

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 are 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.

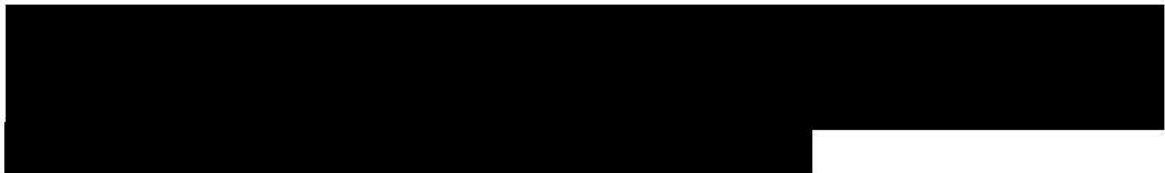
Cell sanitation – Upon request by the inmate, sanitation supplies (broom and cleaner) may be issued only when a supervisor is present in the unit. The items must be collected immediately upon completed use.

Official count times – Official counts are conducted [REDACTED]

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*****