

The Governor's Commission on Administration of Lethal Injection

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PRELIMINARY REPORT OF FINDINGS AND RECOMMENDATIONS

Overview

Pursuant to Executive Order 06-260 issued by Governor Bush on December 15, 2006, the Governor's Commission on Administration of Lethal Injection was created to "review the method in which the lethal injection protocols are administered by the Department of Corrections, and to make findings and recommendations as to how administration of the procedures and protocols can be revised so that Floridians, including those persons who are sentenced to death, can be assured that the State continues to take reasonable and appropriate measures to ensure that the administration of death by lethal injection comports with the United States and Florida Constitutions, as interpreted by current case law."

Upon the finalization of the Commission membership, the Chair, appointed by the Governor's Office, called the first meeting of the Commission which was held Monday, January 29, 2007, in Tampa, Florida. Subsequently, the Commission held several other meetings on February 5, 9 and 12 of this year at the same location. Numerous witnesses were called and various documents were submitted to the Commission for its review. In addition, public comments were received during the February 9th Commission meeting in which several interested individuals provided live testimony for consideration.

Actions Taken and Strategic Plan

During the previous Commission meetings, numerous witnesses testified. These individuals included several employees from the Department of Corrections, physicians and lay witnesses. A complete list of these witnesses and a synopsis of their testimony will be included in the Commission's Preliminary Report issued after the next meeting.

The Commission will next meet on Monday, February 19th of this year in a workshop session to discuss the documentary and testimonial evidence it has received thus far. During this session, the Commission will formulate a series of findings and recommendations consistent with the mandate of Executive Order 06-260.

Recommendations

Based upon the late availability of essential documentary evidence, including the autopsy and toxicology reports of Mr. Angel Diaz, and the recent testimony of both the toxicologist and medical examiner, the Commission feels that it is necessary to not propose any specific findings or recommendations at this time. The Commission will meet on February 19, 2007, in a workshop session to discuss its preliminary findings and recommendations. Such findings and recommendations will then be subsequently reduced to a written report soon after the next Commission meeting for the Governor's review.

Respectfully Submitted,

Bill Jennings
Chairman