

Jeremy Desel

From: Joseph Brown [REDACTED]
Sent: Monday, May 17, 2021 1:54 PM
To: Jeremy Desel
Subject: Re: Wednesday

CAUTION: This email was received from an EXTERNAL source, use caution when clicking links or opening attachments. If you believe this to be a malicious and/or phishing email, please contact the Information Security Office (ISO).

Yes sir. I'll be there.

Thanks,

Joseph Brown
Editor
Huntsville Item
Office: (936) 295-5407
Cell: (936) 661-2733

On May 17, 2021, at 1:53 PM, Jeremy Desel <Jeremy.Desel@tdcj.texas.gov> wrote:

Are you all planning to attend?

Jeremy Desel
Director of Communications
Texas Department of Criminal Justice
Jeremy.desel@tdcj.texas.gov
O: 936-437-6052

Jeremy Desel

From: Lozano, Juan [REDACTED]
Sent: Monday, May 17, 2021 2:08 PM
To: Jeremy Desel
Subject: RE: Wednesday Execution

CAUTION: This email was received from an EXTERNAL source, use caution when clicking links or opening attachments. If you believe this to be a malicious and/or phishing email, please contact the Information Security Office (ISO).

Jeremy,

Hi. Hope you are doing well. Mike Graczyk will be covering Wednesday's execution for the AP.

Also, could you email me a photo of Quintin Jones?

Thanks.

Juan

From: Jeremy Desel <Jeremy.Desel@tdcj.texas.gov>
Sent: Monday, May 17, 2021 1:56 PM
To: Lozano, Juan [REDACTED]
Subject: Wednesday Execution

[EXTERNAL]

Juan,

Who should I be expecting from the Associated Press on Wednesday?

JD

Jeremy Desel
Director of Communications
Texas Department of Criminal Justice
Jeremy.desel@tdcj.texas.gov
O: 936-437-6052

The information contained in this communication is intended for the use of the designated recipients named above. If the reader of this communication is not the intended recipient, you are hereby notified that you have received this communication in error, and that any review, dissemination, distribution or copying of this communication is strictly

Jeremy Desel

From: Graczyk, Michael <[REDACTED]>
Sent: Tuesday, May 18, 2021 2:41 PM
To: Jeremy Desel
Subject: Re: Wednesday

CAUTION: This email was received from an EXTERNAL source, use caution when clicking links or opening attachments. If you believe this to be a malicious and/or phishing email, please contact the Information Security Office (ISO).

Hey!
I get to be the Huntsville AP bureau on Wednesday if it takes place.
See you then.
Cheers,
MG

From: Jeremy Desel <Jeremy.Desel@tdcj.texas.gov>
Sent: Monday, May 17, 2021 1:53 PM
To: Joseph Brown [REDACTED]; Graczyk, Michael [REDACTED]
Subject: Wednesday

[EXTERNAL]
Are you all planning to attend?

Jeremy Desel
Director of Communications
Texas Department of Criminal Justice
Jeremy.desel@tdcj.texas.gov
O: 936-437-6052

The information contained in this communication is intended for the use of the designated recipients named above. If the reader of this communication is not the intended recipient, you are hereby notified that you have received this communication in error, and that any review, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify The Associated Press immediately by telephone at +1-212-621-1500 and delete this email. Thank you.

From: [Kristen Worman](#)
To: [Jeremy Desel](#); [Jason Clark](#); [Bryan Collier](#); [Oscar Mendoza](#)
Cc: [Amy Lee](#)
Subject: RE: Call me please ASAP
Date: Thursday, May 20, 2021 10:59:05 AM
Importance: High

PRIVILEGED & CONFIDENTIAL ATTORNEY CLIENT COMMUNICATION / ATTORNEY WORK PRODUCT

Dear all –

There are two provisions in the Coded of Criminal Procedure that address executions and witnesses:

1. Article 43.14 says the execution procedure is to be supervised by the CID Director; and
2. Article 43.20 lists those persons who **MAY** be present at an execution.

I've included the statutory language of both for your reference below and highlighted the relevant language.

Art. 43.14. EXECUTION OF CONVICT: CONFIDENTIAL INFORMATION. (a) Whenever the sentence of death is pronounced against a convict, the sentence shall be executed at any time after the hour of 6 p.m. on the day set for the execution, by intravenous injection of a substance or substances in a lethal quantity sufficient to cause death and until such convict is dead, such execution procedure to be determined and supervised by the director of the correctional institutions division of the Texas Department of Criminal Justice.

(b) The name, address, and other identifying information of the following is confidential and excepted from disclosure under Section [552.021](#), Government Code:

(1) any person who participates in an execution procedure described by Subsection (a), including a person who uses, supplies, or administers a substance during the execution; and

(2) any person or entity that manufactures, transports, tests, procures, compounds, prescribes, dispenses, or provides a substance or supplies used in an execution.

Art. 43.20. PRESENT AT EXECUTION. The following persons **may be present at the execution:** the executioner, and such persons as may be necessary to assist him in conducting the execution; the Board of Directors of the Department of Corrections, two physicians, including the prison physician, the spiritual advisor of the condemned, the chaplains of the Department of

Corrections, the county judge and sheriff of the county in which the Department of Corrections is situated, and any of the relatives or friends of the condemned person that he may request, not exceeding five in number, shall be admitted. No convict shall be permitted by the prison authorities to witness the execution.

Best regards,

Kristen

Kristen Worman, General Counsel

Texas Department of Criminal Justice

Phone: (512) 475-4852

Mobile: (512) 701-7470

Web: www.tdcj.texas.gov

Email: kristen.worman@tdcj.texas.gov

P. O. Box 13084, Capitol Station
Austin, TX 78711-3084

From: Jeremy Desel <Jeremy.Desel@tdcj.texas.gov>

Sent: Thursday, May 20, 2021 10:06 AM

To: Kristen Worman <Kristen.Worman@tdcj.texas.gov>; Amy Lee <Amy.Lee@tdcj.texas.gov>

Cc: Jason Clark <Jason.Clark@tdcj.texas.gov>; Bryan Collier <bryan.collier@tdcj.texas.gov>; Oscar Mendoza <Oscar.Mendoza@tdcj.texas.gov>

Subject: Call me please ASAP

This is the law that media are referring to. Apparently there are some "legal experts" that are suggesting that because the media witnesses were waiting it is a legal violation of the following.

37 Tx Admin Code § 152.51

§ 152.51. Authorized Witnesses to the Execution of an Offender Sentenced to Death

(a) Purpose. The purpose of this rule is to specify those adults, 18 years of age or older, who are authorized to witness the scheduled execution of an offender who has been sentenced to death.

(b) Victim Witnesses. Five close relatives of the victim and a spiritual advisor may be victim witnesses. The total number of victim witnesses shall not exceed six, unless the provision in paragraph 3 of this subsection applies, at which time the number of victim witnesses shall not exceed seven.

(1) "Close relative of the victim" means the following persons in relation to the victim for whose death the offender has been scheduled for execution:

(A) The spouse of the victim at the time of the victim's death;

(B) A parent or stepparent of the victim;

(C) An adult brother, sister, child, or stepchild of the victim; or

(D) An individual who had a close relationship with the victim or has a close relationship with a

relative of the victim, with the recommendation of the Victim Services Division (VSD) director and approval of the Correctional Institutions Division (CID) director.

(2) If there are fewer than five close relatives of the victim, others may be permitted to attend the execution as follows:

(A) Close relatives of a victim for whose death the offender has been convicted but not sentenced to death;

(B) Close relatives of a victim for whose death the offender is unequivocally responsible, with the recommendation of the VSD director and approval of the CID director; and

(C) Surviving victim of a crime for which the offender has been convicted and sentenced to death, with the recommendation of the VSD director and approval of the CID director.

(3) If there are multiple victims involved relating to the offense for which the offender has been convicted and sentenced to death, the total number of witnesses shall be increased to seven.

(4) The spiritual advisor shall be a bona fide pastor or comparable official, such as a minister, priest, or rabbi, of the victim's close relatives' religion.

(c) Offender Witnesses. Individuals that may be offender witnesses are as follows:

(1) Five relatives or friends and a spiritual advisor, if requested by the condemned offender, are eligible to attend the execution of the condemned offender if:

(A) The condemned offender provides a list of witnesses and the name or type of spiritual advisor requested to attend the execution to the death row supervisor or warden's designee at least 14 days prior to the date of execution; and

(B) The witnesses requested are on the offender's approved Visitors List and are 18 years of age or older.

(2) If less than 14 days prior to the scheduled execution the condemned offender requests to change the names of previously submitted witnesses or requested spiritual advisor, the offender shall submit a request in writing to the CID director who shall approve or disapprove the changes.

(3) The spiritual advisor shall be a bona fide pastor or comparable official, such as a minister, priest, or rabbi, of the condemned offender's elected religion.

(d) Other Witnesses. The only persons other than those listed in subsection (b) and (c) who are authorized to witness an execution are:

(1) Texas Department of Criminal Justice (TDCJ) staff or law enforcement staff as deemed necessary by the CID director;

(2) Members of the Texas Board of Criminal Justice;

(3) Inspector general or designee and Office of the Inspector General assigned staff as deemed necessary by the inspector general;

(4) TDCJ chaplains;

(5) Walker County judge;

(6) Walker County sheriff;

(7) Media pool representatives consisting of:

(A) One reporter from the Huntsville Item;

(B) One reporter from the Associated Press;

(C) Three additional print media or broadcast media representatives selected from a list of applicants maintained by the TDCJ Public Information Office; and

(8) Any other person approved by the TDCJ CID director

(e) Prohibition of Attendance. Any offender currently confined within the TDCJ is specifically denied authorization to witness the execution of an offender.

(f) Victim Notification.

(1) The VSD shall maintain a list of scheduled executions and any subsequent updates regarding significant changes pertaining to the execution, such as dates or court rulings. The Executive Clemency Section of the Board of Pardons and Paroles will provide a list of scheduled executions to the VSD in an expedient manner.

(2) The VSD is responsible for notifying the victim(s) or close relatives of the victim of the scheduled execution date, time, and location, upon request. It is the responsibility of the victim(s) or close relatives to notify the VSD of any address or telephone number changes and their intent to attend.

(3) The relatives of the victim, and surviving victims, shall be identified and approved by the VSD.

(4) It is the responsibility of the VSD to notify the CID director, no later than five days prior to the scheduled execution date, of the names and contact numbers for the victim's witnesses who plan to attend.

(5) The VSD shall contact the relatives of the victim, and surviving victims, and provide information regarding the written procedures affecting their participation.

(g) Requirements for the Execution Chamber. The room provided for the execution shall be arranged so that:

(1) There is sight and sound separation between any offender witnesses and any victim witnesses; and

(2) There is sound separation between the condemned offender and those in attendance, except arrangements shall be provided to allow those in attendance to hear the statements of the condemned offender.

Could use some guidance. I sent her the other statute Code of Criminal Procedure 43.20 she sent me back this one.

Jeremy Desel

Director of Communications

Texas Department of Criminal Justice

Jeremy.desel@tdcj.texas.gov

O: 936-437-6052

To: Bobby Lumpkin

We left the media witnesses out?



iMessage





TEXAS DEPARTMENT
OF
CRIMINAL JUSTICE

NUMBER: ED-02.40 (rev. 7)

DATE: May 7, 2021

PAGE: 1 of 10

SUPERSEDES: ED-02.40 (rev. 6)
May 21, 2019

EXECUTIVE DIRECTIVE

SUBJECT: NEWS MEDIA RELATIONS

AUTHORITY: Tex. Gov't Code §§ 493.001, 493.006(b), 552.001–.353; BP-02.08, “Statement of Internal Controls”

APPLICABILITY: Texas Department of Criminal Justice (TDCJ)

POLICY:

The TDCJ Communications Department serves as the primary contact between the TDCJ and the media. This policy does not include or pertain to the Texas Board of Criminal Justice (TBCJ) or entities that report to the TBCJ.

DEFINITIONS:

The following terms are defined for the purpose of this policy and are not intended to be applicable to other policies or procedures.

“Authorized Personnel” are the employees of the TDCJ, or contract facilities, who have received authorization to speak with the media on behalf of the TDCJ on a particular subject matter or event.

“Business Day” is Monday through Friday, excluding state and national holidays for which the TDCJ’s administrative offices are closed, and days when offices are closed at the direction of the TDCJ executive director, for example, during adverse weather conditions.

“Media” is a member of the editorial and reporting staff of a newspaper or magazine listed in the Gale Directory of Publications and Broadcast Media or the Editor & Publisher International Year Book, the editorial and reporting staff of a radio or television station holding a Federal Communications Commission license, individuals who are actively gathering news for an entity that is organized and operated to publish news to the public by making their products available for purchase or subscription, or individuals who have otherwise been identified as news media by the director of the TDCJ Communications Department.

“Newsworthy Event” is any incident or situation that attracts, or has the potential to attract, the attention of the news media. Examples include employee or inmate deaths or injuries, disturbances at TDCJ units or contract facilities, incidents involving parolees or other individuals under supervision, disciplinary action taken against an employee, TDCJ policy or operational changes,

memorial or dedication ceremonies held at TDCJ units or contract facilities, or an event involving the Windham School District (WSD).

“Stringers” or “Freelancers” are journalists who are not the regular staff of a newspaper or online news service but who write stories for that newspaper or online news service.

PROCEDURES:

I. Contacting the TDCJ Communications Department

- A. The TDCJ Communications Department may be reached by telephone at (936) 437-6052 or by fax at (936) 437-6055.
- B. On business days, 8 a.m. to 5 p.m., all TDCJ staff shall notify their warden or department head, who shall advise the director of the TDCJ Communications Department, of any newsworthy event that might attract public interest or news coverage.
- C. During the evenings, weekends, or holidays, newsworthy events shall be reported to the Emergency Action Center (EAC). Information from TDCJ employees can be reported by calling the EAC at (936) 437-6600 in accordance with AD-02.15, “Operations of the Emergency Action Center and Reporting Procedures for Serious or Unusual Incidents.”
- D. The EAC shall promptly notify the on-duty TDCJ Communications Department officer of newsworthy events occurring after normal business hours.

II. Release of Information to the Media

- A. The release of information on newsworthy events occurring within the TDCJ shall be made by the director of the TDCJ Communications Department or designee.
- B. The director of the TDCJ Communications Department will coordinate with the respective division directors to obtain necessary factual details of a newsworthy event prior to the release of information.
- C. Names of staff or inmates who have been victimized at a TDCJ unit, contract facility, or office will be withheld until an effort has been made to notify the next of kin.
- D. Limited information regarding an inmate will be released as provided in the TDCJ *Public Information Act Manual*. The only medical information that may be released regarding an inmate is the inmate’s general state of health or the nature of an injury to or critical illness suffered by the inmate. No other medical information regarding an inmate will be released.

- E. The TDCJ Communications Department may release information not prohibited by law, as the department deems appropriate through coordination with the executive director or designee.
- F. Media inquiries regarding the Office of the Inspector General (OIG) or ongoing criminal investigations within the TDCJ or directly impacting the TDCJ will be referred to the OIG for coordination of a response.
- G. Media inquiries regarding ongoing litigation within the TDCJ or directly impacting the TDCJ will be referred to the Office of the General Counsel for coordination of a response.
- H. Media inquiries regarding the Board of Pardons and Paroles (BPP) will be referred to the BPP Public Information Office.
- I. Media inquiries regarding the TBCJ will be made to the director of the TDCJ Communications Department, who will coordinate a response with the TBCJ chairman.
- J. Media inquiries regarding the WSD will be referred to the superintendent or designee.

III. Media Agencies Receiving Releases

Routine release of information on TDCJ-related matters may be sent to the major news outlets, including newspapers, radio stations, television stations, and online news outlets.

IV. Response to Media Inquiries

- A. Administrators, wardens, and other authorized officials shall immediately notify the TDCJ Communications Department of all media contacts and the nature of those contacts.
- B. Only authorized personnel may make official responses to news media inquiries. The executive director or director of the TDCJ Communications Department shall personally grant this authorization.
- C. Division directors or designees may be authorized to provide responses to media inquiries upon receiving approval from the director of the TDCJ Communications Department.
- D. If a request is made concerning operations and events at a specific unit, the warden or designee may be authorized to respond to media inquiries, only after coordinating such release of information with the director of the TDCJ Communications Department.

V. Media Access to Units

- A. The TDCJ Communications Department, in coordination with the warden and the director of the Correctional Institutions Division (CID) or Private Facility Contract Monitoring/Oversight Division (PFCMOD), may impose limitations on or set conditions for media access to the unit when, in the warden's judgment, such media access would disrupt the safety and security of the unit or cause serious operational problems. Media interviews will not be scheduled on weekends, holidays, or during inmate visitation. Exceptions may be made for media attending a TDCJ-sponsored event scheduled on a weekend, such as a WSD graduation.
- B. Media representatives may be denied access to units during emergencies, disturbances, and other situations that may disrupt normal operations. Media representatives may be denied access until normal operations are restored.

VI. Interviews with Specific Inmates

- A. A media representative may interview an inmate as arranged by prior appointment and with the written consent of the inmate on the Media Release Form (Attachment A).
 - 1. Each interview will be no more than one hour in length.
 - 2. The warden or designee may authorize contact or non-contact interviews, dependent upon the custody level of the inmate or other security concerns.
 - 3. No documents, photographs, video, or other materials may be exchanged between the media representative and inmate.
 - 4. Telephonic interviews are prohibited.
 - 5. In an emergency situation where visitation is suspended, media interviews may be conducted through alternate means facilitated by the TDCJ Communications Department through coordination with the warden and the director of the CID or PFCMOD. All other guidelines apply to these interviews and are subject to the discretion of the director of the TDCJ Communications Department.
- B. An interview with an inmate may be prohibited by the warden, after consultation with the director of the TDCJ Communications Department, when the interview, in the warden's judgment, would impair the rehabilitation of the inmate, detract from the deterrence of crime, negatively affect a victim or victim's family, disrupt the safety and security of the unit, or cause serious operational problems. In addition:
 - 1. Interviews with inmates who are housed in the TDCJ medical or psychiatric facilities are prohibited. Due to medical confidentiality laws, this reason will not be cited.

2. An interview may be prohibited when the inmate has been temporarily restricted due to disciplinary violations, or if the inmate has made threats against TDCJ employees or staff, other inmates, or other public officials.
3. An interview may be prohibited for a reasonable adjustment time for a newly received inmate or an inmate who has returned to prison due to parole revocation or sentence reinstatement.

C. Interviews with Death Row Inmates

1. Any media representative requesting an interview with a death row inmate shall submit the inmate's name to the TDCJ Communications Department at least 24 hours prior to the requested interview date. Requests will not be accepted at the unit of assignment. The number of inmates interviewed is limited by the capacity of the interviewing area.
2. Interviews with male death row inmates will be scheduled by the TDCJ Communications Department and conducted on Wednesdays, from 1:00 p.m. to 3:00 p.m., at the Polunsky Unit in Livingston, Texas. Interviews with female death row inmates will be scheduled by the TDCJ Communications Department and conducted on Tuesdays, from 1:00 p.m. to 3:00 p.m., at the Mountain View Unit in Gatesville, Texas.
3. Interviews with death row inmates are limited to one hour in length.
4. Interviews are not permitted with death row inmates on the day of their scheduled execution.

VII. Interviews with Inmates under Community Supervision

- A. The director of the TDCJ Communications Department, in coordination with the Parole Division director or the Community Justice Assistance Division (CJAD) director, or designee, will handle interview requests with inmates who are in residential reentry centers or other types of custodial facilities.
- B. Approval for inmate interviews will be made on a case-by-case basis using criteria such as the level of supervision, the type of facility where the inmate resides, and the willingness of the inmate to participate.
- C. Requests for interviews with parolees or probationers who live outside of a residential reentry center or other type of custodial facility will be handled by the director of the TDCJ Communications Department, in coordination with the Parole Division director, the CJAD director, or designee.

VIII. Witnessing Executions

- A. Media representatives who wish to witness an execution are required to submit a request no later than three business days prior to the scheduled execution. Requests

shall be prepared on official media outlet letterhead and faxed to the TDCJ Communications Department or sent from the media organization's corporate email account. The director of the TDCJ Communications Department or designee has the final authority to approve or deny the request.

- B. Preference to witness an execution will be given to media outlets located in the area where the capital crime was committed.
- C. A media representative from the Associated Press and a media representative from the Huntsville Item are guaranteed an opportunity to witness each execution.
- D. For the purpose of witnessing executions, the TDCJ does not recognize college or university newspaper reporters as media.
- E. For the purpose of witnessing executions, media outlets may only designate a media representative who is a regular employee of the news organization. Stringers and freelance reporters are not allowed.

IX. Other Conditions of Media Access

- A. Media access is considered distinct from other forms of access to inmates and will not be combined with other visits. Reporters who are or were formerly listed on an inmate's personal visitation list or Inmate Telephone System lists will not be recognized as media and will be ineligible for media access to a particular inmate, regardless of their actual media affiliation.
- B. Attorneys and family members are not allowed to be present during an interview of an inmate by a media representative.
- C. Media representatives may not be present during attorney visits or when family or friends visit inmates.
- D. Media access is prioritized by the TDCJ Communications Department according to the media outlet's deadline.
- E. Live television, radio or satellite interviews, and telephonic media interviews with inmates are prohibited.
- F. Inmates may not receive compensation for interviews or participation in any media project. Media found to be providing compensation to an inmate or inmate family will not be allowed access to any TDCJ facility.

- G. Requests for interviews of employees, contractors, vendors, inmates, parolees, or probationers may require coordination of interrelated division directors, department heads or designees at the discretion of the director of the TDCJ Communications Department.

X. Photographs of Inmates

Photographs or videos of inmates require the written consent of the inmate when the inmate's face can clearly be identified. Exceptions would apply to photos or videos showing the inmate from behind, or other angles, which would render individual identification impossible. Departmental identification photographs are considered public records and are available upon request.

XI. Access by Other Writers and Researchers

- A. Access to units and inmate interviews for editorial researchers, filmmakers, production companies, book authors, magazine writers, freelance journalists, and other non-news media representatives may be permitted on the same basis and under the same conditions as access by media described in Sections V through VII with the permission of the director of the TDCJ Communications Department. Scholastic research requests shall be made to Executive Services in accordance with AD-02.28, "TDCJ Research."
- B. Book authors, production companies, and freelance journalists shall provide a copy of their contract or agreement with a news organization, distributor, or publisher prior to obtaining authorization to interview an inmate.

XII. Contract Facilities

TDCJ contract facilities, such as private prisons, privately operated state jails, residential reentry centers, intermediate sanction facilities, and transitional treatment centers will, in coordination with the director of the TDCJ Communications Department and the director of the PFCMOD, provide for reasonable and responsible media access through written policy, practices, and procedures that are in accordance with confidentiality rules and regulations. This directive will be used as a guide for contract facilities.

Bryan Collier*
Executive Director

* Signature on file

TEXAS DEPARTMENT OF CRIMINAL JUSTICE
MEDIA RELEASE FORM
Formulario Divulgación de Medios de Comunicación

The undersigned inmate of the Texas Department of Criminal Justice (TDCJ) hereby signifies that the inmate freely and voluntarily consents to be photographed and/or interviewed by _____ on _____ for preparation of _____. It is understood that this material will be produced for _____ and it may be used and distributed on whatever basis deemed necessary by _____ without any further consent from the undersigned inmate. Inmates may not receive compensation for interviews or participation in any media project. Further, said inmate releases the TDCJ, its employees and agents from all claims and causes of action arising from production of said material.

El que suscribe preso del Departamento de Justicia Criminal de Texas (TDCJ) por la presente da a conocer que el preso libre y voluntariamente da su consentimiento a ser fotografiado y/o entrevistado por _____ en _____ para la preparación de _____. Se entiende que éste material será producido por _____ y puede ser usado y distribuido en cualquier base que se considere necesaria por _____ sin ningún consentimiento adicional del preso que suscribe. Presos no puede recibir compensación para las entrevistas o participación en cualquier proyecto de medios. Además, dicho preso libera a TDCJ, sus empleados y agentes de todos los reclamos y causas de acción derivadas de la producción de dicho material.

Notice to Inmate: If you agree to the interview and/or photograph, you are advised that any comments, statements, or images may be given or sold commercially by the person or organization to which you grant the interview and material may be used in any other medium without additional permission.

Aviso al Preso: Si usted está de acuerdo a la entrevista y/o fotografía, usted será notificado de cualquier comentario, declaraciones o imágenes que pueden ser dadas o vendidas comercialmente por la persona u organización a la que usted otorga la entrevista y el material puede ser utilizado en cualquier otro medio sin permiso adicional.

Name - Nombre

Unit - Unidad

Signature - Firma

Number - Numero

Witness - Testigo

Witness - Testigo

Formulario Divulgación de Medios de Comunicación (Entrevistas Múltiples)

It is understood that this material will be produced for _____
and it may be used and distributed on whatever basis deemed necessary by
_____ without any further consent from the undersigned inmate. Inmates may
not receive compensation for interviews or participation in any media project. Further, said inmate
releases the TDCJ, its employees and agents from all claims and causes of action arising from
production of said material.

El que suscribe preso del Departamento de Justicia Criminal de Texas (TDCJ) por la presente da a conocer que el preso libre y voluntariamente da su consentimiento a ser fotografiado y/o entrevistado por _____ en _____ para la preparación de _____. Se entiende que éste material será producido por _____ y puede ser usado y distribuido en cualquier base que se considere necesaria por _____ sin ningún consentimiento adicional del preso que suscribe. Presos no puede recibir compensación para las entrevistas o participación en cualquier proyecto de medios. Además, dicho preso libera a TDCJ, sus empleados y agentes de todos los reclamos y causas de acción derivadas de la producción de dicho material.

[illegible]

Witness - Testigo:



Texas Department of Criminal Justice

Bryan Collier
Executive Director

Bobby Lumpkin
Director, Correctional Institutions Division

BC 5.18.2021

EXECUTION WITNESS LIST

Quintin Phillippe Jones
EXECUTION #999379
May 19, 2021

OFFICIALS:

Clint McKee, Sheriff, Walker County
Christopher Cash, Texas Ranger
Jeff Oldham, General Counsel for Governor's Office
Bryan Collier, Executive Director, TDCJ
Oscar Mondoza, Deputy Executive Director, TDCJ
Bobby Lumpkin, Director, Correctional Institutions Division, TDCJ
John Werner, Deputy Division Director, CID
Eric Guerrero, Deputy Division Director, CID
Miguel Martinez, Deputy Division Director, CID
Cris Love, Inspector General, Office of the Inspector General, TDCJ
Lance Coleman, Regional Captain, Office of the Inspector General, TDCJ
Angie McCown, Director, Victim Services, TDCJ
Jeremy Desai, Director, Communications, TDCJ
Robert Hurst, Officer, Communications, TDCJ

REPORTERS:

Michael Graczyk - Associated Press
Joseph Brown - Huntsville Item

PERSONAL WITNESSES:

James Turney - Spiritual Advisor

VICTIM WITNESSES:

Charlotts Peoples - Sister of Clark Peoples
Chasity Peoples - Daughter of Clark Peoples

CHAPLAIN:

Carlton C.P. Hazlewood, Director Chaplaincy Headquarters (inmate chaplain)
Cynthia Lowry, Assistant Director of Chaplaincy (inmate chaplain)
Timothy Jones, Director of Volunteer Services and Operations (inmate chaplain)
Randall Lowe, Huntsville Unit Chaplain (inmate witnesses)
Wayne Moss, Estelle Unit Chaplain (inmate witnesses)

OTHER:

Janice Sager, Victim Services

May 21, 2021

Re: Execution of Inmate Jones, Quintin #999379

[REDACTED], Correctional Institutions Division (CID), confirmed this was not his first execution as [REDACTED].

[REDACTED] stated his role as [REDACTED] is to escort the transport of the inmate from the Polunsky Unit to the Huntsville Unit on the day of the execution. In addition, he listens to the conference calls, accompanies [REDACTED] to the cell, observes the escort of the inmate to the gurney and remains in the Housing Area during the execution. He is equipped with a radio and stated [REDACTED] communicates through the radio when the witnesses are moved to their respective room.

[REDACTED] confirmed he was aware of previous walkthroughs and that other divisions are involved. He stated representatives from Facilities Division, Office of the Inspector General and Rehabilitation Programs Division participated however no one from Communications or Victim Services Division were present.

To [REDACTED] knowledge, there are no written guidelines/protocols about the execution itself. He is aware of a document titled Execution Procedure-April 2021 however he stated he has not read it thoroughly.

[REDACTED] stated when [REDACTED], Huntsville Unit, was promoted he discussed his new role with him and mentioned he wanted him there earlier to visit with unit administration, [REDACTED] regarding those things.

When asked what happened, [REDACTED] stated the media did not get added in the group. Out of all the executions he attended it was the same communication, he thought everyone was there. [REDACTED] stated it is the role of [REDACTED] to coordinate when the condemned witnesses merge, sometimes Jeremy Desel, Communications Director, is waiting to catch in. When asked whose job it is to ensure this happens, [REDACTED] replied, all of ours. When asked why it happened, [REDACTED] replied, follow-up.

[REDACTED] stated he understood the magnitude, accepts responsibility and did not see any indicators that they needed to stop.

May 24, 2021

Re: Execution of Inmate Jones, Quintin #999379

[REDACTED], Huntsville Unit, stated he has been employed at the Huntsville Unit since 2008; however this was his first execution. [REDACTED] shared he assisted with the initial rehearsal and [REDACTED], Huntsville Unit, asked if he wanted to run the keys for the door. He acknowledged his participation was voluntary and his understanding is he will remain in this role.

[REDACTED] discussed his role during the execution process as controlling the door by the sally port and the one outside of the victim's witness room during this execution. He would see people leaving the Death House and let people through like [REDACTED], Correctional Institutions Division (CID) and [REDACTED], CID. [REDACTED] confirmed he participated in a rehearsal by opening & securing the doors, when the inmate would be brought in, victim's family, and the Spiritual Advisor. When asked if he was trained, he replied, no sir but stated he was comfortable in his role. During this execution, [REDACTED] stated he handled two doors by himself however, it was his understanding there are usually two people.

[REDACTED] stated he did not become aware of the media not coming in until he got home, his wife read an article online.

May 21, 2021

Re: Execution of Inmate Jones, Quintin #999379

[REDACTED] Huntsville Unit stated he was promoted to this position on May 1, 2021. He stated he was previously involved in the execution process as [REDACTED] however, he confirmed he was not aware of [REDACTED] role to communicate/contact the media witnesses.

[REDACTED] stated he understood what happened the night of the execution, the fact that the media was not in the execution chamber. He concurred that he was not aware that it was his responsibility to make sure that occurred and that no one trained or went over this process with him.

[REDACTED] learned of the incident after [REDACTED] Huntsville Unit, told him Jeremy Desel, Communications Director, was on the telephone upset and demanding to speak to someone. He initially reported to [REDACTED] Correctional Institutions Division (CID) that he came across a mistake.

[REDACTED] agreed that there are a lot of unwritten procedures and that he did not have a clear understanding of his role, was not trained and that no one articulated what he was supposed to do when communicating with the media. However, he did state that he was aware that his role was to take care of the victim witnesses, condemned witnesses and spiritual advisor making sure they did not cross paths. In addition, once the witnesses were in place, he knew to enter the condemned witness room and he agreed that people would know that is where he would be located. [REDACTED] stated he was not involved in the search/shakedown of the victim's witnesses as that was handled by [REDACTED] Huntsville Unit.

[REDACTED] confirmed he was involved in the practice runs that included escorting the spiritual advisor, victim's witnesses, and condemned witnesses however the media portion was not discussed. [REDACTED] confirmed he is now aware that it is [REDACTED] responsibility to tell the media to come over however, he was not previously.

[REDACTED] did not have anything additional to provide. He agreed that he is aware of the magnitude of this incident and did state personally as [REDACTED], it's the biggest thing he ever imagined. When asked if the agency trained, prepared, and educated him in this role, [REDACTED] replied, no sir.

May 21, 2021

Re: Execution of Inmate Jones, Quintin #999379

[REDACTED], Huntsville Unit, Correctional Institutions Division (CID) stated this was his first execution as [REDACTED] however, he was previously involved in the process as [REDACTED]. He agreed he was aware of the activities outside of the execution chamber as his supervisory level increased and at this level knows the media is there.

[REDACTED] stated the issue the night of the execution was the media was not called to walk over for the execution. He stated [REDACTED] is usually with the condemned witnesses across the street and the media usually walk over with them however, there were no condemned witnesses for this execution. He learned of the oversight after the process was over and [REDACTED], CID, and [REDACTED], Manufacturing, Agribusiness & Logistics Division asked him if the media came in. At that time, [REDACTED] stated he did know that they had the Associated Press and Huntsville Item there but did not know if they were brought over.

[REDACTED] stated [REDACTED] is responsible for coordinating the witnesses to their location and confirmed that he is new to his current position. When asked if there is any formal training, [REDACTED] replied mostly word of mouth, scenarios, walkthroughs and discussions about the process. When asked if we prepared or taught [REDACTED], Huntsville Unit, that it is his role to get the media there, he stated [REDACTED] knew to call the witnesses that he had previous experience like him. [REDACTED] was involved in all discussions, meetings, walkthroughs, scenarios and trainings that were conducted prior to the execution. [REDACTED] also has previous experience in the execution process. [REDACTED] confirmed there is a document identifying the people who are coming in and it is provided to [REDACTED] escorting the witnesses, those involved will see it.

[REDACTED] stated [REDACTED] is in the room with the Correctional Institutions Division (CID) Director during the execution process and that he would escort the Texas Ranger and Office of the Inspector General staff to the back. He discussed the location of the Tie Down Team and confirmed he assists with the necessary phone calls to the Warden's office. [REDACTED] stated it falls to [REDACTED] to coordinate the witnesses to their location and after the last witness is in their designated room [REDACTED] steps in the condemned witness room and waives his hand and the doors are locked.

[REDACTED] concurred that he was aware other divisions are involved in the execution process, CID, Communications, Office of the Inspector General, and Rehabilitation Programs Division however, he stated that during the walkthroughs everyone except media participated.

[REDACTED] concurred that he did not notice any flags that the media was missing. He stated the last conversation he had with Jeremy Desel, Communications Director, was about rapid testing the media.

[REDACTED] added it is up to those involved in the execution process to mitigate the black eye, and unfortunately, they didn't do that. He is embarrassed and should have done better, they dropped the ball and are taking steps to ensure it does not happen again.

May 26, 2021

Re: Execution of Inmate Jones, Quintin #999379

[REDACTED], Huntsville Unit, Correctional Institutions Division (CID) stated he has been in this role for six months and this was his first execution as [REDACTED]. Prior to 2013, his involvement was as [REDACTED] at the Huntsville Unit. When asked what we forget last week, [REDACTED] responded, forgot to get media to come over.

[REDACTED] stated his primary role was to ensure every aspect is carried out, everyone understands their role and if not explain; he didn't do that. He discussed how he is positioned in the back with the inmate and spiritual advisor, making sure the spiritual advisor does not jerk out the lines; he is present from the time the inmate is strapped down until the process is complete and the witnesses are escorted from the room. [REDACTED] shared the location of the witnesses prior to the execution, victim's witnesses on the second floor conference room and condemned and media across the street at the IT Building. [REDACTED] stated everything was the same when he was [REDACTED] and never had a mishap before. He talked to Jeremy Desel, Communications Director, before 5:00 p.m. that day, Mr. Desel inquired about rapid testing the media. It was discussed with [REDACTED] he asked Mr. Desel have they had the vaccine, both shots and Mr. Desel replied I will check. [REDACTED] said if so, no need to rapid test. [REDACTED] confirmed with Mr. Desel that the media would be on the victim's witness side during the execution. This information was conveyed to [REDACTED]. [REDACTED] stated typically, as [REDACTED] of the Huntsville Unit, when there was no condemned witnesses typically the media is waiting at Parole and Discharge, why they weren't this time, he could not answer.

When asked how he learned the process, [REDACTED] replied [REDACTED], Correctional Institutions Division (CID) and [REDACTED], Manufacturing, Agribusiness & Logistics Division and [REDACTED] of the Huntsville Unit. [REDACTED] came over at 9:00 a.m. the morning of the execution and went through calls and sat with him throughout the day, waiting for calls/emails. That afternoon, [REDACTED] stated he received a call that everything was satisfied in the court; he revealed he was not aware that he was supposed to send a text message to [REDACTED], CID and the CID [REDACTED] until [REDACTED] asked him about it; [REDACTED] indicated [REDACTED] did not appear to be aware that he should be expecting a message from him.

[REDACTED] concurred they did several dry runs, five or six prior to the last stay of execution that was received. The purpose was to make sure of the rhythm of who goes where. He stated they were internally with the Tie Down Team and some with [REDACTED]. Role play included the victim and condemned witnesses however, not the Office of the Inspector General staff or Media. Based on a statement previously made by staff, [REDACTED] was asked to confirm that during a walkthrough if a Director had asked why this one took so long. [REDACTED] replied that [REDACTED] did make that statement; however, he discussed with him this is reality and sometimes it may take a few minutes longer.

[REDACTED] explained how the Spiritual Advisor was authorized a visit from 3:00-5:00 p.m. on the day of the execution. [REDACTED] instructed him to be there at 2:30 however, he arrived at 1:40 p.m. In addition to the Spiritual Advisor being present there was also a number of Rehabilitation Programs Division staff present: ([REDACTED])

[REDACTED]). Due to the spiritual advisor arriving early, [REDACTED] asked if they could start the visit however, [REDACTED] denied the request and said they would stick to the scheduled time; at 3:00 p.m. the Spiritual Advisor began his visit with the inmate.

Re: Execution of Inmate Jones, Quintin #999379

Approximately 10-minutes later, [REDACTED] notified [REDACTED] that the inmate wanted to speak with his attorney. [REDACTED] replied if the inmate wanted to speak with his attorney, the Spiritual Advisor had to come out; at that time the Spiritual Advisor was moved to the barber shop with the [REDACTED] and OIG staff member. [REDACTED] approached [REDACTED] before 5:00 p.m. and stated the Spiritual Advisor wanted to pray with the inmate. [REDACTED] advised the inmate however, the inmate did not want to and said he would see him in the chamber.

At 5:40 p.m. [REDACTED] participated in a call with the Governor's and Attorney General's Office; they obtained confirmation everything was good to move forward. At 6:00 p.m., [REDACTED] proceeded to the back to enter the execution area to initiate the process. [REDACTED] was positioned in the room with the inmate, Spiritual Advisor, and OIG staff; he discussed the process from the point of removing the inmate from the cell until the process was complete.

[REDACTED] revealed when he opens the curtains, that is the cue for [REDACTED] to bring the witnesses. The Spiritual Advisor and one OIG staff come in the room with the inmate; victim's witnesses on the left and condemned on the right; he noted everything is staged so they do not cross paths with one another. Since there were not condemned witnesses, [REDACTED] stated the media was supposed to go on the victim's side. When he glanced towards the victim's witness room, he saw [REDACTED], victim's representative, Charlotte Peoples, victim's sister and three OIG employees (he could identify two of the three OIG staff). He stated typically there is only one OIG employee in that room. [REDACTED] stated he knew from the sound of the doors closing in the witness rooms, that it was different. He heard the first door close, second door close, then [REDACTED] opens the door and informs [REDACTED] he may proceed. [REDACTED] stated he had a cheat sheet in the palm of his hand so he didn't mess anything up, got satisfied and started.

He shared at this execution, there wasn't supposed to be anyone on the condemned witness side. [REDACTED] indicated maybe [REDACTED] didn't understand how he directed him when [REDACTED] was [REDACTED], he always stepped in and waived and stepped out. At 6:41p.m. when the victim's witness stepped out, he was wondering why someone was on the condemned witness side, he expected it to be empty.

[REDACTED] said maybe he failed not giving precise instruction. [REDACTED] shared when he was [REDACTED] there, he had [REDACTED] train him. He would watch people as they came in, check them in on the sheet, get them to their designated location and have conversation with them about the conditions. In addition, when he was [REDACTED], he indicated, media would come over to the Parole & Discharge Office and he would find out who was going where. He identified the witness staging locations as follows: victim's witnesses 2nd floor conference room and condemned and media witnesses across the street at the IT Building. Jason Clark was the Public Information Officer at the time, if there were no condemned witnesses they would come over to the Parole & Discharge Office. [REDACTED] stated where he feels he failed is ensuring [REDACTED] understood all this. He relayed he hired [REDACTED] as [REDACTED] in 2011-2012. When [REDACTED] was [REDACTED] at the Huntsville Unit, he stated he took him on the shakedown of witnesses, they went through the process. Last month, [REDACTED] stated him and [REDACTED] met for 30-40 minutes, he asked him if he understood what he was doing and [REDACTED] told him, I got it, I got it. [REDACTED] shared he took him for his word, I feel I failed [REDACTED]. [REDACTED] knew to check on witnesses, knew to go over there. When asked if he was familiar with the different pieces going on the night of an execution, [REDACTED] replied, yes sir.

Re: Execution of Inmate Jones, Quintin #999379

[REDACTED] became aware of the media not being brought over after the 6:40 time of death, the victim witnesses stepped out and he saw [REDACTED] in there and knew it was not right. Although [REDACTED] thought it went smoothly, [REDACTED] was thinking he missed something. At that time, he looked at [REDACTED] and knew something was up, [REDACTED] told him he would be up front in a minute. [REDACTED] proceeded to the barber shop and [REDACTED] told him what happened; [REDACTED] was there and said, I messed up and [REDACTED] stated he put his head down.

[REDACTED] confirmed he is planning on suggesting four new radios, on the same station and for the media to have an officer assigned to them. [REDACTED] confirmed there is currently no uniform individual with the media however, that will be his proposal.

[REDACTED] confirmed he has the Execution Procedure – April 2021 however, he did not provide [REDACTED] with a copy. When he was [REDACTED] the document was not shared with him.

[REDACTED] stated as he said in the beginning it belongs to me, it's on me.

[REDACTED] did a walkthrough of the staging location (IT Building) for the media and condemned witnesses. During the walkthrough, it was discovered that Mr. Desel and the media were relocated in the IT building from Room 106 to Room 113. [REDACTED] was not aware they had been relocated.

[REDACTED], Polunsky Unit, Correctional Institutions Division (CID) stated his role during the execution is to provide staff support; this was his second execution since becoming [REDACTED] of the Polunsky Unit. Due to the inmate being in his custody during his incarceration, he sees the process until the end. If the inmate's execution is halted, he will coordinate the transportation of the inmate back to the Polunsky Unit. He confirmed he has a copy of the Execution Procedure-April 2001

[REDACTED] acknowledged he participated in walkthroughs concerning the addition of the Spiritual Advisor prior to the execution. Included in the walkthroughs were himself, [REDACTED], CID; [REDACTED], Huntsville Unit; [REDACTED], Ellis Unit; and the Tie Down Team. [REDACTED] is aware other divisions play an integral part in the process however, he did not recall who else was there. He stated his training came from being [REDACTED] at the Polunsky Unit, he would come watch.

[REDACTED] stated he stays in the back until the inmate is pronounced deceased and is not aware of who brings in the witnesses or the media. He became aware the media was not brought over when he heard Jeremy Desel, Communications Director, on the phone talking about it, however, Mr. Desel did not come up to him personally.

[REDACTED] stated he hated the way it happened and felt like everyone was doing due diligence on their part.

May 21, 2021

Re: Execution of Inmate Jones, Quintin #999379

[REDACTED], Correctional Institutions Division (CID) stated this was not his first execution, he witnessed one previously as [REDACTED] and three in 2020 as [REDACTED]. His understanding of what did not occur at the execution is the media witnesses were not brought to the room.

To [REDACTED] knowledge, [REDACTED] is tasked with the media and it is understood by management that is his role. However, he was not aware if [REDACTED] was trained, orientated, or talked to regarding his role. [REDACTED] revealed his role during the execution process is to inform [REDACTED], CID, when doors are secured, and witnesses are in their respective room.

[REDACTED] was aware that other divisions are involved in the execution process however, previous walkthroughs included CID, Facilities Division, Office of the Inspector General and Rehabilitation Programs Division staff however, there was not a representative from Communications or Victim Services Division present.

[REDACTED] was made aware that once the condemned witnesses are called, the media falls in behind them. [REDACTED] stated he had some dialogue with [REDACTED], Huntsville Unit after the execution and he asked him what happened? [REDACTED] replied he did not think about the media because there was no condemned witness. [REDACTED] concluded that he believed he knew his task. [REDACTED] plan was to go back on Friday, May 21, 2021 to discuss further, find out what happened and have a more understanding of the entire process.

[REDACTED] agreed the media not being brought in is a significant issue and stated it's the entire team's failure. He stated he feels terrible, let everyone down and it will never happen again.

[REDACTED]

Statement of [REDACTED]

[REDACTED] Manufacturing, Agribusiness and Logistics Division

May 21, 2021

Re: Execution of Inmate Jones, Quintin #999379

[REDACTED], Manufacturing, Agribusiness and Logistics Division confirmed he was not present at the Huntsville Unit on the day of the execution however he was aware of the oversight concerning [REDACTED] not calling for the Media.

[REDACTED] discussed the execution process in his [REDACTED] position as [REDACTED], Correctional Institutions Division (CID). He indicated he did not have a specific role as [REDACTED], CID [REDACTED] handled. He conveyed how this put him at a disadvantage. however, he would familiarize himself with the information in the inmate's folder, who was where to include the media, give guidance regarding extra people being present and position himself to monitor movement prior and up to the execution. [REDACTED] confirmed media was present during those executions. Jeremy Desel, Communications Director, would escort them however [REDACTED] would orchestrate, and [REDACTED] knows when to call the witnesses. [REDACTED] stated he does not know why [REDACTED] would not be sure [REDACTED] knew his task.

[REDACTED] cautioned [REDACTED] about making changes as they have been doing this for a while. [REDACTED] stated [REDACTED] requested [REDACTED], Manufacturing, Agribusiness and Logistics Division to assist with the execution and [REDACTED] agreed. [REDACTED] also offered his assistance.

To [REDACTED] knowledge, when the execution process was initiated, he was not aware if Mr. Desel, ever called [REDACTED]. [REDACTED] did not believe so, stated he could have sent a text and he would not have known.



May 24, 2021

Re: Execution of Inmate Jones, Quintin #999379

[REDACTED], Huntsville Unit, stated this was not her first execution, she has been assisting since 2010-2011. She learned of the incident concerning the media after coming from the execution area, it was shared with her the way Mr. Desel came over and said they forgot to bring over the media.

[REDACTED] stated her role is to escort the victim's witnesses who are staged in the conference room on the second floor of the Huntsville Unit. She discussed how [REDACTED] will contact her to bring the witnesses down and [REDACTED] will escort them to the other side. After the execution, [REDACTED] stated she escorts the victim's witnesses back to the conference room. For this execution there were supposed to be two victim witnesses however only one came in. She concurred there were no condemned witnesses however, [REDACTED], Huntsville Unit, would have taken care of them. [REDACTED] was not aware who was responsible for bringing the media in. She acknowledged she was formally trained by [REDACTED] on how to do her job. When asked if anyone else provided training, she replied, primary [REDACTED] and by her asking questions.

[REDACTED] agreed that rehearsals were held and the purpose was due to the addition of the Spiritual Advisor and Office of the Inspector General employee being located in the chamber. [REDACTED] recalled the following divisions being included in the rehearsals, Facilities Division, Rehabilitation Programs Division and Office of the Inspector General however, did not recall Communications being present. Although [REDACTED] was aware that other divisions take part in the execution process, she stated she was more focused on her role and what she was doing.

When asked if [REDACTED] talked to her in a meeting setting, she replied yes. [REDACTED] stated [REDACTED] told her to notify him when the Spiritual Advisor is being escorted to the death chamber. She recalled being involved in two rehearsals and agreed she had an opportunity to ask questions however, she was clear on her role and chose not to.

May 24, 2021

Re: Execution of Inmate Jones, Quintin #999379

[REDACTED], Huntsville Unit, stated she has been involved in the execution process since 2015. At that time, she was [REDACTED] and they asked if she would be willingly to interpret a final statement by a Spanish speaking inmate and she agreed. When asked if she was aware of the incident involving the media, she replied, we forgot to go get the media.

She also served in roles such as escorting the victim and condemned witnesses, filling in if a teammate is absent and working crowd control at the 2nd barricade. [REDACTED] discussed her role during this execution was to serve as the "runner" for [REDACTED]. As the runner, [REDACTED] discussed how she is staged in the Warden's Office and is responsible for notifying [REDACTED] of the time the inmate is removed from the cell; strapped on the gurney; when the solution begins; and the inmate is pronounced deceased.

In the process of the last statement being typed up, [REDACTED] stated [REDACTED], Warden's Office, received a call from an individual asking to speak with [REDACTED], Huntsville Unit. [REDACTED] relayed to the caller he was not available. Approximately a minute later, Jeremy Desel, Communications Director, called and asked what's going on, we are still back here, no one came and got us. [REDACTED] revealed she hung up and immediately told [REDACTED], Huntsville Unit, that Mr. Desel was on the phone very upset and [REDACTED] stated what do you mean, forgot the media. [REDACTED] then left to go tell someone.

[REDACTED] was not aware of who's responsible for bringing the media over. She stated with all the changes she was not sure, sometimes its different officers that get assigned to be at the IT building. She confirmed that there was a victim's witness and no condemned witness.

To her knowledge there are no written policies regarding the execution process however, she does feel trained and prepared. [REDACTED] acknowledged that she is not sure how it all works because she is not directly involved unless asked to fill in. She confirmed her participation in walkthroughs and relayed the purpose was so everyone knew their role and were comfortable with it, they did it so many times. She agreed the walkthroughs included other divisions however, the media was not included.

[REDACTED] apologized that it happened, said it was a big mistake, and maybe if she would have asked who was the officer assigned across the street maybe something would of triggered about the media.

May 24, 2021

Re: Execution of Inmate Jones, Quintin #999379

[REDACTED], Correctional Institutions Division (CID) stated he has been in his current role for a year and a half and this was not his first execution. He stated his understanding of the incident is that the media witnesses were not called to come over to the Death House.

[REDACTED] discussed how he was trained for his role by [REDACTED], he shadowed her during his first execution and she served as his back up for the second execution. That was the extent of the training he received. [REDACTED] stated to his knowledge, there is nothing documented to train for this job.

On the day of the execution, at approximately 5:30 – 5:45 p.m., [REDACTED] stated he reviews the inmate's packet to familiarize himself with the information and contacts the Attorney General's Office to verify he has the correct phone number. During the execution process, while staged in [REDACTED] Office, [REDACTED] calls the Attorney General's Office and facilitates transferring a call to the Death House. Upon completion of that call, he remains on the line and relays the time the inmate was escorted from his cell, last statement, IV Solutions administered and when the inmate is pronounced deceased. This information is obtained from [REDACTED], Huntsville Unit, who is also located in the Warden's Office.

[REDACTED] stated he became aware the media was not called over when he was waiting for the final statement and Jeremy Desel, Communications Director, came from the Warden's Secretary's area. He asked Mr. Desel if there was a problem and Mr. Desel replied, we had an execution without media. [REDACTED] proceeded to the Assistant Warden's Office and asked [REDACTED] to contact [REDACTED]. [REDACTED] discussed how Mr. Desel moved around and was visibly angry, that's when [REDACTED] came in and they went to [REDACTED] Office.

[REDACTED] confirmed he was involved in two different run-throughs, the first one did not simulate the phones calls and the second one did. He was aware that Rehabilitation Programs Division (Chaplaincy) and Office of the Inspector General were there however, he does not recall Communications being present.

[REDACTED] was not aware of the media role, however, he did recall [REDACTED] assisting with the victim's witnesses. He stated approximately a year ago, things changed where the number of people was limited. When asked if he was aware of the Execution Procedure – April 2021 document, he replied he received it a few months ago and has read it a few times. Since the incident with the media, he has read the document an additional three times. He acknowledge being aware of some of the processes in the document from his position as [REDACTED] at the Polunsky Unit.

[REDACTED] stated the only change he is aware of in his role is with [REDACTED] however [REDACTED] was there shadowing [REDACTED]. From his perspective, everything else was the same.

[REDACTED], Manufacturing, Agribusiness & Logistics Division stated he [REDACTED] served as [REDACTED] of the Huntsville Unit. As [REDACTED] of the Huntsville Unit, [REDACTED] concurred failing to get the media over is a significant oversight. He stated to his knowledge the main issue is [REDACTED] was not trained correctly on the process to bring the witnesses. He communicated that [REDACTED], Huntsville Unit, was once [REDACTED] at that facility and he taught him the procedures to include shakedown.

[REDACTED] discussed how he went to the Huntsville Unit on the morning of the execution and sat with [REDACTED] through phone calls and they went through the process. He also asked [REDACTED] if he knew what he was doing and if [REDACTED] knew and understood what he was doing, [REDACTED] told him yes. [REDACTED] asked [REDACTED] who is going where, and he told him the media was sitting with the victim's witnesses.

After the execution, [REDACTED] stated he received a phone call from [REDACTED], who said Jeremy Desel, Communications Director, was in the entry way by the Warden's Office and was upset. When [REDACTED] arrived up front, Mr. Desel was speaking loudly on the phone, so [REDACTED] instructed him to enter the Warden's Office with him and directly [REDACTED], Correctional Institutions Division (CID), followed. [REDACTED] stated he then left the Warden's Office to locate [REDACTED] and [REDACTED], Huntsville Unit. [REDACTED] asked [REDACTED] what happened, didn't you shakedown and [REDACTED] replied, he didn't know. [REDACTED] then asked [REDACTED] what happened, and he responded by putting his head down. [REDACTED] shared he spoke with [REDACTED] the next morning and again asked what happened; [REDACTED] answered with [REDACTED] thought the witnesses would be sitting in the Parole & Discharge Office, he just didn't know, it's my fault.

[REDACTED] concurred there are a lot of unwritten procedures and [REDACTED] task is to facilitate the witnesses. He stated [REDACTED] should be aware/prepared for his primary task at the execution which is searching everyone at 5:00 p.m. and to make sure the witnesses do not cross paths. [REDACTED] expressed to [REDACTED] previously that he and [REDACTED] have to be engaged in all aspects of the execution.

[REDACTED] explained the presence of [REDACTED] of the Ellis and Polunsky Units. The Ellis Unit [REDACTED] is there in the event the Huntsville Unit [REDACTED] needs to be relieved and the Polunsky Unit [REDACTED] is there if a situation arises as he may have a rapport with the inmate.

[REDACTED] discussed his knowledge of the changes that have been made since he was involved with the execution process. He concurred that he participated in walkthroughs that included the new CID leadership and [REDACTED], Huntsville Unit however, there were no representatives from Communications, Rehabilitation Programs Division or Victim Services present.

[REDACTED] stated he did not understand how this happened. Although he was upset after Mr. Desel acted the way he did towards [REDACTED], he stated if we would have moved it wouldn't have happened. [REDACTED] closed by offering his assistance in the future.

May 20, 2021

Re: Execution of Inmate Jones, Quintin #999379

[REDACTED], Correctional Institutions Division (CID) identified the Huntsville Unit leadership as [REDACTED]. He indicated these employees were recently promoted to their current positions however, they have all been involved in the execution process in previous capacities.

[REDACTED] provided an overview of the execution preparations taken by CID, stating several mock executions walkthroughs were conducted in the spring and again prior to the scheduled execution of inmate Jones. Most recently on May 14, 2021, a walk through took place that lasted approximately two hours. Again, on May 18, 2021, five were conducted, four with [REDACTED] and one with [REDACTED], Ellis Unit, as she serves as a backup in the absence of [REDACTED]. The walkthrough focused on what occurs in the execution area to include securing the inmate to the gurney, drug team and witnesses. Staff from CID, Office of the Inspector General and Rehabilitation Programs Division participated. However, the walkthroughs did not include Communications or Victim Services Division staff due to them being familiar with the internal process, [REDACTED] indicated uniform staff played their role for placement in the room.

[REDACTED] stated he arrived at the Huntsville Unit at approximately 4:15 p.m. on the day of the execution and was aware there were two victim witnesses, no condemned witnesses and two media witnesses that were scheduled to view the execution. [REDACTED] described the staging area for the witnesses as follows: victim witnesses remain on the second floor of the Huntsville Unit with a staff member and staged at the Information Technology Division Building are the condemned witnesses with a staff member and the media witnesses with Jeremy Desel, Communications Director. [REDACTED] recalled Mr. Desel coming over to the Huntsville Unit at approximately 5:00 p.m. and asked if the two media witnesses should be rapid tested and if they could be in the same room as the victim's witnesses during the execution. [REDACTED] elected not to rapid test the media witnesses (Mr. Desel stated both media witnesses had been vaccinated) and agreed to their placement with the victim's witnesses. [REDACTED] stated at 5:15 p.m. CID staff [REDACTED] should have gone across the street and pat searched the media/witnesses.

At approximately 5:40 p.m. [REDACTED] stated he participated in a conference call with the Governor's Office, Attorney General's Office and the Court of Criminal Appeals. At approximately 6:00 p.m., he recalled making his way to the execution area to begin the execution protocol. During this time, [REDACTED] was tasked with overseeing the movement of the witnesses and spiritual advisor from their respective location to the execution area along with contacting Mr. Desel via phone to escort the media witnesses from across the street. [REDACTED]

[REDACTED] are equipped with a handheld radio/earpiece to communicate the movement of witnesses to ensure they enter the execution area at different times.

After speaking with the respective offices and receiving confirmation to proceed with the execution, [REDACTED] stated his focus was on what was taking place inside the execution room. Upon [REDACTED] opening the curtain to the witnesses, [REDACTED] indicated he saw approximately six people in the witness room to the left and [REDACTED] step into the witness room on the right however, he was not able to positively identify all the individuals present.

[REDACTED] revealed he received a text from Mr. Desel at 6:12 p.m. asking what's up, court clear, to which [REDACTED] answered 'yes.' Mr. Desel also texted 'Gov?' and [REDACTED] responded, we are good. At that time, he was unclear as to why Mr. Desel was texting him, he did not recall [REDACTED], CID [REDACTED], talking to Mr. Desel during prior executions. Mr. Desel sent a follow up text, ok, just waiting on a call, thanks. [REDACTED] stated it never dawned on him that Mr. Desel was not there until the drug team was leaving and Mr. Desel was calling him. At that same time, he stated [REDACTED]

May 20, 2021

Re: Execution of Inmate Jones, Quintin #999379

[REDACTED], Manufacturing, Agribusiness & Logistics Division, was receiving calls from the Warden's Office so [REDACTED] went up front.

[REDACTED] stated he also proceeded to the warden's office where he met [REDACTED] and Mr. Desel. At that time, Mr. Desel stated he previously called [REDACTED] and told him two media witnesses would be present with the victim's witnesses. [REDACTED] stated at that moment is when he validated what happened, that the media was not brought over to witnesses the execution of inmate Jones.

Working Papers

May 21, 2021

Re: Execution of Inmate Jones, Quintin #999379

[REDACTED], Correctional Institutions Division (CID), confirmed he has attended previous executions as [REDACTED] however, this was his first execution as [REDACTED]. He stated he was not given an extensive role during this execution but was present to provide support as needed. During the execution, [REDACTED] was staged in the housing area along with [REDACTED] [REDACTED] Huntsville Unit; Office of the Inspector General employee; Texas Ranger and a doctor.

Prior to the day of the execution [REDACTED] stated he was included in multiple extensive role plays that included the following CID staff, [REDACTED] [REDACTED] Huntsville Unit along with [REDACTED] Huntsville Unit [REDACTED]. He stated the purpose of the role play was to concentrate on the addition of the spiritual advisor, the table being turned, and the warden repositioned in the room. Also, [REDACTED] went through the phone calls, timing, and witnesses changing sides. [REDACTED] concurred he is aware other divisions are involved in the process; however, Chaplaincy was the only other department that was present.

[REDACTED] stated he became aware of the oversight after everything was done and [REDACTED] was trying to locate [REDACTED] and stated, I think we forgot the media. [REDACTED] exited the unit to take [REDACTED] back to his location and [REDACTED] called and instructed him to wait. [REDACTED] met them outside of the Huntsville Unit and told [REDACTED] that the media was not brought in as witnesses.

[REDACTED] added after he dropped off [REDACTED] he returned to the unit. At that time, he saw Jeremy Desel, Communications Director, upset while entering the Warden's Office. He recalled Mr. Desel asking what happened and [REDACTED] told him I understand what happened, it was not intentional, thought you were in there.

[REDACTED] stated as he was leaving, [REDACTED], Huntsville Unit, was outside in front of the unit upset. [REDACTED] relayed I think it was my duty to bring the media over, I failed, it's my fault. [REDACTED] confirmed he was okay and their conversation ended.

May 24, 2021

Re: Execution of Inmate Jones, Quintin #999379

[REDACTED] Correctional Institutions Division (CID) stated she has been in her current role for almost three years and this was not her first execution. [REDACTED] understanding of the incident is, forgot to go get the media.

[REDACTED] discussed her role as [REDACTED] during an execution is to call the Governor's Office, however in this instance was the Lieutenant Governor's Office. Prior to the execution, [REDACTED] reads the inmate's packet and contacts the Governor's Office to confirm the number. Upon [REDACTED], CID, walking out, [REDACTED] enters the Assistant Warden's Office to facilitate a call to [REDACTED] and remains on the line to relay the sequence of events including times to the Governor or Lieutenant Governor's Office. This information is obtained from [REDACTED], Huntsville Unit, who was the designated runner at this execution. Previously, [REDACTED] stated she was previously involved in the execution process on the Tie Down Team when she was [REDACTED], she would fill in for [REDACTED].

[REDACTED] confirmed there were prior rehearsals of the execution process. The purposes was due to this being the first execution for [REDACTED], Huntsville Unit and [REDACTED] in their current role. [REDACTED] is aware there are different divisions involved with the execution process and that there were witnesses there for this execution and when asked whose role it is getting witnesses in place, [REDACTED] replied [REDACTED]. In reference to who is with the condemned witnesses, [REDACTED] stated currently [REDACTED], Huntsville Unit, previously it was [REDACTED]. She shared that media would come with the condemned, they would walk together and go to the same room. [REDACTED] said she asked where [REDACTED] was, how missed? [REDACTED] response was there were no witnesses, Jeremy Desel, Communications Director, was over here.

[REDACTED] learned the media was not brought over when she walked out of the office to find out about the final statement. She learned through Jeremy Desel, Communications Director, yelling and cursing. She walked past Mr. Desel, he and [REDACTED] CID, were talking in the foyer. She asked [REDACTED] if he was ok, and Mr. Desel said, using profanity, it's not ok, the media was not brought in. [REDACTED] stated she returned to the Assistant Warden's Office and told the caller she would call them back and then contacted the Death House and asked to speak with [REDACTED], CID.

May 24, 2021

Re: Execution of Inmate Jones, Quintin #999379

[REDACTED], Huntsville Unit, stated she began employment with the agency on March 29, 2021 and this was her first execution. Her understanding of the incident is that the media was not taken back to witness the execution.

She discussed her role on the night of the execution as administrative support, specifically the account of times, recording final statement, handling paperwork and making phone calls. She acknowledged receiving adequate training from [REDACTED] and [REDACTED].

She stated the woman who works with Jeremy Desel, Communications Director, called and stated Mr. Desel needed to speak with [REDACTED], Huntsville Unit. [REDACTED] relayed to her that he left his phone in his office and he was still down there which she replied, what do you mean he's still down there and at that point [REDACTED], Huntsville Unit, took over the call.

[REDACTED] discuss how she became aware the media was not brought in when Mr. Desel walked into her face in the office; he entered the office by slamming the door open, it hit the wall and his face was beet red. [REDACTED] relayed to him she did not have anything to do with taking anyone back. At that time, Mr. Desel was talking loudly on his cell phone and [REDACTED] notified [REDACTED], Manufacturing, Agribusiness & Logistics Division.

[REDACTED] was not aware of who was tasked with taking the media back or if everyone was fully aware where people were located. Mr. Desel had come into their office however later was not on the unit, it seemed off to her.

May 24, 2021

Re: Execution of Inmate Jones, Quintin #999379

[REDACTED], Huntsville Unit, stated he has been employed at the Huntsville Unit since 2001. He has [REDACTED] held the position of [REDACTED]. He concurred his involvement in the execution process is voluntary and began in 2008 when he was [REDACTED].

[REDACTED] stated his role on the day of the execution is on the Tie Down Team as a Team Lead and assisting with escorting the witnesses from the sidewalk to their respective room, ensuring their paths do not cross. When asked about who is with the witnesses, he stated [REDACTED], Huntsville Unit, is with the victim's witnesses and [REDACTED] Huntsville Unit, is with the condemned witnesses. He recalled there were no condemned witnesses however under normal circumstances, media is there.

[REDACTED] stated he did not know until after the execution that the media does not wait in the Warden's Office. [REDACTED] acknowledged that he learned about the media not being brought over when he heard people talking about Jeremy Desel, Communications Director, coming in upset. No one came and told him personally.

[REDACTED] discussed how he learned his role, mostly by seeing/doing and some from the people before him. Although he stated he felt there is no structure, he agreed that he is adequately prepared/trained for what he does. [REDACTED] confirmed he is not familiar with the Execution Procedure-April 2021 document.

[REDACTED] stated this is a big deal and as a team we know we messed up, everyone strives to avoid mistakes and obviously this was not done on purpose.

[REDACTED], Ellis Unit, Correctional Institutions Division (CID) stated she assumed her role in the execution process in 2014. She serves as the back-up to [REDACTED] of the Huntsville Unit in case he cannot fulfill his duties. [REDACTED] confirmed she is familiar with the Execution Procedure-April 2021 document, [REDACTED] Huntsville Unit, recently provided her a copy.

[REDACTED] shared she became aware of the media not being brought over immediately after the execution. She along with some agency officials and Texas Ranger Rogers were standing in the foyer when she saw Jeremy Desel, Communications Director, talking on the phone, animated/loud stating he didn't know how to handle, it is a significant issue.

[REDACTED] acknowledged being involved in walkthroughs prior to this execution, specifically numerous with leadership and numerous times without leadership. The purpose was to run through the process with the team due to the addition of the Spiritual Advisor. [REDACTED] relayed she knows the team was working hard as this was the first execution for the new administration in their current role. She discussed how she was trained by [REDACTED], Manufacturing, Agribusiness & Logistics Division and [REDACTED], CID and [REDACTED]. [REDACTED] provided her with a checklist and advised her to absorb all the information she could. [REDACTED] was always given direction on changes of the process by [REDACTED] of the Huntsville Unit and leadership.

[REDACTED] concurred she knew the general location of the witnesses, victim witnesses upstairs with a staff member ([REDACTED], Huntsville Unit), condemned witnesses across the street with a staff member ([REDACTED], Huntsville Unit) and normally the media comes over with the condemned witnesses.

[REDACTED] stated we dropped the ball and could have all communicated better. Don't know why we didn't call, we all had phones and the IV was delayed, took some time to get it in.

When asked if there was anything she saw where we need to do better, [REDACTED] recommended putting a designated person with the media, additional radios to improve communication, and provide a list of where people are located.

May 24, 2021

Re: Execution of Inmate Jones, Quintin #999379

[REDACTED] Huntsville Unit, stated this was not her first execution; she has worked in the Warden's Office for the last 16-17 years. Her understanding of what did not occur at the execution was that Jeremy Desel, Communications Director, did not know to come over.

[REDACTED] discussed her role on the day of the execution which is to provide administrative support in the Warden's Office. Some of her specific tasks include making phone calls, documenting times during the execution process and assisting with documenting the final statement. She confirmed she is not involved with the protocols in the Execution Chamber. When asked if she received specific training, she replied she felt like it, she trained with an individual named [REDACTED].

[REDACTED] is aware there are a lot of unwritten policies regarding the execution process. She had some knowledge concerning witnesses (victim, condemned and media) being present however, she was not aware of who is tasked with ensuring Mr. Desel is notified to come over.

To her knowledge, there were a bunch of practice runs and she was aware of other divisions being involved however, she did not recall Mr. Desel being present. She did identify the following individuals as being present: [REDACTED], Manufacturing, Agribusiness & Logistics Division and

[REDACTED], Huntsville Unit; [REDACTED]

[REDACTED] and chaplains.

When asked at what point she realize the media was not there, she replied when Mr. Desel came in the Warden's Office upset and asked everyone why didn't ya'll come and get me.

Correctional Institutions Division

May 20, 2021

Re: Execution of Inmate Jones, Quintin #999379

[REDACTED], Correctional Institutions Division (CID) stated his role during the execution was to monitor the process inside the room until completion.

[REDACTED] indicated after the execution, he watched the witnesses vacate the room and after it was clear, [REDACTED] asked him why Jeremy Desel, Communications Director, was calling him and if [REDACTED], CID [REDACTED], called Mr. Desel. [REDACTED] replied, no sir, as [REDACTED] was looking at his text messages. [REDACTED] then moved away to talk with staff. When he returned [REDACTED] recalled [REDACTED] asking him if he saw Mr. Desel there which [REDACTED] replied "no."

When the door opened to the victim's witness room, [REDACTED] stated he only saw two females however, he recalled not noticing Mr. Desel being present at previous executions as he is focused on his task. When asked whose role it is to bring in the media, [REDACTED] stated it's [REDACTED] role. [REDACTED] indicated that he was informed that when [REDACTED], Huntsville Unit, was questioned he realized the call to the IT Building was not made. [REDACTED] assumed he knew it was his role.

[REDACTED] is not aware if [REDACTED] at the Huntsville Unit has written protocols regarding the execution process. He did confirm he participated in practice runs that focused on the table being turned, if there is a disruption, phone calls, doors open, etc.

[REDACTED] stated he realized the oversight concerning the media not being brought over to view the execution when [REDACTED] asked him if they called Mr. Desel.

May 25, 2021

Re: Execution of Inmate Jones, Quintin #999379

[REDACTED] Huntsville Unit has been involved in the execution process for approximately two years. She revealed it was voluntary and she felt honored to be given the opportunity to be involved. [REDACTED] acknowledged she was aware of the incident after it had occurred on the day of the execution; that the media had not come from across the street.

[REDACTED] confirmed she was involved in a handful of practice runs that included other divisions, Rehabilitation Programs Division, Victim Services Division and Communications. [REDACTED] stated that she was not aware of anyone associated with the media process being involved in the walkthroughs or their involvement being brought up. [REDACTED] felt the walkthroughs were being conducted because of the changed direction of the bed in the death house, and the addition of the Spiritual Advisor. [REDACTED] shared that she felt that these walkthroughs were conducted because all involved wanted to ensure the process was flawless. [REDACTED] stated there were a lot of people that came for the walkthrough. However, she did not know their involvement in the process. She mentioned she felt pressure, because the area is small. She shared when working through the walk through direction had been given to move faster with escorting the witnesses and advisor to the death house. [REDACTED] shared that during the practice walkthrough [REDACTED], Huntsville Unit monitored the spiritual advisor, victim witnesses and condemned witnesses to ensure they did not see one another and while doing so [REDACTED] accompanied her entering the condemned witness side as the last group escorted to and from the death house the same way previous [REDACTED] have done in the past. [REDACTED] commented to [REDACTED] that she felt the escort process would take longer on the actual day the process occurred due to more people being escorted.

On the night of the execution, her role begins at 3:30 when she escorts the drug team to the Warden's Office. She is provided with a copy of the victim's and condemned witness list. In the past, she would use this list to verify the list of Agency approved condemned witnesses however, someone else is responsible for the victim's witnesses. [REDACTED] shared she was told that she did not need to go across the street to the Administrative Building, that media would be with the victim's witnesses and she had faith in the process.

[REDACTED] learned of the incident at approximately 6:30 p.m., she was in the Parole & Discharge area waiting for the drug team to exit so she could escort them out of the facility when [REDACTED] came from the Warden's Office to inform [REDACTED] that Mr. Desel had called and spoke with several of the employees in the Warden's Office questioning why he had not been notified and that he was coming across the street from the Administrative Building to the front door of the facility. [REDACTED] instructed [REDACTED] to remain in Parole and Discharge because of Mr. Desel appearing flustered and [REDACTED] being upset with Mr. Desel's actions. As soon as [REDACTED] became aware of the incident presented to him by [REDACTED], he communicated via radio to the employees involved with the process who are assigned a radio for these events only; that he needed assistance. [REDACTED] is not sure of exactly what [REDACTED] stated on the radio, but at that time; [REDACTED] appeared from the direction of the death house through regular visitation and Parole and Discharge to the Warden's Office. She shared as Mr. Desel came through the entry door of the Huntsville Unit, the radio picket officer had called for her because she was concerned she would be in trouble because she had asked for Mr. Desel's identification but he did not present it before entering the facility. As Mr. Desel entered the Warden's Office, he opened the door with enough force that it caused the door knob to slam into the wall. [REDACTED] shared that before the Warden's Office door could close from Mr. Desel entering, [REDACTED] entered directly behind him.

May 25, 2021

Re: Execution of Inmate Jones, Quintin #999379

[REDACTED] did not recall Mr. Desel behaving in that way in the approximated two years she has been at the Huntsville Unit. She reiterated she was told media would go with the victim witnesses and that she had faith in the process.

[REDACTED] stated she was taught to take care of leadership in the same way her leadership is taught to take care of her and she felt that they do. Although she was not directly responsible for escorting or notifying the media, she wished she would have thought about it. [REDACTED] also stated she felt she had good leadership at the Huntsville Unit and within the Agency and although this was an unfortunate situation, she did not feel it was intentional. She reiterated that she does not feel this incident was intentional nor has she ever been informed that anything other than escorting the drug team and condemned witnesses was her responsibility in anyway, she hopes she hasn't let the Agency or anyone down.