

DECLARATION OF MARGO A. ROCCONI

I, Margo A. Rocconi, declare and state as follows:

I have personal knowledge of the following and, if called to testify, I could and would competently testify thereto:

1. I am a deputy federal public defender at the Federal Public Defender's Office in the Central District of California. I represented Stephen Wayne Anderson in federal habeas proceedings challenging his conviction and death sentence.

2. I was a witness to the execution of Stephen Wayne Anderson on January 29, 2002 at San Quentin State Prison in California. At about 11:40 p.m. on January 28, 2002, I was transported to the execution viewing area with two other witnesses. The three of us were the last witnesses to enter the viewing area just before 12:00 a.m. on January 29, 2002. We stood on two steps to the left side of the execution chamber. Shortly thereafter, Stephen Anderson was brought into the execution chamber and strapped down onto the table. His right foot twitched from time to time.

3. A male technician came in to the room with a caddy full of syringes and needles. He tried for quite awhile to insert the needle into a vein in Mr. Anderson's left arm. He was not able to find a vein and Mr. Anderson's arm began to bleed. The technician wiped the blood off with gauze several times. The technician became frustrated, removed his gloves, put them back

on, and started over. During this time, Mr. Anderson looked over at his arm several times to see what was happening. Mr. Anderson attempted to help the technician find a vein by pumping his fist. After what took at least 3 to 4 minutes, the technician successfully inserted the needle in Mr. Anderson's arm and taped it down.

4. The male technician then left the room and a female technician entered. She inserted a needle into Mr. Anderson's right arm in less than one minute.

5. Mr. Anderson's table was then turned and the IV lines were attached to a mechanism in the wall of the execution chamber. At this point, Mr. Anderson lifted his head up several times and looked at the three of us standing on the risers.

6. Mr. Anderson then laid his head back down and waited. Within a minute his eyes closed and his head rolled over slightly. Thereafter, his cheeks began puffing as if air were coming out of his mouth. Within moments after that, Mr. Anderson's chest and stomach area began to heave upward. The convulsions continued with some irregular pauses in between. Altogether, Mr. Anderson's chest and stomach heaved more than 30 times.

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7. More than 10 and less than 15 minutes elapsed from the time that Mr. Anderson had closed his eyes until the guard announced that he was dead. I never looked away during that time period.

I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct.

EXECUTED this 28th day of January, 2004.


Margo A. Rocconi