

STATE OF COLORADO

COLORADO DEPARTMENT OF CORRECTIONS

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John W. Hickenlooper
Governor

Tom Clements
Executive Director

March 12, 2013

[Compounding Pharmacy Manager]
[Address]
(city, state, zip)

Dear Pharmacy Manager:

In January, 2011 I was appointed by the Governor of the State of Colorado as the Executive Director of the Colorado Department of Corrections (CDOC). As Executive Director of the Department, I am statutorily required to comply with Colorado Court sentencing orders pertaining to all offenders sentenced to the CDOC.

For the first time since 1997, the CDOC is facing the task of carrying out an execution. Section 18-1.3-1202 of the Colorado Revised Statutes provides that in Colorado, the death penalty is to be carried out by the administration of a lethal injection, which is defined as "a continuous intravenous injection of a lethal quantity of sodium thiopental or other equally or more effective substance to cause death." Section 18-1.3-1204 of the Colorado Revised Statutes further charges me, as the CDOC Executive Director, to "have in preparation all necessary implements requisite for carrying into execution the death penalty by means of the administration of a lethal injection."

Accordingly, in light of the statutory obligations referenced above, I am reaching out to compounding pharmacies throughout the State of Colorado in order to comply with State law that the CDOC acquire sodium thiopental or other equally or more effective substance to cause death. To that end, I am requesting your assistance. Specifically, could you please provide a response to the following questions:

1. Do you have any sodium thiopental, pentobarbital, pancuronium bromide, potassium chloride, or similar drug or drugs that would be available for the CDOC to purchase?
2. If not, can you share with me the name of any pharmaceutical company, compounding pharmacy, or other potential supplier that may have sodium thiopental, pentobarbital, pancuronium bromide, potassium chloride, or similar drug or drugs that the CDOC can purchase in order to meet its statutory obligations?

I appreciate your consideration of this request and any assistance you can provide the CDOC in meeting its statutory obligations. Any response you can provide in the next three weeks would be greatly appreciated. Please contact me by mail or at the phone number above if you are able to assist in any way, or if you would like to discuss this request.

Sincerely,

Tom Clements
Executive Director
Colorado Department of Corrections