

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

DOYLE LEE HAMM,

Plaintiff,

v.

**JEFFERSON S DUNN, COMMISSIONER,
ALABAMA DEPARTMENT OF
CORRECTIONS;
CYNTHIA STEWART, WARDEN,
HOLMAN CORRECTIONAL FACILITY;
LEON BOLLING, III, WARDEN,
DONALDSON CORRECTIONAL FACILITY;
OTHER UNKNOWN EMPLOYEES AND
AGENTS, ALABAMA DEPARTMENT OF
CORRECTIONS**

Defendants.

2:17-cv-02083-KOB

ORDER


In the accompanying memorandum opinion and order, the court held that the public has a right to access a *redacted* version of Alabama’s lethal injection protocol and related court records. The court found that the public’s interest in accessing information about Defendants’ method of executing death-sentenced inmates outweighs the Defendants’ interest in keeping the protocol confidential. But the court *also* finds that the protocol includes sensitive security information and information that could identify particular individuals involved in executions, and Defendants have a protected interest in keeping *that* information confidential; Defendants’ security interest outweighs the public’s interest in that information. Indeed, the Intervenor’s seek information more directly related to the process of execution than the activities in the 24-hour window of time leading up to the execution, and they themselves suggest redacting information

that could reveal the identities of “low-level prison officials involved in the execution.” (Doc. 108 at 21–22, 30).

As a result, the court ORDERS Defendants to submit to the court, **under seal**, a copy of the lethal injection protocol that redacts *only* security information and information that could be used to identify individuals involved in executions. Specifically, Annexes C and D should not be redacted, and redactions in Section IX(I)–(T) shall be minimal. If Defendants seek to redact any other information contained in the protocol, they may file, **under seal**, a motion to redact that other information, which the court will review before releasing the protocol. Defendants must file the sealed redacted lethal injection protocol and their motion, if necessary, **on or before June 7, 2018**.

Finally, Defendants must advise the court **on or before June 7, 2018**, if any of the other court records that the court will unseal (docs. 53, 54, 71) contain similar security or identifying information that must be redacted.

DONE and ORDERED this 30th day of May, 2018.



KARON OWEN BOWDRE
CHIEF UNITED STATES DISTRICT JUDGE