

A Communication From The Chief Legal Officers Of The Following States  
Alabama \* Colorado \* Delaware \* Florida \* Idaho \* Mississippi \* Missouri \* Nevada \* Oregon  
\* Tennessee \* Utah \* Washington \* Wyoming

January 25, 2011

Attorney General Eric Holder  
Department of Justice  
950 Pennsylvania Ave., NW  
Washington, DC 20530

Dear Attorney General Holder:

The majority of jurisdictions in the United States that include the death penalty as an authorized punishment in certain cases, including the Federal Government, provide for lethal injection as the prescribed method of execution. In a majority of those capital-crime jurisdictions, again including the Federal Government, it is the only prescribed method of execution. We, the Attorneys General of the States listed below, seek your assistance in resolving an issue concerning the procurement of one of the prescribed medications used in lethal injection protocols.

The protocol used by most of the jurisdictions employing lethal injection includes the drug sodium thiopental, an ultra-short-acting barbiturate. Sodium thiopental is in very short supply worldwide and, for various reasons, essentially unavailable on the open market. For those jurisdictions that have the drug available, their supplies are very small – measured in a handful of doses. The result is that many jurisdictions shortly will be unable to perform executions in cases where appeals have been exhausted and Governors have signed death warrants.

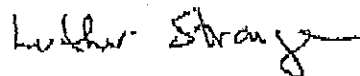
Therefore, we solicit your assistance in either identifying an appropriate source for sodium thiopental or making supplies held by the Federal Government available to the States. We also request an opportunity to discuss this important matter with you.

We look forward to hearing from you.

Sincerely,



John Kroger  
Oregon Attorney General



Luther Strange  
Alabama Attorney General

John Suthers  
Colorado Attorney General

Joseph Biden II  
Delaware Attorney General

Pam Bondi  
Florida Attorney General

Lawrence Wasden  
Idaho Attorney General

Jim Hood  
Mississippi Attorney General

Chris Koster  
Missouri Attorney General

Catherine Cortez Masto  
Nevada Attorney General

Robert Cooper  
Tennessee Attorney General

Mark Shurtleff  
Utah Attorney General

Rob McKenna  
Washington Attorney General

Bruce Salzburg  
Wyoming Attorney General