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**INITIAL MEETING OF GOVERNOR'S COMMISSION ON THE
ADMINISTRATION OF LETHAL INJECTION**

DATE: January 29, 2007

TIME: Beginning at 9:00 a.m.

PLACE: Florida Bar Headquarters
Tampa Office - Marriott Hotel
Tampa International Airport
Conference Room A
Tampa, Florida

REPORTED BY: LYNDA J. MILLS
Registered Merit Reporter
Notary Public
State of Florida at Large

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COMMISSION MEMBERS PRESENT:

JOHN W. "Bill" JENNINGS
SENATOR VICTOR CHRIST
REPRESENTATIVE DENNIS ROSS
DR. DAVIS VARLOTTA
MR. HARLEY LAPPIN
MR. HARRY K. SINGLETARY
DR. STEVE MORRIS
HONORABLE STAN MORRIS
MS. CAROLYN SNURKOWSKI
DR. PETER SPRINGER
MR. RODNEY DOSS (Via telephone)

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1 (Brief pause in the proceedings.)

2 MR. JENNINGS: One of the things we have
3 for the Commission, and I'm sure you all are
4 aware of it, is that the Commission got put
5 together a little late, shall we say, and we
6 scrambled to get this meeting, we are supposed
7 to have a preliminary report February 1st.

8 It would be my recommendation that we do
9 one of two things: Either we make that
10 preliminary report simply saying what we've
11 accomplished to the point of February 1st, or
12 we, by vote here on the Commission, we ask the
13 Governor to extend that date for the preliminary
14 report to say February 15th and still keep the
15 final date of March 1st as the final date. So I
16 throw that out for discussion among the
17 Commission members how they feel.

18 MR. LAPPIN: I move to extend it to the
19 15th so that we can give them something more
20 than just what we've done, if that's possible.

21 MR. JENNINGS: Carol?

22 MS. SNURKOWSKI: I will second that, but
23 will you accept a friendly amendment to that --

24 MR. LAPPIN: Absolutely.

25 MS. SNURKOWSKI: -- is that we do do

1 something on the 1st explaining what we've done
2 thus far and suggest to them that the
3 preliminary report will come on the 15th when
4 we've had another opportunity to do something.
5 But I want at least to have something that we
6 are operating, we have commenced and we've
7 already started taking testimony. Would that
8 be -- would you accept that?

9 MR. LAPPIN: I accept that.

10 MR. JENNINGS: Do we have any discussion
11 on that? All right. Seeing none, everybody in
12 favor of that idea please signify by saying aye.

13 COMMISSION MEMBERS: Aye.

14 MR. JENNINGS: Like sign for those
15 opposed. That motion is carried. Thank you.

16 I think that if the Commission agrees, if
17 it's all right, perhaps Ms. Snurkowski will be
18 nice enough to assist in drafting that February
19 1st document. Thank you.

20 One of the things that we need to talk
21 about is who, who additionally we want to have
22 testifying in front of us. Given the shortness
23 of the time, I didn't have a problem with being
24 arbitrary about it as Chairman, but there are
25 two things I would like to do: One is to

1 establish working groups, smaller working groups
2 within this large Commission. I think that will
3 enable us to get more done. And then those
4 working groups can report back to the full
5 Commission.

6 But, secondly, I would also like to sort
7 of get a feel from everybody who you think we
8 ought to hear from at our next meeting. And, of
9 course, that goes along with us being able to
10 set the next two meetings.

11 We can do that now so that we have enough
12 lead time to be able to get a location and
13 everybody can be there. So, with that in mind,
14 does anybody have any suggestions who they would
15 like to -- yes.

16 REPRESENTATIVE ROSS: Bill, and I'm very
17 appreciative of the medical community we have on
18 this Commission, but are we going to take any
19 testimony from the actual Medical Examiner?

20 MR. JENNINGS: He has not finished that
21 report. They are waiting on the toxicology I
22 believe. Perhaps if a couple different groups
23 call him and maybe we can find out when.

24 I would certainly hope that would be done
25 before we have to give a final report. I mean,

1 I can't imagine how you can complete a final
2 report without having the tox screen. I don't
3 see that that's realistic.

4 But I have every confidence that that
5 should get done, and I'm sure a few phone calls
6 will perhaps speed that along.

7 Okay, thanks. I'm sorry. Peter Cannon
8 advised me that he called up there on Friday to
9 talk with him. And we'll call him again to let
10 him know the Commission's desires.

11 Back to other than the Medical Examiner
12 testifying, who else would the Commission like
13 to hear from? Senator Christ.

14 SENATOR CHRIST: Not being an M.D., I
15 know we have M.D.'s that are on the board but I
16 don't know if it would be appropriate to quiz
17 the board members, but I'd like to hear from a
18 medical doctor who -- someone in anesthesia or
19 any of the other areas that could deal with a
20 similar subject area, and talk back and forth
21 with them about some of these issues and what
22 would be considered normal or abnormal.

23 Or, in addition, I think I would like to
24 talk with the clergy if that clergy was present
25 during the execution.

1 MR. JENNINGS: Dr. Morris.

2 DR. MORRIS: Yeah, I'd like to talk to
3 those individuals who actually started the IV's.
4 And then, you know, I don't know if we need
5 every member, and this may then involve all the
6 medical members, but then those individuals that
7 were actually pushing the medicines.

8 You know, what type of resistance did
9 they feel? And then why would they, if they
10 felt like there was a line that was compromised,
11 go to the second one and then come back to the
12 line that they thought was compromised.

13 So, I don't know who all is involved in
14 that actual procedure, but it would be nice to
15 talk to at least find out what their impression
16 was.

17 MR. JENNINGS: Okay.

18 DR. MORRIS: The only other thing I
19 would, I guess, I just personally would like to
20 see is what can they observe from that room? I
21 know they don't have an opportunity to actually
22 evaluate or touch the inmate once the procedure
23 is started, but what can they see from that
24 room?

25 I'm still not exactly clear how that room

1 is set up. Even if we could get like an
2 illustration of that or maybe like a picture or
3 even a video of the room itself, I don't know,
4 but just how it's set up.

5 MR. JENNINGS: Okay. I'm going to have
6 the attorney for DOC step in for a moment.

7 MR. CHANGUS: I'm right here.

8 MR. JENNINGS: Oh, I'm sorry. I looked
9 around and you'd left your chair. Well, I guess
10 I could ask if there are videos available, not
11 of the execution, of course, but of the room
12 itself?

13 MR. CHANGUS: I'm trying to think in
14 the -- there may -- there -- I don't know what
15 Public Affairs has. They may have, maybe have
16 something along those lines, I'm not sure.

17 We could give a -- you know, I think a
18 lot of the questions are involving, you know,
19 placement of persons. And maybe a schematic
20 would be suitable, you know, and that could be
21 something that could be drawn up pretty quickly
22 for the Commission identifying where folks were,
23 glass, you know, windows, that sort of thing.

24 Because I think that, you know, in terms
25 of, you know, discussion, was the gurney placed

1 this way, it was kind of it felt completely
2 backwards having observed it.

3 So I think if we provided it that might
4 be something to start with your next time. So,
5 you know, at a minimum that. I can inquire as
6 well in terms of if there's anything else.

7 MR. JENNINGS: Depending on when the next
8 meeting is, is it possible, for those members
9 that within their busy schedule can go up there
10 to observe that, is it possible for the prison
11 to arrange an observation by any Commission
12 members that want to of the room?

13 MR. CHANGUS: Yeah, I wouldn't -- I mean,
14 that would need to be made by the Secretary.
15 You know, we also have got security concerns.
16 But I would think that that would be something
17 that probably would be, that could be arranged.
18 But I would inquire if you would like me to.

19 MR. JENNINGS: Please. I'm sorry, I said
20 that without really asking. Does anyone here
21 think that that would be helpful to your
22 observation?

23 JUDGE MORRIS: Yes.

24 DR. MORRIS: Yes.

25 MR. LAPPIN: I think in addition, too, if

1 we're going to -- we're able to visit we would
2 like to talk to the folks who are -- take a role
3 in the training aspect in case there's anything.
4 Not that it has to happen here, but it would be
5 good to learn more about their training
6 protocol.

7 And then the other issue, whether or not
8 you can get a witness for this, and that's why I
9 won't volunteer anybody until I chat with them,
10 there are other ways of gaining access to the
11 vein than in the arms.

12 And I think it would only be fair to the
13 Commission, as well as the Governor, as we make
14 these recommendations to make them aware of
15 other ways to gain access to a vein other than
16 the arm given the fact when you go back and you
17 look at the many difficulties that have occurred
18 over the years that this has been done that more
19 often than not it's been the IV access issue,
20 either the IV coming out, missing the vein, vein
21 breaks, on and on and on and on and on.

22 So, it's a critically important aspect
23 that really needs to be discussed in my opinion.
24 How we do that, I would have to give it a little
25 thought.

1 DR. MORRIS: There is a peripheral access
2 that they can use called a pic line that
3 actually you can start it peripherally, but it
4 actually, the catheter travels all the way to a
5 central venous access.

6 And you're right, IV's infiltrate even in
7 the best of circumstances. And that type of
8 line wouldn't do that. You could confirm its
9 placement by a routine chest X-ray. And, you
10 know, anything we do procedure-wise we obviously
11 can always have complications, but that, I agree
12 with you, would avoid these types of incidences
13 in the future I'm sure.

14 MR. LAPPIN: If you go back again and
15 look, and I was involved in the development of
16 the Federal Execution or Lethal Injection
17 Procedures, and that was one of our greatest
18 concerns was access to the vein, which method
19 would be used, and then the consequences of that
20 based on the dilemmas, the challenges we had
21 seen documented.

22 REPRESENTATIVE ROSS: One other thing,
23 Bill. With regard to a witness from FDLE, we've
24 heard from DOC, but I understand that in doing
25 the report there was a protocol that was

1 violated in that there was not an observer of
2 FDLE at the mixing of the chemicals. And I'd
3 just like to ask a question of whomever was then
4 responsible for that why that was. I don't know
5 if FDLE is expected to testify before us but --

6 MR. JENNINGS: Could you use the FDLE
7 individual, is that a --

8 MR. CHANGUS: I mean, he's identified. I
9 mean, I imagine if you wanted to contact him he
10 would, you know, I'm sure, I'm sure they would
11 have him come and testify before you.

12 MR. JENNINGS: Okay.

13 MR. CHANGUS: I would -- there have been
14 some comments made, and as far as interviewing
15 various folks, you know, the Commission asked
16 we, you know, without that much notice or
17 whatever produce the folks, and I think they
18 came and testified to the best of, the best of
19 their ability.

20 There are confidentiality concerns with
21 this process. It is in the statute. Folks that
22 are involved, the executioners, folks that --
23 945.10 when the lethal injection laws were
24 passed, you know, concerns about harassment and
25 those sort of things. And we would just ask

1 that the Commission be sensitive to that.

2 And as far as, you know, I think as
3 described in the report, the Task Force report,
4 you know, the interview with the executioners
5 which was done was done by one person who knew
6 it. So we're concerned and think that, you
7 know, those confidentiality provisions need to
8 be respected.

9 And so, if we can get from the Commission
10 in terms of what you're looking for and you'll
11 have, you know, discussions and you may have
12 more telephonic discussions and what have you,
13 just so we can get a clear idea and then, you
14 know, we'll be happy to work with you as best as
15 we can.

16 MR. JENNINGS: Yes.

17 MS. SNURKOWSKI: We were just talking
18 about is there a facility where the Commission
19 can meet at the Florida State Prison? Judge
20 Morris said there was a courtroom.

21 JUDGE MORRIS: How big is that courtroom
22 that's in that building?

23 MR. CHANGUS: I know -- I've not, I've
24 not seen, I know that there are, you know, there
25 are rooms, you know, somewhat equivalent to this

1 size, maybe not quite. So I think that if you
2 were looking to do something along those lines
3 that might be accommodated.

4 MR. SINGLETARY: You have the training
5 building there, right.

6 MR. CHANGUS: Well, and then maybe
7 Mr. Singletary would be better able to answer
8 that question.

9 MR. SINGLETARY: You have a training
10 building there --

11 MS. SNURKOWSKI: Oh, okay.

12 MR. SINGLETARY: -- that's equipped with
13 everything you need there.

14 JUDGE MORRIS: Is there any problem from
15 the Department's point of view with the
16 Commission submitting written questions to the
17 executioners?

18 MR. CHANGUS: Actually, I think that
19 would be, I mean, something I would be very
20 interested in, yeah. I think that might be a
21 good way to handle that, that issue.

22 JUDGE MORRIS: Okay.

23 MR. JENNINGS: Does that -- do those same
24 concerns apply to the individuals that were,
25 that were responsible for the IV?

1 MR. CHANGUS: Yes. I think all the
2 folks, you know, when you're talking about
3 licensure, of course, you've got a number of
4 organizations, you know, the AMA, I think the
5 anesthesiologist organizations, I mean, there's
6 a sensitivity here and I think for all folks
7 that participate on that side.

8 Obviously, the Warden, you know, he
9 identified the lieutenant and those sort of,
10 those sort of folks. I think the concern is a
11 little less there. But for the medical folks
12 they certainly have a concern.

13 DR. VARLOTTA: Is it possible for them to
14 answer questions or make statements and maintain
15 anonymity?

16 MR. CHANGUS: I think -- oh, well, I
17 think there would be. I mean, obviously,
18 anonymity in this setting here today would be,
19 you know, I mean the way this was --

20 DR. VARLOTTA: Impossible?

21 MR. CHANGUS: Yeah. But I think the
22 information that you seek there are ways to get
23 it as in the report that we did, you know, in
24 terms of in the Task Force, you know, basically
25 using the execution team. But, you know, the

1 relevant people were queried.

2 And I think you could get the answers to
3 your questions that way, the written questions
4 that were suggested by Judge Morris. So --

5 MR. JENNINGS: Just, I see two other
6 possible ways. You could either have those
7 individuals, without identifying themselves,
8 call in. That allows us to interact with them.

9 The third alternative is for the purposes
10 of those individuals only to certainly have that
11 meeting at the Department of Corrections up at
12 Florida State Prison and hold that, certainly
13 only hold that part or make that meeting
14 strictly to only those witnesses and have it
15 closed. That's the other alternative that I
16 see.

17 I open that as, since we're going to deal
18 with those two and we're also dealing with the,
19 perhaps the potential observation going up
20 there, that perhaps now would be a good time, so
21 we could put this in a time frame, if everybody
22 has their calendars we can set the next two
23 meetings and therefore we have a time frame
24 which we would be able to work all this
25 together.

1 Yes, sir.

2 MR. LAPPIN: Did you want the -- one, I
3 think we should do everything we possibly can to
4 protect the identity of all team members, to be
5 quite honest, but, because I'm assuming this is
6 all voluntary.

7 MR. CHANGUS: Yes.

8 MR. LAPPIN: And certainly we're
9 committed to certain privacy issues. Whether or
10 not it's in the law or not I'm sure the team was
11 in conformance with maintaining their
12 confidentiality.

13 MR. CHANGUS: Yes, sir.

14 MR. LAPPIN: Do you want this next
15 meeting to occur before the 15th so it could be
16 part of that report or --

17 MR. JENNINGS: Oh, it needs to be
18 definitely before, definitely before the 15th.
19 In fact, we need to have two meetings before the
20 15th.

21 MR. LAPPIN: Okay.

22 MR. JENNINGS: And within that block of
23 time we need to, if we're going to go to Florida
24 State Prison and observe that, we need to take
25 care of that also.

1 MR. LAPPIN: You want some suggestions on
2 when? The week of the 5th of February,
3 obviously, because this is the 1st.

4 MR. JENNINGS: I guess the first
5 question, and I don't think we're going to be
6 able to get witnesses so I think this Friday is
7 out, so let's start with the following Monday.

8 And for the benefit of our Representative
9 and Senator here, I think that, if I remember
10 the schedule from going up there all of those
11 times, generally Monday is a travel day and
12 Friday's a travel day. So that works. They're
13 always going to be free on that day so
14 hopefully --

15 SENATOR ROSS: I've got Policy and Budget
16 on Friday so, but Mondays I'm okay.

17 MR. JENNINGS: Monday is the 5th of
18 February?

19 MS. SNURKOWSKI: Yeah.

20 MR. LAPPIN: Monday is the 5th of
21 February. Tuesday is the 6th.

22 MR. JENNINGS: Thank you. Don't confuse
23 me.

24 MR. LAPPIN: Okay, yeah.

25 MR. JENNINGS: Okay. Does anyone have a

1 conflict with the 5th of February?

2 SENATOR CHRIST: For where, here or up
3 there?

4 MR. JENNINGS: Well, let's make sure no
5 one has a conflict. Is that going to make a
6 difference?

7 SENATOR CHRIST: Well, sure. It's a
8 travel day. It's closer to Tallahassee.

9 MR. JENNINGS: And when you say "up
10 there" you're referring to Florida State Prison?

11 SENATOR CHRIST: Florida State Prison,
12 right.

13 MR. LAPPIN: Is that in Tallahassee?

14 MS. SNURKOWSKI: No.

15 MR. JENNINGS: No, it's Starke,
16 Gainesville.

17 MR. LAPPIN: Gainesville.

18 MR. JENNINGS: You need to for those, it
19 would be very difficult for you, you're going to
20 fly in to Jacksonville probably and come down.
21 At least that would be my suggestion.

22 MR. LAPPIN: I will fly to Jacksonville.
23 I'll work that out.

24 MR. JENNINGS: To those having to spend
25 the night Gainesville I think is the preferable

1 site from what I understand from all my folks
2 who travel up there.

3 DR. MORRIS: And, I'm sorry, about how
4 far is it from Gainesville?

5 JUDGE MORRIS: About 45 minutes north.

6 MR. JENNINGS: It's about an hour.

7 DR. MORRIS: Okay.

8 DR. VARLOTTA: About three-and-a-half
9 from here.

10 MR. JENNINGS: Yeah, starting -- and we
11 can, I mean, once we know -- let me start back.
12 We've got this -- everybody is clear on the 5th?

13 MS. SNURKOWSKI: The 5th, yes.

14 MR. JENNINGS: Okay. Now, let me before
15 we, before we decide what we're going to do on
16 the 5th, let's get the next date because we can
17 do that. That Friday would be the 9th. And I'm
18 looking down. Representative Ross, do you have
19 any conflict on that Friday?

20 REPRESENTATIVE ROSS: We've got Policy
21 and Budget that morning that goes till noon.

22 MR. JENNINGS: Okay.

23 DR. MORRIS: Depending on where it's at.
24 Friday is a tough day for me, too, but, I mean,
25 I can make arrangements if we know that's what

1 it's going to be.

2 MR. JENNINGS: Okay. We'll try not to do
3 that more than once.

4 DR. MORRIS: Okay.

5 MR. JENNINGS: Dates, I'm trying to get
6 the two dates, the 5th and the 9th, and then we
7 can decide which is easier to have, if everybody
8 is in agreement, to do one of the meetings at
9 the Florida State Prison then we can pick which
10 of those two dates works best. Everybody clear
11 on the 9th?

12 DR. VARLOTTA: The 12th would be a lot
13 better.

14 DR. MORRIS: The 12th would be great.

15 MS. SNURKOWSKI: The 12th would be
16 better.

17 DR. SPRINGER: The 12th wouldn't work for
18 me.

19 MR. JENNINGS: I'm trying to put a little
20 time between those two dates. If we have
21 witness problems for the 5th we'll get them
22 there on the 9th. That's part of this. Okay.
23 Can you make the 9th?

24 MR. LAPPIN: I can make it any time that
25 week of the 5th. The week of the 12th is more

1 of a challenge but if we have to I'll rearrange.

2 MR. JENNINGS: Let's try the 9th, okay.
3 So the two dates are the 5th and the 9th. From
4 your perspective are either those dates better
5 to have those witnesses there?

6 MR. CHANGUS: I can't say.

7 MR. JENNINGS: You can't say.

8 MR. CHANGUS: I'm sure as soon as we're
9 done if you give your indications, you know,
10 I'll start checking. And, again, in terms of,
11 you know, is it the thought of the Commission to
12 have all these folks live and do it in closed --
13 you were talking about submitting written
14 questions, those sort of things?

15 MR. JENNINGS: I think if we do just
16 those witnesses we can close session that or
17 have them flown in, either way at that point.

18 I think the interaction works better of
19 some type. Because when you do written
20 questions, an answer my prompt you to have
21 another --

22 MS. SNURKOWSKI: Right.

23 MR. JENNINGS: -- response and you're not
24 going to be able to do that by written
25 questions.

1 MS. SNURKOWSKI: I think we need to have
2 them phone in. I think I would rather not have
3 a closed session. I think that we need to have
4 everybody hear their statements but their
5 identities can still be maintained at that
6 point.

7 DR. VARLOTTA: I would just like to say
8 that that's my bias not to have a closed
9 session.

10 JUDGE MORRIS: I think if you can just
11 get the word to say these individuals are the
12 people who are the executioners, the whoever it
13 is he wants to protect confidentiality, we would
14 accept the Warden's representation.

15 MR. JENNINGS: Correct.

16 JUDGE MORRIS: He appointed the team so I
17 would think that would be --

18 MR. CHANGUS: So telephonically?

19 MR. JENNINGS: Telephonically.

20 MS. SNURKOWSKI: Yes.

21 MR. JENNINGS: Which means we can do it
22 either place.

23 MS. SNURKOWSKI: Right.

24 MR. JENNINGS: Which means we don't
25 necessarily have to have a meeting at the prison

1 except for the purposes of --

2 MS. SNURKOWSKI: Seeing.

3 MR. JENNINGS: -- seeing it, which is
4 okay with me. I don't have a problem doing
5 that. That was obviously better for a travel
6 day.

7 SENATOR CHRIST: There are some of us
8 around the table who have already seen the
9 execution room so it wouldn't necessarily be
10 something that we'd have to do again, where
11 there's others who haven't.

12 What if we had, let's say, the 5th open
13 for any of those who would want a tour of the
14 room to be able to go and have that tour and the
15 9th be our meeting in a place that's convenient
16 to have the open meeting?

17 MS. SNURKOWSKI: Because he wants two
18 meetings.

19 SENATOR CHRIST: You want two meetings?

20 MR. JENNINGS: Yeah. For those that want
21 to see the prison then we can have a separate
22 day like the 12th.

23 DR. MORRIS: Again, I asked that question
24 and an illustration just to see the dynamics.
25 The confusion to me was just the dynamics of

1 where the personnel were placed, where the
2 inmate was laying. So an illustration would
3 show me that adequately enough and I don't think
4 we would all have to travel up there. That was
5 my --

6 MS. SNURKOWSKI: Well, I was going to say
7 I've seen on the internet pictures of the
8 execution chambers. I don't know how hard that
9 would be to create pictures that would be
10 helpful to us if that's the --

11 MR. CHANGUS: Excuse me for a second.
12 Let's see if our press person knows. She may
13 know.

14 MR. JENNINGS: That's fine. I think my
15 personal view is because of camera angles and
16 things like that it's not the same as when
17 you're standing there looking out through the
18 window. You would have a much better, much
19 better understanding of it, but I'll leave that
20 to everybody.

21 MS. SNURKOWSKI: Well, it certainly
22 answers questions about the whole whether it's
23 higher or lower, that sort of thing.

24 MR. JENNINGS: Exactly.
25 Anesthesiologist, whose suggestion was that?

1 Somebody wanted -- suggested that we have a --

2 SENATOR CHRIST: I did.

3 MR. JENNINGS: Do you have anybody in
4 mind?

5 SENATOR CHRIST: No. Somebody qualified
6 to --

7 MR. JENNINGS: Okay, that's fine. I
8 don't see a problem with having the clergy
9 person present. I don't think that that would
10 be difficult. I don't see any --

11 SENATOR CHRIST: If they were present
12 during the execution --

13 MR. JENNINGS: Correct.

14 SENATOR CHRIST: -- just to get their
15 observations. I know I'm sitting next to an
16 anesthesiologist, but I don't know if he feels
17 it appropriate to quiz a panelist so --

18 MR. JENNINGS: Probably not.

19 DR. VARLOTTA: Thank you.

20 MR. JENNINGS: Okay. Is there anyone
21 else, anybody here on the Commission would like
22 to hear from as far as live testimony?

23 MS. SNURKOWSKI: Well, I think we are all
24 talking about when we get the toxicology report
25 certainly we're thinking it's going to be the

1 around the first, around February 1st. So we
2 want Dr. Hamilton, I assume, to be heard. That
3 would be the Medical Examiner. So maybe he
4 needs to be the later date, I don't know, just
5 depending on --

6 MR. JENNINGS: If he's available we can
7 get him here on the 5th.

8 MS. SNURKOWSKI: Telephonically, too.

9 MR. JENNINGS: Okay. So --

10 DR. VARLOTTA: Can we get a copy of the
11 death certificate?

12 MR. JENNINGS: Yes, sir, we will get that
13 and I'll distribute that out before the next
14 session. Yes?

15 MR. LAPPIN: We can -- I don't know how
16 you want to do this, but there are other, as I
17 said, there's other ways to gain access to the
18 vein. How we -- do we do that amongst
19 ourselves? Do we have someone we interview so
20 that folks can consider other strategies?

21 If you've got a doctor on there that has
22 that expertise that might be the easiest if you
23 already have some doctors that are going to
24 testify.

25 SENATOR CHRIST: The same doctor that

1 testifies could be -- take care of that.

2 MR. LAPPIN: Again, I guess they would
3 have to have some expertise in that area. I
4 will defer to the docs that are here.

5 DR. MORRIS: Sure, doctors do place them,
6 but I would say probably a pic line placement
7 analyst, nurse practitioner.

8 MR. LAPPIN: Nurse practitioner.

9 DR. MORRIS: Certain hospitals use them
10 more than others. Certain outpatient agencies
11 use them more. I mean, visiting nurse agencies
12 use a lot of pic lines, certainly.

13 DR. VARLOTTA: I think if we're talking
14 about bringing doctors here, if you would allow
15 me for one second, I don't know how many people
16 have seen or have not seen the AMA Code of
17 Ethics. It addresses the issue of capital
18 punishment very directly and completely.

19 And if I might read, "Rendering of
20 technical advice regarding executions is
21 proscribed by physicians." So if we are going
22 to call these individuals I think it's important
23 to keep that in mind.

24 MR. JENNINGS: Okay. We will set the
25 February 5th meeting here in Tampa. If for some

1 reason this facility is not available I'll let
2 you know. Probably University of South Florida
3 will be available at that time. It will be one
4 of those two. Yes, Judge.

5 JUDGE MORRIS: Do you have to start at
6 9:00? It makes a difference in whether we have
7 to come and stay the night before or --

8 MR. JENNINGS: No, we can go ten o'clock.

9 JUDGE MORRIS: Ten o'clock is easier,
10 much easier.

11 MR. JENNINGS: Everybody like ten o'clock
12 better? Depending on the number of witnesses I
13 will make an estimate of how long with the idea
14 that we can always set it longer and defer it.
15 Did you say the 5th, is all right with you?

16 DR. MORRIS: The 12th and, I'm sorry, the
17 9th. But what time, or is that depending on
18 what we decide on the 5th?

19 MR. JENNINGS: No, I think that why don't
20 we at this point tentatively have the 9th here
21 also. I just think it's easier flying in and
22 things of that nature, okay.

23 And if one of those two days doesn't work
24 as far as this facility, I will find USF or one
25 of the others, okay? I think that works best

1 for everybody that's flying in from Tallahassee
2 and everywhere else.

3 I think that between now and the 5th what
4 I'll do is I will look at a list of sort of
5 subgroups that I spoke of and send that out to
6 everybody so then we can decide -- at that point
7 I think it will make it quicker. They can
8 investigate certain things and then report back.

9 And one of those may well be chatting
10 with the doctors maybe within their bounds
11 looking at across the medical fields of, you
12 know, like catheters, you know, availability of
13 different kinds and that sort of thing.

14 I don't think that that -- that shouldn't
15 be proscribed since you're simply telling us how
16 that works in the human body, not necessarily in
17 the execution.

18 MS. SNURKOWSKI: Are you looking for --
19 are you asking us for some suggestions of
20 individuals who may have available --

21 MR. JENNINGS: Absolutely.

22 MS. SNURKOWSKI: Okay. I'll get with you
23 because I may have some, I may have some other
24 physicians that --

25 MR. JENNINGS: That would be great.

1 MS. SNURKOWSKI: Okay.

2 MR. JENNINGS: And that goes for anybody.
3 Everybody has my cell phone. Please don't give
4 that out. I'll get all these other calls.

5 And just if you have ideas come up, oh,
6 yeah, that would be a great person, I think they
7 ought to hear from them, please give me a call,
8 okay. We'll set it up.

9 Any new business anybody has?

10 MS. SNURKOWSKI: Okay, I have some.

11 MR. JENNINGS: Okay.

12 MS. SNURKOWSKI: All right. I must have
13 missed something. Do we have something from the
14 Florida State Prison that we can look at so
15 we're not going to go there?

16 MR. JENNINGS: Yes.

17 MR. CHANGUS: Yeah, we have some sort of,
18 I don't know how to describe it, something that
19 shows like a video. It's kind of, you know,
20 showing you kind of the layout and that sort of
21 thing. And then we can provide a schematic as
22 well. I think that that would be sufficient.
23 And if not, then if you want to come the Warden
24 says come on. You can do that.

25 MS. SNURKOWSKI: Come on down.

1 MR. JENNINGS: Great.

2 MS. SNURKOWSKI: All right. The second
3 thing is as far as personnel who may need their
4 identity protected, we're planning on having at
5 one of these two next meetings telephonic
6 testimony?

7 MR. JENNINGS: Correct. Right.

8 MS. SNURKOWSKI: Okay.

9 MR. JENNINGS: Is Mr. Doss still on the
10 line?

11 MR. DOSS: Yes, still on here.

12 MR. JENNINGS: Boy, you're a trooper,
13 sir. I know, Rodney, that you told me you have
14 no conflicts, right?

15 MR. DOSS: I have no conflicts. The 5th
16 and 9th is okay with me.

17 MR. JENNINGS: Terrific. Well, then we
18 ought to be able to use the conference line to
19 have the witnesses call in on. That's great.

20 If there's nothing else if you could look
21 into the 12th as the date to visit up there for
22 anybody that would like to go, okay? It's
23 certainly not going to be, for everybody's
24 benefit, that's not a meeting of the Commission
25 at all. The purpose is strictly to look at the

1 room, that's all. Any other business? Okay.

2 Meeting adjourned.

3 MS. SNURKOWSKI: I've got a --

4 MR. JENNINGS: Wait, wait, wait. I know
5 the Judge wouldn't allow that.

6 JUDGE MORRIS: You almost made it.

7 MS. SNURKOWSKI: I played that trick with
8 him before. Is there any documentation that you
9 think we need? We've talked about individuals,
10 but is there any other documentation out there
11 that might be helpful, especially from medical
12 people?

13 Are there -- is there information that we
14 could secure that might be helpful to this
15 process? You know, for example, you were
16 talking about quality control.

17 Any kind of standards that you have or
18 are there any things with regard to testing, how
19 to do the testing or certifying people for using
20 IV, or maybe something you've done with regard
21 to the information you received as to what the
22 federal prison finally decided? Maybe there is
23 some information you've gathered, we could have
24 that instead of us anecdotally talking about it?

25 MR. LAPPIN: I will put together a

1 document for our next meeting of what we did,
2 okay.

3 MS. SNURKOWSKI: All right, thank you.
4 I'm done.

5 MR. JENNINGS: I should tell you if you
6 have any material that you want distributed send
7 it to me and I'll see that it gets distributed.
8 We will see you on the 5th.

9 (Whereupon, the meeting was adjourned at
10 12:50 p.m.)

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CERTIFICATE OF REPORTER

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

I, LYNDA J. MILLS, RMR, certify that I was authorized to and did stenographically report the foregoing proceedings, and that the transcript is a true and complete record of my stenographic notes thereof.

I further certify that I am not a relative, employee, attorney, or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorney or counsel connected with the action, nor am I financially interested in the action.

DATED this 9th day of February, 2007.

[Handwritten Signature]

LYNDA J. MILLS
Registered Merit Reporter

