

Colorado asks pharmacists for help in securing lethal injection drug

By Tim Hoover *The Denver Post The Denver Post*

Posted:

DenverPost.com

Struggling to obtain quantities of a lethal injection drug in order to carry out the state's first execution in 15 years, the Colorado Department of Corrections is now turning to pharmacists for help.

On Tuesday, the department sent a letter asking pharmacies across the state for help securing sodium thiopental, the barbituate general anesthetic also known as sodium pentothal that is used in lethal injections.

"For the first time since 1997, the CDOC is facing the task of carrying out an execution," department Director Tom Clements wrote in the letter sent to 97 compounding pharmacies across the state. "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."

Under state law, the department must carry out executions with "a lethal quantity of sodium thiopental or other equally or more effective substance sufficient to cause death."

Dr. Peter Rice, a professor of clinical pharmacy at the University of Colorado School of Pharmacy, said compounding pharmacies are capable of making sodium thiopental on site, but it's not clear that they would want to.

"For some health care professionals, it would violate the 'do no harm' principle," Rice said.

Hospira Inc., the Lake Forest, Ill., company that manufactured the drug at its plant in Italy, stopped making it in 2011 amid concerns it could be held liable by Italian authorities for its use in executions in the U.S. The company also said it did not condone the use of the drug, which is primarily used as an anesthetic in surgery, for executions.

Since then, states that use lethal injection and that have used sodium thiopental have considered other similar drugs, such as propofol. The Department of Corrections confirmed it also is looking into the availability of pentobarbital, which has been found by courts to be a suitable alternative to sodium thiopental.

Department of Corrections officials have said they never stockpiled sodium thiopental because the state would have had to spend money to replenish the drugs each time they expire.

The quest to obtain the state-mandated drug comes as the potential to execute death-row inmate Nathan Dunlap grows nearer. Dunlap was convicted of killing four people in a Chuck E. Cheese restaurant in Aurora 19 years ago.

Appeals have repeatedly delayed his sentence, and he is now Colorado's longest-serving death-row inmate. In February, the U.S. Supreme Court declined to hear his appeal, clearing the way for an execution date to be set.

Dunlap could file additional appeals, but they would not be guaranteed to stall his execution by lethal injection. He may also petition Gov. John Hickenlooper, a Democrat who is wrestling with his position on the death penalty, for clemency.

Tim Hoover: 303-954-1626, thoover@denverpost.com or twitter.com/timhoover