

(b)(6)

**From:** (b)(6)  
**Sent:** Monday, November 15, 2010 8:17 AM  
**To:** (b)(6)  
**Subject:** FW: Imports of Sodium Thiopental

Did you get what you needed from ODG on Friday?

(b)(6)

Chief, Regulatory Unit/ODGR  
DEA Headquarters

(b)(6)

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-----Original Message-----

**From:** (b)(6)  
**Sent:** Thursday, November 11, 2010 4:33 PM  
**To:** (b)(6)  
**Cc:** (b)(6)  
**Subject:** Fw: Imports of Sodium Thiopental

(b)(6)

Please check with (b)(6) and/or (b)(6) on this tomorrow and get back to (b)(6) with the information. Please advise me of status.

Thanks!

----- Original Message -----

**From:** (b)(6)  
**To:** (b)(6)  
**Sent:** Thu Nov 11 16:04:05 2010  
**Subject:** Fw: Imports of Sodium Thiopental

(b)(6) I received an out of office reply from (b)(6) and (b)(6) for tomorrow. If you're in on Friday, could you look into this issue?

(b)(6)  
Liaison and Policy Section  
Office of Diversion Control

----- Original Message -----

From: (b)(6)  
To: (b)(6)  
Cc:  
Sent: Thu Nov 11 15:42:13 2010  
Subject: Imports of Sodium Thiopental

Pls look for all imports of this product for 2008-2010 and make copies of declarations filed. Additionally, are there declarations for shipments to AZ and SC pending? The White House is involved and trying to sort things out. Pls let me know as soon as possible on Friday.  
Thanks.

(b)(6)  
Liaison and Policy Section  
Office of Diversion Control

(b)(6)

**From:** (b)(6)  
**Sent:** Friday, November 12, 2010 4:13 PM  
**To:** Russell, Racquel; Smolonsky, Marc (HHS/IOS); McCarthy, Nell; Hatchett, Richard J.; Abdo, Mark A.; Kimball, Astri B.; (b)(6) Boggs, Gary;  
(b)(6), (b)(7)(C) Consultation material.  
**Cc:** Rannazzisi, Joseph T.; (b)(6)  
**Subject:** RE: importation of lethal injection drugs

Consult

To further clarify, both Chemique Pharmaceutical and [redacted] have valid DEA registrations as an importer authorized to import sodium thiopental. Import declarations were properly filed.

(b)(6)

Liaison and Policy Section  
Office of Diversion Control  
Drug Enforcement Administration

(b)(6)

**From:** (b)(6)  
**Sent:** Friday, November 12, 2010 4:10 PM  
**To:** 'Russell, Racquel'; Smolonsky, Marc (HHS/IOS); McCarthy, Nell; Hatchett, Richard J.; Abdo, Mark A.; Kimball, Astri B.; (b)(6) Boggs, Gary; (b)(6), (b)(7)(C) Consultation material.  
**Cc:** Rannazzisi, Joseph T.; (b)(6)  
**Subject:** RE: importation of lethal injection drugs

DEA records of importation for 2010 show only two import declarations have been filed for sodium thiopental. The first

Consult  
[redacted]

Consult  
[redacted]

(b)(6)

Liaison and Policy Section  
Office of Diversion Control  
Drug Enforcement Administration

(b)(6)

-----Original Appointment-----

**From:** Russell, Racquel (b)(6)  
**Sent:** Thursday, November 11, 2010 11:18 AM  
**To:** Smolonsky, Marc (HHS/IOS); McCarthy, Nell; Hatchett, Richard J.; Abdo, Mark A.; Kimball, Astri B.; (b)(6) Boggs, Gary; (b)(6) (b)(6), (b)(7)(C) Consultation

**Subject:** importation of lethal injection drugs

**When:** Thursday, November 11, 2010 2:30 PM-3:30 PM (GMT-05:00) Eastern Time (US & Canada).

**Where:** (b)(5),(b)(6)

All,

An issue has been brewing involving the importation of drugs used for lethal injections in an execution in Arizona. Because of a U.S. shortage of one of the drugs used in lethal injections, Thiopental Sodium, in the last year, states have been importing the lethal drug regimen from England. FDA had signed off on the importation of this drug which led to recent litigation on the issue of whether this drug was safe/brought into the country lawfully. The UK has written to the State Department (and the FDA?) asking the U.S. to end the importation of this drug which is being used in lethal injections. Several decision points need to be made quite quickly. There are more importations pending at Customs until some decisions are made. Attached is a memo from FDA on the issue.

If there are others within your agency who should be looped in, please do so or let me know.

<< File: revised lethal injection memo 11 10 10.docx >>

(b)(6)

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**From:** (b)(6)  
**Sent:** Tuesday, November 09, 2010 4:13 PM  
**To:** (b)(6)  
**Cc:** Rannazzisi, Joseph T.  
**Subject:** Re: Conference call to discuss importation of a controlled substance

Thanks!

---

**From:** (b)(6)  
**To:** (b)(6)  
**Sent:** Tue Nov 09 15:41:08 2010  
**Subject:** RE: Conference call to discuss importation of a controlled substance

Bottom line is that FDA is concerned about importations of non-FDA approved sodium thiopental used for executions. (There is currently no domestic supply.) (b)(5)

(b)(5) Safety, efficacy, and indication are FDA issues. So is the matter of off-label use (which was also brought up).

I mentioned that DEA requires a valid DEA registration as an importer and a properly executed declaration in order to import controlled substances.

(b)(6)

Liaison and Policy Section  
Office of Diversion Control

(b)(6)

---

**From:** (b)(6)  
**Sent:** Tuesday, November 09, 2010 8:48 AM  
**To:** (b)(6) Boggs, Gary; (b)(6)  
**Subject:** Re: Conference call to discuss importation of a controlled substance

(b)(6)

Can you attend? There isn't a time specified, so depending on the time today, I may be able to attend.

---

**From:** (b)(6)  
**To:** Boggs, Gary; (b)(6)  
**Sent:** Tue Nov 09 08:39:16 2010  
**Subject:** Fw: Conference call to discuss importation of a controlled substance

Could one or all of you participate in this important call? The drug is a controlled substance and there are several complex issues to be addressed. I have discussed them with Gary, but am not sure if he is in today.

---

**From:** (b)(6),(b)(7)(C)  
**To:** (b)(6)  
**Sent:** Tue Nov 09 07:39:55 2010  
**Subject:** FW: Conference call to discuss importation of a controlled substance

Good morning (b)(6)

My name is (b)(6),(b)(7)(C) and I work for the Office of International Trade within Customs and Border Protection. Your name was referred to me by the DEA Office of Diversion Control as a point of contact to address several issues surrounding the importation of unapproved drugs used for capital punishment. The Food and Drug Administration (FDA) is planning on holding a conference call this afternoon regarding this matter and respectfully requests your participation. I apologize for the short notice, but FDA is treating this as an emergency issue that requires immediate attention and is seeking assistance from both CBP and DEA in this matter. Would you or someone on your staff be able to participate in a conference call this afternoon? Please contact me as soon as possible so that I can coordinate with FDA. Your assistance in this matter is greatly appreciated.

Thank you,

(b)(6),(b)(7)(C)

International Trade Specialist  
Interagency Requirements Branch  
Office of International Trade

(b)(6),(b)(7)(C)

---

**From:** Veneziano, Domenic J. [mailto:Domenic.Veneziano@fda.hhs.gov]

**Sent:** Monday, November 08, 2010 7:54 PM

**To:** (b)(6),(b)(7)(C)

(b)(6)

**Cc:** Tyler, Ralph; Elder, David K.; Corrigan, Dara; Veneziano, Domenic J.

**Subject:** Conference call to discuss importation of a controlled substance

Good evening

I am sorry for the very short notice in asking for your participation on a conference.

FDA has been asked to allow the importation of an unapproved drug, which is also a controlled substance, used for Capital Punishment. The request is being made by the Department of Corrections due to a drug shortage in the US. FDA is currently exploring its options on how best to handle this situation during the entry process and would like to have a brief conference call with CBP and DEA to discuss this matter in more depth.

We would like to have the call tomorrow afternoon and ask that you provide me with the time that works best for both CBP and DEA.

Thank you in advance for your cooperation.

Respectfully,

Domenic J. Veneziano  
CDR U.S. Public Health Service  
Director, Division of Import Operations and Policy  
Work: (301) 443-6553  
FAX: (301) 594-0413  
Cell: (240) 888-9316  
PNC hotline: (866) 521-2297

(b)(6)

---

**From:** (b)(6)  
**Sent:** Tuesday, November 09, 2010 9:31 AM  
**To:** (b)(6)  
**Cc:**  
**Subject:** RE: Conference call to discuss importation of a controlled substance

Thiopental, including sodium thiopental is a CIII controlled substance, falls under basic class, 2100.

---

**From:** (b)(6)  
**Sent:** Tuesday, November 09, 2010 9:15 AM  
**To:** (b)(6)  
**Cc:**  
**Subject:** RE: Conference call to discuss importation of a controlled substance

He mentioned "unapproved drug which is also a controlled substance". He also mentioned Sodium Thiopental (Sodium Pentothal, thiopental). I am not sure.

(b)(6)  
Chief, Regulatory Unit/ODGR  
DEA Headquarters  
(b)(6)

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---

**From:** (b)(6)  
**Sent:** Tuesday, November 09, 2010 9:10 AM  
**To:** (b)(6)  
**Cc:**  
**Subject:** RE: Conference call to discuss importation of a controlled substance

Sure. Do we know what substance this is? The email below says its an unapproved drug and that's all.

---

**From:** (b)(6)  
**Sent:** Tuesday, November 09, 2010 9:03 AM  
**To:** (b)(6)  
**Cc:**  
**Subject:** Fw: Conference call to discuss importation of a controlled substance

(b)(6) Can ODE participate in this call? It's today at 3. (b)(6) are available.

---

**From:** (b)(6)  
**To:** Boggs, Gary; (b)(6)  
**Sent:** Tue Nov 09 08:39:16 2010  
**Subject:** Fw: Conference call to discuss importation of a controlled substance

Could one or all of you participate in this important call? The drug is a controlled substance and there are several complex issues to be addressed. I have discussed them with Gary, but am not sure if he is in today.

---

**From:** (b)(6),(b)(7)(C)  
**To:** (b)(6)  
**Sent:** Tue Nov 09 07:39:55 2010  
**Subject:** FW: Conference call to discuss importation of a controlled substance

Good morning (b)(6)

My name is (b)(6),(b)(7)(C) and I work for the Office of International Trade within Customs and Border Protection. Your name was referred to me by the DEA Office of Diversion Control as a point of contact to address several issues surrounding the importation of unapproved drugs used for capital punishment. The Food and Drug Administration (FDA) is planning on holding a conference call this afternoon regarding this matter and respectfully requests your participation. I apologize for the short notice, but FDA is treating this as an emergency issue that requires immediate attention and is seeking assistance from both CBP and DEA in this matter. Would you or someone on your staff be able to participate in a conference call this afternoon? Please contact me as soon as possible so that I can coordinate with FDA. Your assistance in this matter is greatly appreciated.

Thank you,

(b)(6),(b)(7)(C)

International Trade Specialist  
Interagency Requirements Branch  
Office of International Trade

(b)(6),(b)(7)(C)

---

**From:** Veneziano, Domenic J. [mailto:Domenic.Veneziano@fda.hhs.gov]

**Sent:** Monday, November 08, 2010 7:54 PM

**To:** (b)(6); (b)(6),(b)(7)(C)

**Cc:** Tyler, Ralph; Elder, David K.; Corrigan, Dara; Veneziano, Domenic J.

**Subject:** Conference call to discuss importation of a controlled substance

Good evening

I am sorry for the very short notice in asking for your participation on a conference.

FDA has been asked to allow the importation of an unapproved drug, which is also a controlled substance, used for Capital Punishment. The request is being made by the Department of Corrections due to a drug shortage in the US. FDA is currently exploring its options on how best to handle this situation during the entry process and would like to have a brief conference call with CBP and DEA to discuss this matter in more depth.



We would like to have the call tomorrow afternoon and ask that you provide me with the time that works best for both CBP and DEA.

Thank you in advance for your cooperation.

Respectfully,

Domenic J. Veneziano  
CDR U.S. Public Health Service  
Director, Division of Import Operations and Policy  
Work: (301) 443-6553  
FAX: (301) 594-0413  
Cell: (240) 888-9316  
PNC hotline: (866) 521-2297

(b)(6)

**From:** (b)(6)  
**Sent:** Tuesday, November 09, 2010 8:34 AM  
**To:** (b)(6),(b)(7)(C) Domenic.Veneziano@fda.hhs.gov  
**Cc:** Domenic.Veneziano@fda.hhs.gov; (b)(6)  
**Subject:** RE: Conference call to discuss importation of a controlled substance

DEA will be able to participate in a conference call this afternoon in reference to this topic. Please advise of a time as soon as you can and I will make arrangements for a call-in telephone number. Representatives from our regulatory, import/export, and policy and liaison section will be available to answer your questions.

(b)(6)

Chief, Regulatory Unit/ODGR  
DEA Headquarters

(b)(6)

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**From:** (b)(6),(b)(7)(C)  
**Sent:** Tuesday, November 09, 2010 8:02 AM  
**To:** (b)(6)  
**Cc:** Domenic.Veneziano@fda.hhs.gov  
**Subject:** FW: Conference call to discuss importation of a controlled substance

Good morning (b)(6)

Thank you for taking time out this morning to listen to the concerns that FDA and CBP have regarding the importation of Sodium Pentathol and Sodium Thiopental. Pursuant to our conversation, I have forwarded the message that was originally sent to (b)(6) requesting participation in a conference call this afternoon from a DEA representative that could assist in addressing some of the issues at hand. Could you please forward this information to the appropriate point of contact within your organization? FDA is treating this as an emergency issue and would really appreciate some assistance from DEA and CBP to rectify some of the issues surrounding the importation of these controlled substances. Mr. Domenic Veneziano will be the FDA point of contact for this issue. The following is his contact information:

Domenic J. Veneziano  
CDR U.S. Public Health Service  
Director, Division of Import Operations and Policy  
Work: (301) 443-6553  
FAX: (301) 594-0413  
Cell: (240) 888-9316  
PNC hotline: (866) 521-2297  
Email: Domenic.Veneziano@fda.hhs.gov

Please contact either Mr. Veneziano or myself to arrange for participation in this afternoon's scheduled conference call.

Thank you,

(b)(6),(b)(7)(C)

International Trade Specialist  
Interagency Requirements Branch  
Office of International Trade

(b)(6),(b)(7)(C)

---

**From:** (b)(6),(b)(7)(C)

**Sent:** Tuesday, November 09, 2010 7:40 AM

**To:** (b)(6)

**Subject:** FW: Conference call to discuss importation of a controlled substance

Good morning (b)(6)

My name is (b)(6),(b)(7)(C) and I work for the Office of International Trade within Customs and Border Protection. Your name was referred to me by the DEA Office of Diversion Control as a point of contact to address several issues surrounding the importation of unapproved drugs used for capital punishment. The Food and Drug Administration (FDA) is planning on holding a conference call this afternoon regarding this matter and respectfully requests your participation. I apologize for the short notice, but FDA is treating this as an emergency issue that requires immediate attention and is seeking assistance from both CBP and DEA in this matter. Would you or someone on your staff be able to participate in a conference call this afternoon? Please contact me as soon as possible so that I can coordinate with FDA. Your assistance in this matter is greatly appreciated.

Thank you,

(b)(6),(b)(7)(C)

International Trade Specialist  
Interagency Requirements Branch  
Office of International Trade

(b)(6),(b)(7)(C)

---

**From:** Veneziano, Domenic J. [mailto:Domenic.Veneziano@fda.hhs.gov]

**Sent:** Monday, November 08, 2010 7:54 PM

**To:** (b)(6), (b)(6),(b)(7)(C)

**Cc:** Tyler, Ralph; Elder, David K.; Corrigan, Dara; Veneziano, Domenic J.

**Subject:** Conference call to discuss importation of a controlled substance

Good evening

I am sorry for the very short notice in asking for your participation on a conference.

FDA has been asked to allow the importation of an unapproved drug, which is also a controlled substance, used for Capital Punishment. The request is being made by the Department of Corrections due to a drug shortage in the US. FDA is currently exploring its options on how best to handle this situation during the entry process and would like to have a brief conference call with CBP and DEA to discuss this matter in more depth.

We would like to have the call tomorrow afternoon and ask that you provide me with the time that works best for both CBP and DEA.

Thank you in advance for your cooperation.

Respectfully,

Domenic J. Veneziano  
CDR U.S. Public Health Service  
Director, Division of Import Operations and Policy  
Work: (301) 443-6553  
FAX: (301) 594-0413  
Cell: (240) 888-9316  
PNC hotline: (866) 521-2297

























(b)(6)

**From:** (b)(6)  
**Sent:** Wednesday, March 16, 2011 12:11 PM  
**To:** Harrigan, Thomas M.; Rannazzisi, Joseph T.  
**Subject:** Re: Execution drug issue

Sorry Joe thought I put you on. I was driving and texting.

----- Original Message -----

**From:** Harrigan, Thomas M.  
**Sent:** Wednesday, March 16, 2011 12:03 PM  
**To:** (b)(6); Leonhart, Michele M.  
**Cc:** (b)(6)  
Rannazzisi, Joseph T.  
**Subject:** RE: Execution drug issue

(b)(6)

Looping in Joe as well. Thanks.

(b)(5),(b)(6),(b)(7)(A),(b)(7)(E)

[Redacted content]

We are working up a statement (which isn't far from what the Atlanta PIO has already said) and letting DOJ know.

**Ga. executions off: DEA seizes critical drug**

ATLANTA (AP) -- All Georgia executions are off after federal drug agents seized the state's supply of a sedative used in lethal injections that has been challenged by capital punishment critics and death-row inmates, including a man recently executed who called the British exporter of the drug a "fly-by-night supplier."

Drug Enforcement Administration spokesman Chuvalo Truesdell wouldn't say exactly why Georgia's supply of sodium thiopental was taken Tuesday, just that "we had questions about how the drug was imported to the U.S." The sedative is part of a three-drug cocktail used in executions that has been in short supply since the sole U.S. manufacturer stopped making it.



No more execution dates in Georgia have been scheduled and it's unlikely any will be set before the issue is resolved. Georgia Attorney General's Office spokeswoman Lauren Kane said prosecutors couldn't ask a judge to set executions if corrections officials didn't have the necessary supplies to carry one out.

Georgia's stockpile of the drug has been a target of death row inmates and capital punishment critics since corrections officials released documents this year showing the state obtained the drug from Link Pharmaceuticals, a firm purchased five years ago by Archimedes Pharma Limited. Both are British firms.

The drug was used in January to execute Emmanuel Hammond, a 45-year-old man convicted for the 1988 shotgun slaying of an Atlanta preschool teacher. His attorneys sought a delay to gather more information on how the state obtained the drug, claiming in court documents it came from a "fly-by-night supplier operating from the back of a driving school in England." They said the drug could have been counterfeit.

The U.S. Supreme Court, as well as lower courts, rejected Hammond's argument.

The state's stockpile came under more scrutiny in February when John Bentivoglio, a former deputy attorney general, asked the Justice Department to launch an investigation into whether state corrections officials violated federal law by not registering with the DEA when it imported its supply of sodium thiopental.

"The United States has strict drug import rules for a reason: To ensure drugs used for legitimate purposes are not adulterated, counterfeit, or diverted into the illicit market," said Bentivoglio, who is representing death row inmate Andrew Grant DeYoung. Joan Heath, a spokeswoman for the Georgia Department of Corrections, said state officials were not concerned with the quality of the drug and just wanted to make sure they were complying with the law.

"We contacted the DEA and asked them for a regulatory review, and that's what we're doing," she said. "We're going to make sure we're in regulatory compliance with the DEA over how we handle controlled substances."

Hammond's attorney, Brian Mendelsohn, declined to comment.

A third death row inmate has also targeted Georgia's supply. Roy Willard Blankenship's attorneys asked a judge in February to call off his execution until the state released more details of its 20-gram supply of sodium thiopental. The complaint contended that an expired drug may not fully put Blankenship to sleep -- which could make his death extremely painful.

Blankenship's execution was delayed in February after the Georgia pardons board granted his lawyers more time to conduct additional DNA testing.

Link Pharmaceuticals didn't exist in 2010, and its name hasn't been on labels since May 2007, the lawsuit said. Sodium thiopental typically has a shelf life of four years, meaning even the state's newest supply would expire in May of this year, the lawsuit claims.

A federal judge rejected Blankenship's arguments as "nothing more than unreasonable speculation." He added that even if Blankenship could prove the supply expired, he failed to show it "creates a risk that is sure or very likely to cause serious illness or needless suffering."

The shortage has delayed executions in several states and an Associated Press review found that at least five states -- Arizona, Arkansas, California, Georgia and Tennessee -- had to turn to England for their supply of the drug. Nebraska, meanwhile, secured a stockpile from an Indian firm.

Truesdell, the DEA spokesman, said he was not certain if other states' supplies of sodium thiopental were also being collected by the agency. Officials in Arkansas and California said authorities have not seized their supplies.

Defense attorneys were elated by the news.

"We commend the DEA for forcing the Department of Corrections to immediately cease using black market execution drugs," said William Montross, an attorney with the Southern Center for Human Rights, which had sought to delay Blankenship's execution.

"It is an incredible relief that this federal agency has stepped up and intervened where the state and federal courts have turned a blind eye to the obvious problems with the procurement and use of these drugs."







(b)(6)

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**From:** (b)(6)  
**Sent:** Tuesday, April 12, 2011 5:03 PM  
**To:** (b)(6)  
**Subject:** Contact with Nebraska Department of Corrections.

On April 12, 2011, I received a call from George Green [(402) 479-5735], legal counsel for the Nebraska Department of Corrections. He advised that on April 8, 2011, Steve Urosevich, Chief Operating Officer for Health Services, received a call from (b)(6) DEA HQ. Mr. Green returned Ms. (b)(6) call on April 11, 2011. Ms. (b)(6) advised that the hospital/clinic registration (DEA Registration Number AN5903453) was not accepted for the importation of controlled substances. She informed Mr. Green that it was possible to obtain the proper registration as an Importer and suggested he consult with DEA in Nebraska or Kansas. As Mr. Green had previously consulted with me regarding other matters, he contacted the Kansas City District Office.

Mr. Green stated the department wished to obtain a DEA Form 225 to apply for an Importer registration. He added that the department utilized a broker (b)(6) in Omaha, Nebraska, to obtain Sodium Thiopental from Mumbai, India, and was advised by the broker that all the requisite paperwork was appropriately completed. He said the department would apply for an Importer registration.

(b)(6)

Group Supervisor  
Kansas City District Office

(b)(6)

Consultation material.

**Sanchez, Ramona F.**

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**From:** Sanchez, Ramona F.  
**Sent:** Monday, April 25, 2011 9:46 AM  
**To:** (b)(6)  
**Attachments:** April 25 Republic Editorial.docx

(b)(6) —in Sunday's Editorial.

*Ramona F. Sanchez, SA  
PIO  
DEA Phoenix Division  
Tel: (602) 664-5725  
Fax: (602) 664-5616  
E-mail: [ramona.f.sanchez@usdoj.gov](mailto:ramona.f.sanchez@usdoj.gov)  
Website: [www.dea.gov](http://www.dea.gov)*



April 25, 2011 |

**Opinions**

## **Execution drug acquired legally**

Apr. 24, 2011 12:00 AM

The execution of a convicted murderer is the ultimate penalty imposed by the courts. The duty of the Arizona Department of Corrections is to carry out this sentence lawfully, professionally and humanely.

Recently, the media have paid increased attention to executions taking place throughout the country. Unfortunately, some of the information in these news stories is inaccurate.

The current three-drug chemical protocol used in Arizona has been upheld through the U.S. Supreme Court. Since 1993, Arizona has carried out 23 executions using lethal injection. Our

Due to the shortage of sodium thiopental, the Department of Corrections was required to locate a supplier outside the United States. We lawfully acquired the chemical by working with U.S. Customs, the Food and Drug Administration and the Drug Enforcement Administration.

Throughout the process, the Department of Corrections documented explicitly that our purpose was to use these chemicals to perform executions by lethal injection.

The Arizona Department of Corrections is considering the use of alternative chemicals and protocols to ensure there is no disruption in carrying out the law.

We will continue with the use of a lawful chemical protocol. Any changes will be determined after a full and comprehensive review with the assistance of our attorney general. - **Charles L. Ryan**, *Phoenix*The writer is director of the Arizona Department of Corrections.

**Sanchez, Ramona F.**

---

**From:** Sanchez, Ramona F.  
**Sent:** Thursday, April 21, 2011 10:42 AM  
**To:** (b)(6)  
**Attachments:** Arizona death roll inmate.docx

FYI—the latest of ST

*Ramona F. Sanchez, SA  
PIO*

*DEA Phoenix Division*

*Tel: (602) 664-5725*

*Fax: (602) 664-5616*

*E-mail: [ramona.f.sanchez@usdoj.gov](mailto:ramona.f.sanchez@usdoj.gov)*

*Website: [www.dea.gov](http://www.dea.gov)*

## **Arizona death-row inmate execution set for May 25**

by Associated Press (April 19th, 2011 @ 9:49pm)

**PHOENIX** - The Arizona Supreme Court on Tuesday issued an execution warrant for a man who has been on death row since 1985 for raping and suffocating a 13-year-old girl in Tempe.

The high court scheduled 56-year-old Donald Edward Beaty's execution for May 25 at the state prison in Florence over objections from his attorneys about the lethal injection method that will be used against him.

They had argued that the court shouldn't order his execution because of lingering questions about the execution drug sodium thiopental, which they said was illegally obtained and unregulated by the U.S. Food and Drug Administration.

The state Department of Corrections hasn't decided whether Beaty will be executed with a three-drug method that includes sodium thiopental or a different protocol.

Corrections Director Charles Ryan told The Associated Press last month that the state would begin using a one-drug method after the execution of Daniel Wayne Cook, but Cook's planned April 5 execution was canceled after he won a reprieve from the U.S. Supreme Court. Ryan said the department was considering a change over "perceived concerns" about the three-drug method.

DOC spokesman Barrett Marson has said there is no timetable for a change.

Beaty's attorneys had argued that in Georgia, the Drug Enforcement Administration seized the state's entire supply of sodium thiopental over questions about how it was imported into the U.S.

Attorneys in Georgia claimed the drug came from a fly-by-night British supplier operating in a gritty London neighborhood.

A U.S. shortage of the drug, the first to be administered during executions, has caused at least five states to seek it in England.

Beaty's attorneys expressed concern over the drug's effectiveness, writing: "If Beaty is not properly anesthetized by the sodium thiopental before being given the second and third drugs, he will suffocate and experience excruciating pain."

The last inmate to be executed in Arizona was Eric John King, who was put to death March 29 for a double-murder at a Phoenix convenience store. His attorneys failed to get his execution delayed or stopped over arguments about the execution drug, and Cook's attorneys won his reprieve over an unrelated argument that he had ineffective lawyers during his post-conviction proceedings.

**Sanchez, Ramona F.**

---

**From:** Sanchez, Ramona F.  
**Sent:** Tuesday, April 19, 2011 4:55 PM  
**To:** (b)(6)  
**Attachments:** Arizona to issue execution warrant for inmate.docx

FYI—another AZ execution to take place.

*Ramona F. Sanchez, SA*  
*PIO*  
*DEA Phoenix Division*  
*Tel: (602) 664-5725*  
*Fax: (602) 664-5616*  
*E-mail: [ramona.f.sanchez@usdoj.gov](mailto:ramona.f.sanchez@usdoj.gov)*  
*Website: [www.dea.gov](http://www.dea.gov)*

## **Arizona to issue execution warrant for inmate**

by Associated Press (April 19th, 2011 @ 1:36pm)

PHOENIX - The Arizona Supreme Court has agreed to issue an execution warrant for a man who has been on death row since 1985 for raping and suffocating a 13-year-old girl in Tempe.

The high court on Tuesday granted prosecutors' motion to order the execution of 56-year-old Donald Edward Beaty.

The court has not set Beaty's execution date, but court spokeswoman Jennifer Liewer says it must happen in the next 35 to 60 days under Arizona law.

Beaty's attorneys had argued that the court shouldn't order his execution because of lingering questions about a controversial lethal injection drug.

They argued that the sedative sodium thiopental was illegally obtained and unregulated by the U.S. Food and Drug Administration.

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**Sanchez, Ramona F.**

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**From:** Sanchez, Ramona F.  
**Sent:** Monday, April 04, 2011 11:31 AM  
**To:** 'Kiefer, Michael'  
**Subject:** RE: thiopental

Hi Mike,

All inquiries regarding this are being directed to DOJ at 202 514-2007.

*Ramona F. Sanchez, SA*

*PIO*

*DEA Phoenix Division*

*Tel: (602) 664-5725*

*Fax: (602) 664-5616*

*E-mail: [ramona.f.sanchez@usdoj.gov](mailto:ramona.f.sanchez@usdoj.gov)*

*Website: [www.dea.gov](http://www.dea.gov)*

---

**From:** Kiefer, Michael [<mailto:michael.kiefer@arizonarepublic.com>]  
**Sent:** Monday, April 04, 2011 11:08 AM  
**To:** Sanchez, Ramona F.  
**Subject:** thiopental

Ramona,

DEA has now seized thiopental supplies in three states: Georgia, Kentucky and Tennessee. Attorneys in Texas and Arizona have asked that they investigate here. any news?

MK

**Sanchez, Ramona F.**

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**From:** Sanchez, Ramona F.  
**Sent:** Wednesday, March 16, 2011 4:18 PM  
**To:** 'Kiefer, Michael'  
**Subject:** RE: Georgia

Hi Mike,

Sorry for the delay.

DEA is working with the Georgia Dept. of Corrections to ensure that they are in compliance with federal DEA regulations regarding controlled substances.

We (DEA) cannot speculate on any enforcement actions that may or may not occur.

*Ramona F. Sanchez, SA*

*PIO*

*DEA Phoenix Division*

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*E-mail: [ramona.f.sanchez@usdoj.gov](mailto:ramona.f.sanchez@usdoj.gov)*

*Website: [www.dea.gov](http://www.dea.gov)*

**From:** Kiefer, Michael [<mailto:michael.kiefer@arizonarepublic.com>]

**Sent:** Wednesday, March 16, 2011 10:14 AM

**To:** Sanchez, Ramona F.

**Cc:** Flannery, Pat

**Subject:** Georgia

Hi Ramona:

I'm not sure if you saw the story in this morning's paper about the DEA confiscating Georgia's supply of sodium thiopental. I believe the issue there is that the state department of corrections did not have a DEA registration number. Can you confirm that?

Also, do you know if there will be any DEA scrutiny of ADC supplies of the drug, which come from the same distributor in the UK?

Michael Kiefer

602-444-8994

<http://www.azcentral.com/news/articles/2011/03/16/20110316georgia-executions-off-critical-drug-seized.html>

<http://www.azcentral.com/arizonarepublic/news/articles/2011/03/16/20110316execution-drug0316.html>

**Sanchez, Ramona F.**

---

**From:** Sanchez, Ramona F.  
**Sent:** Tuesday, March 22, 2011 3:22 PM  
**To:** 'Kiefer, Michael'  
**Subject:** FW: thiopental

Hi Mike,

I don't have any information on that. You may call DOJ at (202) 514-2007.

Ramona F. Sanchez, SA  
PIO  
DEA Phoenix Division  
Tel: (602) 664-5725  
Fax: (602) 664-5616

-----Original Message-----

**From:** Kiefer, Michael [<mailto:michael.kiefer@arizonarepublic.com>]  
**Sent:** Tuesday, March 22, 2011 2:16 PM  
**To:** Sanchez, Ramona F.  
**Subject:** thiopental

Ramona,

The federal public defender's office in Phoenix sent a letter to Attorney General Holder about ADC's acquisition of thiopental, much like the letter that triggered the Georgia investigation. Have you heard anything about this?

Do you have further information about Georgia matter?

Michael Kiefer



**Sanchez, Ramona F.**

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**From:** Sanchez, Ramona F.  
**Sent:** Monday, April 04, 2011 11:29 AM  
**To:** (b)(6)  
**Subject:** RE: thiopental

(b)(6) -we're to refer them to DOJ.

*Ramona F. Sanchez, SA  
PIO  
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E-mail: [ramona.f.sanchez@usdoj.gov](mailto:ramona.f.sanchez@usdoj.gov)  
Website: [www.dea.gov](http://www.dea.gov)*

**From:** (b)(6)  
**Sent:** Monday, April 04, 2011 11:20 AM  
**To:** Sanchez, Ramona F.  
**Subject:** RE: thiopental

Consultation material.

(b)(6)  
**Assistant Special Agent in Charge  
U.S. Drug Enforcement Administration**

(b)(6)  
**From:** Sanchez, Ramona F.  
**Sent:** Monday, April 04, 2011 11:18 AM  
**To:** (b)(6)  
**Subject:** FW: thiopental  
**Importance:** High

(b)(6) -FYI—see below, understandably, Mike from the Republic is inquiring.

*Ramona F. Sanchez, SA  
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E-mail: [ramona.f.sanchez@usdoj.gov](mailto:ramona.f.sanchez@usdoj.gov)  
Website: [www.dea.gov](http://www.dea.gov)*

**From:** Kiefer, Michael [<mailto:michael.kiefer@arizonarepublic.com>]  
**Sent:** Monday, April 04, 2011 11:08 AM  
**To:** Sanchez, Ramona F.  
**Subject:** thiopental

Ramona,

DEA has now seized thiopental supplies in three states: **Georgia, Kentucky and Tennessee**. Attorneys in Texas and Arizona have asked that they investigate here. any news?

MK

**Sanchez, Ramona F.**

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**From:** Sanchez, Ramona F.  
**Sent:** Monday, April 04, 2011 12:17 PM  
**To:** (b)(6),(b)(7)(C)  
**Subject:** RE: arizona and thiopental

10-4.

*Ramona F. Sanchez, SA  
PIO  
DEA Phoenix Division  
Tel: (602) 664-5725  
Fax: (602) 664-5616  
E-mail: [ramona.f.sanchez@usdoj.gov](mailto:ramona.f.sanchez@usdoj.gov)  
Website: [www.dea.gov](http://www.dea.gov)*

---

**From:** (b)(6),(b)(7)(C)  
**Sent:** Monday, April 04, 2011 12:16 PM  
**To:** Sanchez, Ramona F.  
**Subject:** RE: arizona and thiopental

(b)(5),(b)(7)(A),(b)(7)(C),(b)(7)(E)

(b)(5),(b)(7)(A),(b)(7)(C),(b)(7)(E)

(b)(6),(b)(7)(C)

**Acting Special Agent in Charge  
U.S. Drug Enforcement Administration  
Phoenix Division**

(b)(6)

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**From:** Sanchez, Ramona F.  
**Sent:** Monday, April 04, 2011 12:02 PM  
**To:** (b)(6),(b)(7)(C)  
**Subject:** FW: arizona and thiopental

(b)(6),(b)(7)(C) —I had a feeling this was going to happen—see e-mail below from DOJ to CP. Can we discuss?

*Ramona F. Sanchez, SA  
PIO  
DEA Phoenix Division  
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E-mail: [ramona.f.sanchez@usdoj.gov](mailto:ramona.f.sanchez@usdoj.gov)  
Website: [www.dea.gov](http://www.dea.gov)*

**From:** (b)(6)  
**Sent:** Monday, April 04, 2011 11:55 AM  
**To:** Sanchez, Ramona F.  
**Subject:** Fw: arizona and thiopental

Can you find out?

**From:** Sweeney, Laura (SMO) [mailto:Laura.Sweeney2@usdoj.gov]  
**Sent:** Monday, April 04, 2011 02:52 PM  
**To:** (b)(6)  
**Subject:** Fw: arizona and thiopental

(b)(5)

I will decline

comment to the reporter.

**From:** Finelli, Alisa (SMO)  
**Sent:** Monday, April 04, 2011 02:48 PM  
**To:** Sweeney, Laura (SMO)  
**Subject:** Fw: arizona and thiopental

Do you mind if I forward this one to you?

**From:** Gobble, Lori (SMO)  
**Sent:** Monday, April 04, 2011 02:43 PM  
**To:** Finelli, Alisa (SMO)  
**Subject:** FW: arizona and thiopental

**From:** Kiefer, Michael [mailto:michael.kiefer@arizonarepublic.com]  
**Sent:** Monday, April 04, 2011 2:40 PM  
**To:** Gobble, Lori (SMO)  
**Subject:** arizona and thiopental

Dear Ms. Gobble:

Pursuant to our telephone conversation, I am inquiring whether DEA is investigating the Arizona Department of Correction's supply of thiopental sodium for lethal injection.

I understand that the agency has taken possession of the supplies from Georgia, Tennessee and Kentucky, and attorneys in Arizona have asked Attorney general Holder to look into the Arizona supply.

The timing of my request comes a day before Arizona is to use its supply to carry out an execution by lethal injection.

Michael Kiefer  
reporter  
602-444-8994

**Sanchez, Ramona F.**

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**From:** Sanchez, Ramona F.  
**Sent:** Monday, April 04, 2011 7:10 PM  
**To:** (b)(6)  
**Subject:** Fw: Execution stay for AZ inmate granted-AP April 4.  
**Attachments:** Execution stay for Arizona inmate granted.docx  
  
**Importance:** High

(b)(6)

Just reported from the AP.

(b)(6)

This message was sent from my Blackberry Wireless Device.

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**From:** (b)(6)  
**To:** Sanchez, Ramona F.  
**Sent:** Mon Apr 04 22:07:37 2011  
**Subject:** Execution stay for AZ inmate granted-AP April 4.