

**Acknowledgement of Spiritual Advisor
(Nitrogen Hypoxia)**

The Rev. Dr. Jeff Hood

I, _____, have agreed to serve as the spiritual advisor for Alabama

Department of Corrections inmate **Kenneth Smith**, AIS _____ whose

sentence of death is to be carried out by means of nitrogen hypoxia.

I hereby acknowledge that the following information that has been provided to me by the
Alabama Department of Corrections:

- Nitrogen gas is odorless, tasteless, and cannot be seen.
- Nitrogen gas makes up approximately 78-79% of the air humans normally breathe. Because of this, the human body is accustomed to the presence of nitrogen gas in the breathable atmosphere.
- When nitrogen gas is released into confined spaces, or is rapidly released through a confined-space opening, it can displace the oxygen within the confined space or an area surrounding the confined-space opening. When nitrogen gas displaces oxygen below 19.5% in the breathable atmosphere, the federal government considers a condition hazardous to human life and safety to be present.
- When nitrogen gas displaces oxygen below 12% in the breathable atmosphere, loss of consciousness becomes a threat to human welfare and safety.
- Because nitrogen gas cannot be detected by human senses, a rapid displacement of oxygen by nitrogen gas can result in loss of consciousness without warning. This creates a fall and injury hazard.
- The Alabama Department of Corrections utilizes wall-mounted oxygen sensors as portable oxygen meters as a safety precaution to ensure that no inert gas hazard is present inside of the execution facility.
- The nitrogen hypoxia system employed by the Alabama Department of Corrections cannot displace sufficient oxygen inside of the execution chamber to create a confined-space hazard creating a risk of death or bodily harm.
- **However, in the highly unlikely event that the hose supplying breathing gas to the mask were to detach, an area of free-flowing nitrogen gas could result, creating a small area of risk (approximately two (2) feet) from the outflow. Additionally, overpressure could result in a small area of nitrogen gas that displaces the oxygen in the area around the condemned inmate's face and/or head.**

Based on these facts, I understand and agree to remain at least three (3) feet away from the mask or any outflow of breathing gases discharging from the system. I acknowledge that it is my responsibility to avoid touching any component of the nitrogen hypoxia system and to comply

with any directive of ADOC personnel present in the execution chamber regarding safety precautions relating to inert-gas asphyxiation.

I further acknowledge that I have been provided with a copy of the first page of this acknowledgement containing the explanation of risks and risk-mitigation requirements regarding nitrogen hypoxia and inert-gas asphyxiation.

November 15, 2023

Acknowledged and agreed to on this the ___ day of _____, 20__.

The Rev. Dr. Jeff Hood

PRINTED NAME: _____

Spiritual Advisor for Inmate _____

Kenneth Smith