



HENRY McMASTER, Governor
BRYAN P. STIRLING, Director

June 8, 2021

RECEIVED

Jun 08 2021

S.C. SUPREME COURT

The Honorable Daniel E. Shearouse
Clerk of Court for South Carolina Supreme Court
Supreme Court Building
1231 Gervais Street
Columbia, SC 29201

RE: The State v, Brad Keith Sigmon
Appellate Case No. 2002-024388

Dear Mr. Shearouse:

This letter is in response to your June 4, 2021 letter asking for an explanation as to why two of the statutorily approved methods of execution, lethal injection and firing squad, are not available in the execution of Brad Keith Sigmon.

As to lethal injection, the South Carolina Department of Corrections (SCDC) has been unable, despite numerous and diligent attempts, to acquire the drugs necessary, in useable form, to perform a lethal injection. SCDC, like many other departments of corrections across the nation,¹ has been repeatedly told, in no uncertain terms, by manufacturers of the drugs needed for a lethal injection that they will not sell SCDC such drugs. Attached is a copy of the most-recent correspondence from a major manufacturer of the drugs needed for lethal injection as an example of the numerous correspondence SCDC has received. *See* Exhibit A. SCDC has received similar letters from manufacturers of the necessary drugs over the years.

Since all of SCDC's efforts to obtain the necessary drugs from a manufacturer of such drugs have failed, SCDC has also explored having a licensed pharmacy and pharmacist compound the drugs. Those efforts have also been unsuccessful.

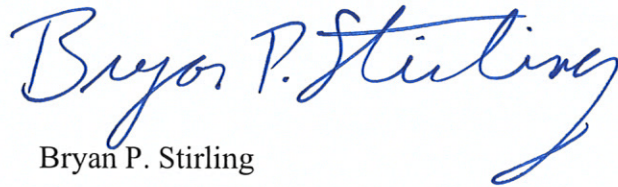
As for firing squad, SCDC does not currently have the necessary policies and protocols, as required by the statute, for an execution by firing squad. SCDC began working on acquiring the necessary information needed for the development of policies and protocols for a firing squad as soon as the Bills that were making their way through the General Assembly were amended to add firing squad as a statutorily approved method of execution. SCDC's process of developing the policies and protocols for a firing squad entails working with other States that already have firing squad available as a method of

¹ *See Glossip v. Gross*, 576 U.S. 863, 135 S.Ct. 2726, 196 L.Ed.2d 761 (2015)

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execution, and SCDC is currently working on establishing policies and protocols for an execution by firing squad and expects to have those policies and protocols finalized in the next few weeks. After those policies and procedures are finalized, the process will then turn to implementation, and the time frame for implementation will be dependent on the finalized policies and procedures.

Very truly yours,

A handwritten signature in blue ink that reads "Bryan P. Stirling". The signature is written in a cursive style with a long, sweeping tail on the final letter.

Bryan P. Stirling

cc: Alan McCrory Wilson, Esquire
Donald J. Zelenka, Esquire
Melody Jane Brown, Esquire
Megan Elizabeth Barnes, Esquire
Joshua Snow Kendrick, Esquire
Barton Jon Vincent, Esquire
Daniel Clifton Plyler, Esquire