



## Paths to death

Clayton Lockett left Stephanie Neiman in a ditch off a dirt road. Fifteen years later, Oklahoma led Lockett to his own death.



**BY CARY ASPINWALL | WORLD STAFF WRITER  
& ZIVA BRANSTETTER | WORLD ENTERPRISE EDITOR**

When her muddy grave was ready, one of the killers held down a barbed-wire fence so Stephanie Neiman could climb over it, down into the shallow hole where she would die.

From his perch on the dirt road's shoulder above the fenced pasture, Clayton Lockett loaded the sawed-off shotgun and fired. Kickback caused the gun to flip out of his hand and the shot to stray; shell fragments blasted into Stephanie's shoulder.

Forced to her knees, her mouth still duct-taped, she cried as Lockett dug for the weapon in the waist-high Johnsongrass lining the gravel road. He darted back to the truck to find a tool to unjam the shotgun.

Lockett reloaded, leaned over the fence and fired again.

Stephanie stopped wailing.

Lockett told his two accomplices: "It's done, I think she dead."

He racked the shell out of the shotgun and put it back in one of the two pickups used to drive their three young victims to his "old stomping grounds" between the oil refineries and ranches of Kay County.

This is where they planned to kill and dump Stephanie and her friends, Bobby Bornt and Jane Doe.

Somewhere along the 30-minute drive out there, the killers changed their minds about shooting Bobby and Jane. Jane was raped repeatedly by the men, and she and Bobby were badly beaten. But both were parents to babies and had promised not to tell. They would live.

Stephanie would promise no such thing.

Lockett told Shawn Mathis and his cousin, Alfonso Lockett, that since he had to shoot her, he wasn't going to bury her.

"I ain't gonna take care of everything," Lockett said.

Shawn and Alfonso climbed over the fence to drag Stephanie's body into the hole they had carved out of the ruddy soil.

The two men soon jumped back over: "She's not dead, she's not dead!"

Stephanie was still breathing, kicking and moving, they told Clayton Lockett.

"I done shot her twice; I ain't going to shoot her again," Lockett said.

Go get the shotgun and finish her, he scolded.

"They was like: 'Naw, Naw!' " Lockett told police.

All right, then, just bury her. She hadn't gotten up and tried to run, so she must be dying, he told them.

They started dumping dirt on Stephanie, and she began to cough.

"I could see the dirt coming in the air as she was coughing," Lockett later told investigators.

They heaped soil on top of her, until it muffled the sounds of her coughing and they could no longer hear her choking, still trying to live.

### Execution chamber

Nearly 15 years after Stephanie's murder, Lockett lay dying as her family watched along with a gallery of law enforcement officials, prison administrators and journalists through the window of Oklahoma's execution chamber.

State officials had promised in court records and interviews that Oklahoma's new execution protocol would dispatch him swiftly and painlessly. They were so confident in this assurance that Gov. Mary Fallin ordered Lockett to be executed April 29, the same night another convicted killer was set to die.

Lockett's death didn't go as planned.

The execution began nearly 25 minutes late. After he was declared unconscious from an injection of midazolam overseen by an unnamed physician whose credentials remain secret under state law, he began to writhe, strain and mumble as the final two drugs were pushed into his IV. That night, Oklahoma was using a combination and dosage of midazolam, vecuronium bromide and potassium chloride that had never been used in a U.S. execution.

His right leg kicked; his head rolled to one side. His body started bucking, as if he were trying to get up from the gurney.

He grimaced, grunted and mumbled something unintelligible.

**"I DONE SHOT HER TWICE; I AIN'T GOING TO SHOOT HER AGAIN."**

CLAYTON LOCKETT, ON THE NIGHT HE LEFT STEPHANIE NEIMAN BURIED ALIVE





**Stephanie Neiman was shot twice by Clayton Lockett and buried while still alive near this gravel road in Kay County.** CORY YOUNG/Tulsa World

“Man,” he groaned. Witnesses said he appeared to be in pain.

Prison officials quickly lowered the blinds before ushering the witnesses out of the room.

The witnesses couldn’t see what was happening under the white sheet that covered Lockett: The femoral IV that was supposed to deliver the drugs to kill him was either leaking into his groin tissue or spilling the drugs out of his body.

On a land-line phone yanked into the hallway outside the viewing area, Oklahoma Department of Corrections Director Robert Patton asked the warden and the presiding doctor, both behind the curtain with Lockett: “Have enough drugs been administered to cause death?”

“No,” the doctor answered.

Is another vein available, and if so, are there enough drugs remaining to finish the execution? Patton asked.

“No.”

The doctor reported that Lockett was unconscious with a faint heartbeat. Patton called off the execution.

Ten minutes later, Lockett was dead.

State officials initially claimed he died of a massive heart attack, and that the problems with his execution were due to a “collapsed vein.” They ordered an investigation and an autopsy to be performed out of state, with Gov. Mary Fallin later declaring that Lockett’s 43-minute death simply “took too long.”

An independent autopsy requested by attorneys for other death row inmates revealed what many experts had suspected: There was no collapsed vein. The body revealed numerous failed attempts to start an IV. The IV likely never delivered the drugs properly.

In a 2010 lawsuit over the Oklahoma Department of Corrections’ execution protocol, state officials admitted “that it would be painful to receive a concentrated dose of potassium chloride without first receiving an anesthetic.”

This echoed what the U.S. Supreme Court said in 2008, in a separate challenge to death penalty protocols, saying it was “uncontested” that without a proper dose of anesthetic administered to the inmate “there is a substantial, constitutionally unacceptable risk of suffocation” from the final two drugs in lethal injections.

## Settling debts

Lockett and his minions had come to Perry the night of June 3, 1999, to collect \$20 and serve up a beating.

Bobby Bornt owed Lockett money for tattooing over the name of an ex-girlfriend on his arm.

Bobby, 23, was asleep on the couch of a garage apartment, just behind his parents’ house. It was shortly before midnight, and his 8-month-old baby was asleep in the next room.

Lockett, Alfonso and Shawn kicked in the door, beat Bobby badly and tore his house apart, intending to steal his appliances and belongings.

“You’re bleeding on my couch,” Lockett snarled.

The men kept demanding to know where the drugs were, but Bobby didn’t have any. There weren’t any drugs, and he wasn’t involved in any drug deals with Lockett, he testified later. Police never found any evidence of drugs or paraphernalia at Bobby’s apartment.

“Out the gate,” it was decided killing the baby wasn’t an option, Lockett later told investigators.

This tiny bit of honor would seem out of place, given what happened next.

In the door walked an unsuspecting Jane Doe, a friend of Bobby’s who had invited him over to her house for a party earlier that evening. He didn’t show, and Jane was stopping by to see why.

Lockett punched Jane in the face and the men beat her. Then they realized something: She had gotten out of the passenger side of the pickup parked in the alley.

Who drove her there?

Her good friend, Stephanie Neiman. She was a principal’s honor roll student, proud alum of the Perry Maroons marching band and even prouder owner of a black Chevy truck, license plate: “Tazzz”

Clayton Lockett hollered out the door for Stephanie to come inside.





**A violent crime spree that ended Stephanie Neiman's life began at this house, where Bobby Bornt lived, on June 3, 1999.**

CORY YOUNG/Tulsa World

“I don’t know you; I’m not coming in,” she responded.

Lockett held a gun to Jane’s head and demanded she lure her friend inside.

“If you run, I’m going to shoot the tires out, and if you get out, I’m going to shoot you in the back,” he warned her.

Jane told her friend to come inside, she wanted to have a drink with Bobby and it wouldn’t take long. Stephanie caved.

The men grabbed her, hit her in the head, taped her up and demanded the keys to her Chevy.

“I ain’t giving you the keys to my damn truck,” she told them.

“Ain’t nobody got to get hurt; just give us what we want so we can go,” Lockett said. He was lying, and perhaps Stephanie sensed that.

They had to hit her in the head with the shotgun to force her to hand over her keys and the alarm code to her truck. Bobby and Stephanie remained bound with duct tape while Alfonso dragged Jane to the other room and raped her. Don’t put your clothes back on, he told her. Then Lockett came into the room and raped her repeatedly.

Raping Jane moved the crime into much more serious territory. Lockett and his buddies knew this. He and Shawn had already served prison time.

The only thing we can do is take them out in the country and kill them, Lockett decided.

## **Tough girl**

From his cell on death row, Clayton Lockett once wrote a letter to Stephanie’s parents, allegedly as an apology for taking the life of their only child:

“The truth of why this happened is not over twenty dollars or because I thought that Stephanie would report my crimes to any law enforce-

ment. The truth is deep down I feared Stephanie, I feared her because she was so strong in the face of death.”

Bobby testified in court that at the scene, Stephanie’s murderers talked about how tough she was, because of the way she took that first botched shotgun blast.

Lockett’s letter to the Neimans continued: “Please realize that before I get to (sic) far into this that I am by no means trying to manipulate my way out of receiving the death penalty, in fact, if it will compensate for the (loss) of your child’s life and ease your pain I will lay my life down a thousand times over.”

When it came time for Lockett to die by lethal injection, he seemed to have changed his mind. He damaged his own veins on the day of his execution to complicate the IV insertion and refused prison guards’ orders so that they used a stun gun to remove him from his cell for medical exams. He demanded a grand last meal of Chateaubriand steak, fried shrimp and pecan pie, and refused a substitute offer of Western Sizzlin. (Oklahoma inmates’ last meals must cost less than \$15 and can only come from restaurants within a few miles of the prison.)

Lockett’s offer in his letter to the Neimans seems rather insincere from a man who in a letter to one of his pals coldly described telling the Noble County District Attorney: “I did shoot that bitch.”

The state prison system is called the Department of Corrections under the theory that convicts can be rehabilitated or reformed in some capacity. That never seemed to work on Lockett.

A month after he was arrested for Stephanie’s murder, a sewage backup at the Kay County jail revealed a stash of weapons Lockett had made and hidden in his cell. There was a 27-inch pipe fashioned into a crude sword and a toothbrush



carved into a shank.

At Oklahoma State Penitentiary, he threw feces and urine on the officers tasked with bringing his meals. He signed the disciplinary record “Daffy Duck” and told officials: “F—k this kangaroo court, next time it will be a knife.”

Days later, he was caught with a 23-inch hand-made club and an 11-inch knife in his cell. He once sharpened an aluminum walking cane into a 3-foot-long shank.

Corrections officials haven’t explained how Lockett was able to cut his arms on the morning of the execution. But his resistance to the execution chamber shouldn’t have come as a surprise.

“Clayton Lockett always thought he was the smartest man in any situation,” prosecutor Mark Gibson recalled.

Lockett wasn’t just brazen, “he lived to put his finger in the eye of authority,” Gibson said.

Gibson never really bought the story that Lockett’s crime was just a robbery gone bad, that he hadn’t intended to kill anyone.

They left in two pickups, but in the end, took none of Bobby’s possessions.

Right and wrong

When she was abducted, Stephanie had a knife in her pocket she couldn’t reach because her hands were bound. She also had a mild learning disability that may have contributed to her stubborn stance during the abduction: In her world, there was right and wrong. To her captors, she seemed resistant, almost defiant.

“I told Shawn, man, ‘Homegirl’s going to tell. We going to have to kill her,’ ” Lockett told investigators.

At the trial, Gibson explained to the jury that Stephanie died because “she had the temerity, because Stephanie had the backbone, because Stephanie had the nerve to say to Clayton Lockett, ‘Yeah, I will tell what you do, what you have done, who you are.’ ”

The first shot, the medical examiner testified, wouldn’t have killed her. It just blasted plastic casing from the shotgun shell into her soft tissue.

The second shot, after Lockett unjammed the gun and reloaded, tore through her body. It was not survivable, and likely killed her quickly.

The killers left her body in the shallow grave and drove her truck back to the edge of Perry, stealing the stereo and slashing the tires to make it look like a carjacking.

Bobby and Jane promised not to tell, to give phony-sounding cover stories for their injuries (“you fell down the stairs!”) because Lockett

threatened to kill their babies and families otherwise.

But police were already on the killers’ trail. Shawn’s blue Mercury Cougar with bullet holes had been called in by a sharp-eyed neighbor and towed from Bobby’s neighborhood in the middle of the night.

The killers were sloppy, stopping at the same convenience store on the way out of town to buy gas and cigarettes that they had stopped at to buy duct tape on the way to Bobby’s house. It was all caught on time-stamped surveillance tape.

Jane told; Bobby told; Shawn told; Alfonso told and showed police where Stephanie’s body was buried.

When Lockett was picked up by cops a few days later, he also told what happened in great detail.

Steve and Susie Neiman witnessed Lockett’s execution April 29, but have declined interview requests and asked for privacy. At trial, they had a relative read the letter they wrote describing for jurors the pain of losing their only child.

“Losing her pretty much destroyed the world that Steve and I live in. Steve and I died when Stephanie died,” Susie Neiman wrote. “The brutality of murder is not matched by anything else that can be experienced.”



**Jerry Massie, Department of Corrections spokesman, waits for a phone call telling him that Clayton Lockett has been pronounced dead on April 29. The call never came because the execution was botched.** JOHN CLANTON/Tulsa World

Lockett’s path to the death chamber

- June 3, 1999:** Stephanie Neiman and her friends are abducted from a Perry apartment by Clayton Lockett and his accomplices.
- June 4, 1999:** Neiman dies in the early morning hours after Lockett shoots her and his accomplices bury her in a shallow grave in rural Kay County.
- June 6, 1999:** Lockett is charged with Neiman’s murder after he confesses in a videotaped police interrogation.
- Aug. 23, 2000:** Lockett is convicted by a jury of first-degree murder in addition to counts of rape and kidnapping. He is sentenced to death.
- Jan. 13, 2014:** U.S. Supreme Court rejects Lockett’s final appeal.
- March 20, 2014:** Lockett originally scheduled to die by lethal injection. The date is postponed after state officials reveal they had trouble obtaining execution drugs.
- April 29:** After several last-minute appeals are denied, Lockett is executed at the Oklahoma State Penitentiary using a drug combination and dosage not used before in a U.S. execution. The execution is botched and halted, and Lockett dies on the gurney. A state investigation is underway, and executions in Oklahoma have been halted until November.