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Attorney for Governor Otter

**IN THE UNITED STATES DISTRICT COURT**

**FOR THE DISTRICT OF IDAHO**

THE ASSOCIATED PRESS, *et al.*, )  
 )  
Plaintiffs, )  
 )  
vs. )  
 )  
C.L. (BUTCH) OTTER, *et al.*, )  
 )  
Defendants. )  
\_\_\_\_\_ )

Case No. 1:12-cv-00255-EJL

**DECLARATION OF RANDY BLADES**

1. I, Randy Blades, am over the age of eighteen (18) years and am competent to testify on the matters herein. I make this Declaration based upon my personal knowledge.

2. I am employed by the Idaho Department of Correction (“IDOC”) as the Warden of the Idaho Maximum Security Institution (“IMSI”). I have been employed with the IDOC for

approximately 24 years. During that time, I have been a Warden at various IDOC facilities for approximately nine years, the last two of which have been at IMSI.

3. As the Warden of IMSI, I am responsible for the safe and orderly operation of the facility. Specifically, with respect to executions, I am a member of the Administrative Team and have those duties and responsibilities as described in the IDOC's Execution Procedures Standard Operating Procedure 135.02.01.001 ("SOP 135"). I also had the same duties and responsibilities for the execution of Paul Rhoades on November 18, 2011.

4. During my career with the IDOC I have personally known or know many offenders sentenced to death, including Paul Rhoades and Mr. Leavitt, both of whom I have known for more than 20 years. In my role as Warden, I have had many discussions with death sentenced offenders, including Mr. Rhoades and Mr. Leavitt, regarding the execution process. Based on these conversations, it is my understanding that Mr. Rhoades wanted as little intrusion into the execution process as possible, specifically including any additional time period of witness observation. It is my understanding that Mr. Leavitt has these same concerns.

5. Based on my years of experience, observations, and discussions with death sentenced offenders, I have made the conclusion that death sentenced offenders have a common bond between them. These offenders are segregated from the rest of the offender population and reside in their own housing unit. Many of them have been housed in the same unit together for many years. During this time a sort of familial bond develops between the offenders. During the time leading up to Paul Rhoades' execution, and again with Mr. Leavitt, there is a definite sense of awareness of their circumstances among the death sentenced offenders.

6. Based on my experience and observations, death sentenced offenders do not want their deaths to be sensationalized or every minute detail leading up to their death reported to the

public. These offenders are concerned about their families and friends, including other death sentenced offenders, having to be subjected to media accounts of their deaths. These offenders want private dignity in the period of time leading up to their final moments.

7. In addition to my communications with death sentenced offenders, I have also had conversations with family members of these offenders. In particular, I have had conversations with both Paul Rhoades' and Richard Leavitt's mothers. Mrs. Rhoades was present for and witnessed Paul Rhoades' execution. Based on meetings with these mothers, it is my understanding that both of them want(ed) their sons to be afforded dignity in their final moments before the execution. That dignity includes minimizing the level of observation and scrutiny placed on their sons, and also minimizing the level of detail reported to the public about the deaths of their sons.

8. During the execution of Paul Rhoades, I was present in the execution room from the time Mr. Rhoades was brought into the room until the pronouncement of his death. Being responsible for an execution is one of the most important professional obligations someone can have. Because of the magnitude of the task, it is important to exercise those responsibilities with professionalism, dignity, and respect for all involved—including the condemned offender. The time between when Mr. Rhoades was brought into the execution room and the opening of the curtains to the witness areas was not only a time for the Medical Team to insert the IV catheters and prepare for the execution, but more importantly was a time for Mr. Rhoades to prepare himself and to have a final dignified personal moment before the ultimate event.

9. During the Rhoades' execution there was a 55 minute delay in the execution process. This delay was due to a last minute court filing by an attorney who did not represent Mr. Rhoades. Fortunately, Mr. Rhoades was still in his cell and had not been transported to the

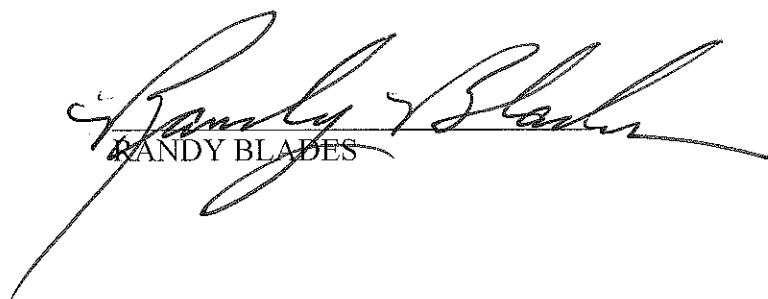
execution room. This was a period of natural tension and anxiety for all involved. Mr. Rhoades would clearly have been denied his right to dignity in his final moments if he had been in the execution room, strapped to the table under the direct observation of witnesses throughout that time.

10. Based on my professional relationship with Mr. Rhoades, and again with Mr. Leavitt, a sense of trust developed between the offenders and me. The trust that Mr. Rhoades placed in me would have been severely undermined if the witnesses had been allowed to view the process earlier in sequence of events.

11. Based on my experience, particularly with the Rhoades' execution, it is essential that the time leading up to the opening of the curtains to the witness areas be private. This is important not only for the Medical Team members to be able to perform their responsibilities without unnecessary pressure placed on them by having to perform under the observation of an audience, but it is especially important to the condemned offender. It is a matter of simple dignity to allow the offender to have time alone prior to the beginning of the execution.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

DATED this 29<sup>th</sup> day of May, 2012.

  
RANDY BLADES

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 29<sup>th</sup> day of May, 2012, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which sent a Notice of Electronic Filing to the following persons:

Charles A. Brown  
Attorney at Law  
[CharlesABrown@cableone.net](mailto:CharlesABrown@cableone.net)

/s/ Michael S. Gilmore  
MICHAEL S. GILMORE  
Deputy Attorney General