

BuzzFeedNEWS

This Is The Man In India Who Is Selling States Illegally Imported Execution Drugs

When states ran out of execution drugs, they started paying tens of thousands of dollars to Chris Harris, a salesman in India with no pharmaceutical background.

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Eight thousand miles from the execution chamber at the Nebraska State Penitentiary is Salt Lake City — a planned satellite town in Kolkata, the capital city of India's West Bengal state. It's a modern mecca of swanky office complexes, colleges, shopping malls, and restaurants. Here, on the eighth floor of a plush glass building overlooking a lake, is an office where Nebraska's lethal injection drug supplier says he makes his drugs.

A laminated paper sign stuck on the door of room 818 reads "Harris Pharma - manufacturer and distribution." The office, with powder-blue walls and a frosted glass facade, is one of 61 spaces on the floor rented out to various companies.

This is the facility in India where a man named Chris Harris, a salesman without a pharmaceutical background, claims his manufacturing and distribution business is based. He has sold [thousands of vials of execution drugs](#) for corrections officials in the U.S. who are desperate to find drugs to carry out the death penalty.

An employee who works at the facility, however, said the office is not being used to make drugs.

Saurav Bose, a customer relations officer at the office rental company who has met Harris twice since he started working here a few months ago, said Harris did not manufacture drugs in this rented office.



Left: The building in Salt Lake City in India. Right: The office Harris rents.
Tasneem Nashrulla

Harris's office, which was shut on a Tuesday morning when a reporter from BuzzFeed News visited, is much like the other ready-to-use, standardized workspaces available to rent by Regus — an international firm operating in 900 cities across the world, including the more well-known Salt Lake City in Utah. It appeared highly unlikely that the rented office would accommodate laboratory equipment required to manufacture pharmaceutical drugs.

“He comes only two to three times in a month,” Bose said, adding that most of his communication with Harris was limited to email. Bose, who described Harris as being “fickle” with his visits to the office, said he rarely had any clients or other people in the office.

BuzzFeed News identified several such inconsistencies after reviewing thousands of pages of court records, emails, and invoices; interviewing his past business partners; and visiting the locations in India from which Harris claims to run his business.

BuzzFeed News spent more than four months trying to talk to Harris over emails, via phone calls and during a visit to his office in India. Each time, Harris refused to talk.

“Quote me on this. I don’t speak to reporters as they always say what is not true,” Harris [told BuzzFeed News](#) when first contacted for comment in June.



Chris Harris
Facebook

After [months](#) of [reporting](#) on his sale to Nebraska, Harris again declined to talk with BuzzFeed News in September, writing, "Do and say what you want. But I will never give a reporter 2 min of my time. As all print what they want. Not the true story. They need a scandal to get sales and keep their jobs."

BuzzFeed News has been able to confirm four times that Harris sold execution drugs illegally to four death penalty states, and documents indicate there is likely a fifth. His sales follow a typical script: *The legal issues are fixed this time, don't worry about it. Other states are buying it, too. You aren't the only one. You just need to make it a*

"minimum order" to make it worth the while. Payment in advance.

The documents show little effort by states to investigate Harris's qualifications or the legalities of importing drugs.

Harris has gotten states to pay tens of thousands of dollars for his drugs, but each time, after concerns were raised over the legality of the purchase, the drugs have gone unused.

Somehow, states are still falling for it.

Nebraska Gov. Pete Ricketts had a problem. In a few days, the state legislature would vote on repealing the death penalty in his state. He needed to convince a few of them that the death penalty in Nebraska was salvageable, that the state's prior problems with the death penalty were just logistical issues that he, a new governor, could fix.

So, on May 14, he announced that he had found a way for Nebraska to get execution drugs — something that many states have struggled to find.

"The functionality of the death penalty in Nebraska has been a management issue that I have promised to resolve," Gov. Ricketts said, announcing the purchase a day before the legislature would vote to advance the repeal. "Through the work of [Department of Correctional Services] Director Frakes, the department has purchased the drugs that are necessary to carry out the death penalty in Nebraska in the near future."

Despite having only 10 men on its death row and no executions in the state for more than 15 years, Ricketts' Department of Correctional Services placed an order to Harris for enough drugs to conduct hundreds of executions. [As BuzzFeed News reported this summer](#), Nebraska did so because Harris said he would sell to the state only if they agreed to buy a "minimum order" of 1,000 vials. Nebraska sent Harris [a check for \\$54,400](#).

The state legislature voted to repeal the death penalty anyway, [overriding Ricketts' veto](#), and Ricketts' management has led Nebraska to a stand-off with the Food and Drug Administration, the Drug Enforcement Administration, and Customs over illegally importing the drugs.

Many reputable drug makers have enacted stringent guidelines that keep their products out of the hands of executioners. In turn, states — disregarding federal laws on importing drugs — have sometimes turned to foreign suppliers like Harris as they've become more desperate to get a hold of lethal drugs. The drug Nebraska purchased, sodium thiopental, is an out-of-date anesthetic that stopped being used in executions after the sole FDA-approved manufacturer quit making it to keep it away from death penalty states.

Other death penalty states have turned to different drugs, but Nebraska had few options because the state's protocol calls for sodium thiopental. Changing it to a more modern execution drug would have required public meetings, and that would take time that Ricketts and his DOC did not have.

Sodium thiopental is not used in the U.S. anymore, but it's still widely used in India and in parts of the developing world as an anesthetic. So when Harris approached Nebraska in April, it might have seemed like an easy choice for the state.

"He told us that if he gets the consignment his life will be made."

"He used to sit at home all day long. How did he manage to sell lethal injection drugs to the U.S.?" Pijush Kantibairag wondered aloud, as he sat smoking in his 1,050-square-foot apartment in Kasba, a suburban maze of narrow lanes and ramshackle buildings in southern Kolkata, nearly eight miles away from Harris's office in Salt Lake City.

Two floors above him is Flat C1, where Harris used to live. Kantibairag and Harris were neighbors. Harris's flat, however, is now empty and bolted shut. Flat C1, a residential apartment, also is one of the office addresses of Harris Pharma — the company owned by Harris.

This is Harris's second listed business location — the location [he tells the DEA and Nebraska that Harris Pharma is based out of](#). But he hasn't lived here in more than two years, both his former neighbor and his landlord told BuzzFeed News.

Harris lived in the apartment with his second wife, Sanjukta Harris, but left the building in 2013 ago without paying seven months' rent and electricity bills, his landlord, Abhijit Majumder, told BuzzFeed News.

Majumder said Harris was behind rent and utility payments. "But on April 14 [2013] — I still remember the date — he suddenly handed over the keys to the caretaker and just left the building," said Majumder, who rents out two apartments in the building but does not reside there. He also claimed some items in the apartment were destroyed after Harris left.

Majumdar said that he rented out the flat to Harris for "residential purposes only" and was unaware that Harris had registered it as an office. "He told me he was a computer professional dealing in software."

Kantibairag, the former neighbor, said Harris told him he manufactured and sold “sexual feel drugs” on a website. Kayem Pharmaceuticals, for which Harris was a broker during this time, [sells drugs](#) to enhance male sexual performance.

Kantibairag said that Harris never seemed to have money to pay for rent, yet spent excessively: “Every day there was a new car outside the building.”

While Kantibairag said he was shocked to read the news about Harris’s \$54,000 deal with Nebraska, he recalled that Harris had hinted about a business deal with the U.S. at a birthday party he hosted on the building’s terrace for his wife. Kantibairag said Harris bragged to his neighbors about getting a “big consignment” from the U.S.

According to Kantibairag, Harris told his guests that America needed lethal injection drugs for the death penalty and that he was manufacturing the drugs for them.

“He told us that if he gets the consignment his life will be made,” Kantibiarag said. This was back before Harris had started his own company and was working with the Mumbai-based firm Kayem Pharmaceuticals. Kantibiarag said Harris showed them his business cards that named him the director.

Majumder said Harris made excuses for not paying the rent, saying he was going through “financial losses.”

“In February 2013, I told him, ‘You must give me rent or otherwise you leave the apartment.’ He told me he was trying to get the money and to give him some time,” Majumder said.

But Harris left the apartment two months later without informing Majumder, who said he didn’t file a police complaint because he thought it wasn’t worth the time and the effort.

“He and his wife stopped answering my calls and his mobile number was later disabled,” Majumder said.

Using a colloquial Hindi saying, Kantibairag summed up his feelings on Harris: “10 paise ki aukat hai, aur 2 lakh ki baat karta hai” — He is worth only 10 paise (less than a penny), but he talked like he was worth 2 lakh rupees (around \$3,000).

Harris used to work at a duty-free shop at the Abu Dhabi International Airport, and then bounced around to a handful of jobs at call centers, staying for roughly a year at each place, according to a copy of his résumé.

Harris eventually landed at his first drug company: Kayem Pharmaceuticals (now named JONAKAYEM Pharma-Formulation) located in Mumbai, India's financial capital.

It was during Harris's time at Kayem that he began selling execution drugs. He started off by selling to Nebraska in November 2010. Harris sold the state 500 vials of sodium thiopental for \$2,056.

Beyond the issues with the drugs coming from a non-FDA-approved facility, Nebraska had another problem. The Department of Correctional Services didn't even have a license to import the drug.

In May 2011, the DEA informed Nebraska that the Department of Correctional Services would be receiving a "Letter of Admonition," and that it had to hand over the drugs. Months later, Nebraska complied, transferring the drugs to the DEA.

Kayem's CEO, Navneet Verma, told BuzzFeed News in August that he wasn't aware of what Harris was doing at the time.

According to Verma, Harris kept him in the dark for most of it. "He told me, 'I will be talking to them directly,'" Verma said.



Harris's former apartment
Tasneem Nashrulla / BuzzFeed News

In spite of his prior business relationship with Harris, Verma said he'd never met Harris in person — he was introduced to him online by two business acquaintances who vouched for Harris's marketing skills. Verma said he was looking to get into e-commerce for his pharma products. One of his acquaintances told Verma, "In India there is a good guy who can help you in marketing your product."

Verma said that he did not employ Harris, but that there was "a commercial understanding" between Kayem and him.

In March 2011, South Dakota also ordered drugs from Kayem. South Dakota purchased 500 vials, like Nebraska, but this time Kayem raised the price to \$5,000. Again, the drugs made it into the U.S.

Verma admits he was aware of what was happening by this time. He claims he was "under compulsion" to ship the drugs to South Dakota because Harris has already finalized the deal with them.

After attorneys representing death row inmates in the state realized where the state bought the drugs from, they sued. The drugs eventually expired without ever being used.

The relationship soured between Verma and Harris around the time of the South Dakota deal, and Harris struck out on his own, starting Harris Pharma in 2011. Nebraska gave importing drugs from Harris a second shot — this time, with an import license. Nebraska purchased another 500 vials, under the new price, \$5,000, in August 2011.

But Harris had left Kayem, the drug manufacturer. How did he get the drugs? According to the manufacturer from whom Harris obtained the drugs, he lied. A Swiss-based pharmaceutical company, Naari, sent an alarmed letter to Nebraska in November 2011 when it discovered Harris had sold its company's drugs to a death penalty state. According to Naari, Harris claimed that the drugs would be going to Africa.

"The agreement with Mr. Harris was that he would use these vials for registration in Zambia," Naari CEO Prithi Kochhar wrote. "Our intention was to get the product registered in Zambia and then begin selling it there, since sodium thiopental is used very widely as an anaesthetic in the developing world."

“Mr. Harris misappropriated our medicines and diverted them from their intended purpose and use,” Kochhar continued.

Naari, as well as inmates on death row, sued Nebraska over the source of the drugs. Once again, the drugs expired without being used.

Records show Harris also gave his sales pitch to Idaho in March 2011.

“I can understand your concern for importing,” Harris wrote [in an email](#) to Idaho Maximum Security Institution Warden Randy Blades. “However, this problem [of illegal importation] is being solved. There is a company in the USA who can import these products legally and supply to you.”

“Other states are doing the same. I am selling to [the company in US](#) and you would be buying directly from them. They have all the DEA licenses to import these kinds of products and distribute it in the US.”

Blades responded an hour later, saying that he would like to work through the U.S. company, but the sale eventually fell through.

BuzzFeed News identified two U.S. companies that worked or offered to work with Harris: [Caligor Rx](#) and [Priority Pharmaceuticals](#).

One of those companies, Priority Pharmaceuticals, has its own questionable regulation history. Priority was [disciplined in 2015](#) by the California Board of Pharmacy for violating pharmacy laws, and was accused of “purchasing dangerous drugs from ... pharmacies under unauthorized conditions” and committed “acts involving moral turpitude, dishonesty, fraud, deceit, or corruption” in incidents unrelated to Harris. Priority had to surrender its wholesaler license and pay a \$70,000 fine.

The other company, Caligor Rx, considered importing the drug for Idaho, according to [emails](#) BuzzFeed News obtained. The company was also listed as an importer of the drug on Nebraska's DEA forms in 2011.

Caligor Rx [claimed](#) to have cut off ties with Harris in 2012. Both U.S. companies did not respond to repeated requests for comment for this story. States that purchased drugs from Harris have done little to investigate his background and drug-making abilities.



Trade India / Via tradeindia.com

the label.

"I have supplied Nebraska with Sodium Thiopental in the past," Harris wrote to the Department of Correctional Services in April. "I presently have a batch being manufactured for 2 States that have placed an order," adding that he will have "a few thousand Vials that will be extra."

In previous sales, Harris was working with Kayem, which had agreements with actual drug manufacturers. The only time Harris sold execution drugs once he started on his own, he sold another company's drugs. But this time, he's touting his company's manufacturing abilities and has sodium thiopental bottles with his

"I have no idea," South Dakota State Penitentiary Warden Douglas Weber said when asked [in a deposition](#) if he knew if any state officials did any background check into Harris or Kayem when he purchased drugs from Harris for his state in March 2011.

Attorneys handed Weber pictures of the outside of Kayem and asked him if he had ever seen what the facility looked like. He said he had not.

South Dakota officials told BuzzFeed News that the state had Harris's drugs tested by a lab in the U.S. and found that the drugs passed the test.

But this latest time — the third time Nebraska has attempted to purchase execution drugs from Harris — Harris has claimed he is able to manufacture his own drugs. In support of that, he registered his Salt Lake City, India, office facility with the FDA, a registration used only for those making or possessing drugs, and he has advertised vials of sodium thiopental with his company's logo on

logo on the label. Given the nature of the Salt Lake City facility he registered with the FDA, it still leaves the question: Where is Harris getting his drugs now?

Nonetheless, Nebraska DOC Director Scott Frakes responded to Harris' pitch enthusiastically, and ultimately purchased a "minimum order" — a thousand vials of sodium thiopental and pancuronium bromide.

Harris charged the state \$25 per vial of sodium thiopental, about seven times more than what the drug typically costs. In total, the state paid Harris \$54,400. Harris Pharma's facility registered with the FDA is located in Salt Lake City, India. At one point, Frakes appears to incorrectly believe the facility is in Salt Lake City, Utah.

"Chris, the address on the invoice says Salt Lake City, but it doesn't have the street address, or the zip code for Salt Lake City," Frakes [wrote in an email](#) obtained by BuzzFeed News through freedom of information requests. Harris responds that the facility is actually in Kolkata.

Frakes responded two minutes later with "Can you call me right now?" In his emails with Frakes, Harris referenced "other States" that are buying the same drugs from him, although he never names the states. An email between a DEA regulator and Frakes confirms that another state intended to import the drugs from Harris.

DEA Regulator Cathy Gallagher [wrote to Frakes](#) that she has been dealing with "another state on the same issue," and adds, "You are using the same manufacturer in India."

It's unclear which state is being referenced in the email. The DEA did not return a request for comment, and many states have secrecy laws that hide the identity of their lethal drug suppliers.

The FDA [sent a letter](#) to Ohio in June, however, warning the Department of Rehabilitation and Correction not to attempt to import sodium thiopental illegally. The letter cited only "information received by the agency."

When BuzzFeed News approached the Ohio DRC in June, spokesperson JoEllen Smith would say only that Ohio had not communicated with Harris's company, Harris Pharma, but did not specifically answer the question of if the state had purchased from him directly or indirectly.

In October, Ohio DRC responded to the FDA letter, insisting that the state should be able to import the drug. “Contrary to the implication in your letter that the importation of sodium thiopental is currently prohibited, there is a legal framework for a state, if it so chooses, to import sodium thiopental in accordance with” the law, DRC General Counsel Stephen Gray wrote.

He added that “Ohio has no intention of breaking any federal laws or violating any court orders in an attempt to procure the legal drugs necessary to carry out constitutionally approved and court-ordered death sentences.”

Before 2013, the FDA wanted no part in the regulatory battle over execution drugs, which is why it allowed shipments of sodium thiopental, including Harris’s drugs, into the U.S. But death row inmates in other states sued the FDA, arguing that the regulator had no right to turn a blind eye to states illegally importing the drug.

In a 2013 ruling, a federal judge agreed, ordering the FDA to not allow any more shipments of sodium thiopental into the U.S.

In his October letter, Gray argued that “when Ohio has been able to procure the drugs necessary to carry out its constitutionally approved method of capital punishment via lethal injection, it has a history of doing so humanely and efficiently.” Ohio’s most recent execution took place in January 2014, when inmate Dennis McGuire gasped, choked, and clenched his fists in an execution that lasted 26 minutes.

When approached with more information about Harris on Monday morning, Smith, the DRC spokesperson, would say only that “DRC continues to seek all legal means to obtain the drugs necessary to carry out court ordered executions.” On Monday evening, however, Ohio [announced](#) that it was postponing executions until 2017, citing ongoing problems obtaining execution drugs.

Harris promised delivery to Nebraska within 60 days. It’s now been more than 150 days, and the sodium thiopental still isn’t there. The FDA has been constant in saying it will not allow the drugs in, and that importing them would be illegal. Harris tried to ship the drugs to Nebraska in late August, but [the shipment was returned](#) due to “improper or missing paperwork” according to FedEx. The company in India that handled the export for Harris said it was because the drug lacked FDA approval.

"Our shipment has to clear the U.S. office," Rohit Sharma said. "But they told us that it does not have FDA clearance."

Sharma added that he sent the drugs back to the drug distributor, Harris. "He will FedEx it from Kolkata," Sharma said.

In a statement, FedEx said it's standard procedure to notify the FDA and Customs before importing drugs.

"This shipment was never brought to the United States," a spokesperson said.

"The paperwork was incorrect in India and it was returned to the shipper. As with any international importation of a drug, data about that shipment is transmitted to federal agencies in advance, including U.S. Customs and the Food and Drug Administration. If the shipment is authorized, we will deliver it to the recipient; if it is not, we will return it to the foreign shipper."

Nearly two months later, the answer as to what is happening with Chris Harris's efforts to import execution drugs is no more clear.

"We can't comment on pending or ongoing investigations," an FDA spokesperson told BuzzFeed News this past week. "We can say that sodium thiopental is unlawful to import and FDA would refuse its admission into the United States."

The Drug Enforcement Administration's regulatory authority does not apply to foreign countries, a spokesperson said, and added that DEA would not be conducting an inspection of Harris's facility. Customs and Border Patrol declined to comment.

Nebraska Gov. Pete Ricketts [still maintains optimism](#) that his state will receive the drugs needed to carry out executions. Ohio, on the other hand, has called off all executions until 2017.

Through it all, Harris remains an elusive figure in this transcontinental spectacle. "I think you people don't understand English," Harris told BuzzFeed News on Monday, given a final opportunity to respond to the allegations made in this story. "I have said I won't waste my time replying to you as you will write whatever you want anyways. STOP SENDING ME MAILED."