



Execution Secrecy and South Carolina's Death Penalty

What We **Do Not** Know About SC Executions

In 2023, South Carolina passed a “shield law” that essentially prohibits the public from knowing any information about executions, including the names of executioners, the potency of lethal injection drugs, the maker of the drugs, the cost of the drugs, how the drugs are stored, whether the drugs are expired, etc.¹² For example, SC doesn't guarantee that a witness can see or hear all parts of the execution, or know when a lethal injection drug is being used. These secrecy statutes are concerning because of the increase in botched executions. In fact, information that has been uncovered shows states lying about the truth of events, using illegal drugs, and allowing non-medical prison staff to administer lethal injection.

What is The History Behind Lethal Injection?

In 1977, Oklahoma was the first to use lethal injection as a means of execution. Dr. Jay Chapman, Oklahoma's medical examiner, was asked to help create the injection.³ He is quoted as saying he did not feel qualified.⁴ He famously called himself “an expert in death, but not in getting people that way.” Dr. Jay Chapman based his injection on anesthesia practices that prep patients for surgery. The three drugs that were to be used in lethal injection were an anesthetic (sodium thiopental), a muscle relaxant (pancuronium bromide), and potassium chloride. Over the last 50 years, states have Certain ingredients that have been stopped being made, drug shortages, and costs have led states to use other drugs.

Execution Protocols

All states that implement the death penalty use lethal injection. The protocol for lethal injection depends on the state; however, it starts the same.⁵

For lethal injection, the individual is first bound to a gurney, where heart monitors are then situated on the skin. Next, the execution team will find two veins to insert the two needles into. In the past, SC has used three drugs, but recently, SC has used a single drug protocol, pentobarbital.⁶ Pentobarbital is a barbiturate— a type of sedative. The single drug protocol takes longer (about 45 minutes) for the individual to die than the multi-use drug protocol.

- Doctors cannot be involved in this as it is against medical ethics. They only confirm if the individual is dead. Instead, the drug is often injected by technicians or prison employees/orderlies-- people who do not have sufficient training in anesthesia.⁷
- Furthermore, it is often difficult to find usable veins, prolonging and adding more pain to the execution.



¹ “Behind the Curtain: Secrecy and the Death Penalty in the United States Death Penalty Information Center,” Behind the Curtain: Secrecy and the Death Penalty in the United States, November 20, 2018, <https://deathpenaltyinfo.org/research/analysis/reports/in-depth/behind-the-curtain-secrecy-and-the-death-penalty-in-the-united-states>.

² “South Carolina Code of Laws Unannotated: Title 24 - CORRECTIONS, JAILS, PROBATIONS, PAROLES AND PARDONS,” South Carolina Legislature, accessed October 7, 2025, <https://www.scstatehouse.gov/code/t24c003.php#24-3-580>.

³ Elizabeth Kim and Richard J Levy, “The Role of Anaesthesiologists in Lethal Injection: A Call to Action,” *Lancet* (London, England), February 29, 2020, <https://pmc.ncbi.nlm.nih.gov/articles/PMC7416913/>.

⁴ Deborah Denno, “Meet A. Jay Chapman, Whose Lethal Injection Recipe Has Helped Kill 1,200 People,” *Fordham Law News*, May 3, 2017, <https://news.law.fordham.edu/blog/2017/05/03/meet-a-jay-chapman-whose-lethal-injection-recipe-has-helped-kill-1200-people/>.

⁵ Deborah Denno, “Meet A. Jay Chapman, Whose Lethal Injection Recipe Has Helped Kill 1,200 People,” *Fordham Law News*, May 3, 2017, <https://news.law.fordham.edu/blog/2017/05/03/meet-a-jay-chapman-whose-lethal-injection-recipe-has-helped-kill-1200-people/>.

⁶ “Methods of Execution,” Death Penalty Information Center, accessed October 8, 2025, <https://deathpenaltyinfo.org/resources/high-school/about-the-death-penalty/methods-of-execution>.

⁷ “State-by-State Execution Protocols,” Death Penalty Information Center, accessed October 8, 2025, <https://deathpenaltyinfo.org/executions/methods-of-execution/state-by-state-execution-protocols>.

⁸ Jonathan I Groner, “Lethal Injection: A Stain on the Face of Medicine,” *BMJ* (Clinical research ed.), November 2, 2002, <https://pmc.ncbi.nlm.nih.gov/articles/PMC1124498/>.

How Are The Drugs Stored?

Not much is publicly known about how the lethal injection drugs are stored. One of the few pieces of information about this topic comes from the Arizona Department of Corrections, Rehabilitation, and Reentry.⁷ An ingredient being used for lethal injection was being stored in eight unmarked containers in a fridge at the prison. Furthermore, secrecy statutes prevent revealing where the ingredients came from or how long they have been kept. This can make one wonder how well these drugs will work if the origin and expiration is unknown.

What are the Affects on Humans?

Little is known about the affects of these lethal injection drugs. Barbiturates lower the electrical activity in the brain.⁸ In turn, this causes an inhibitory response, reducing neuronal firing. Eventually, breathing becomes slower until it stops. The type of barbiturate, however, creates differences in how conscious a patient is, or how painful death is.

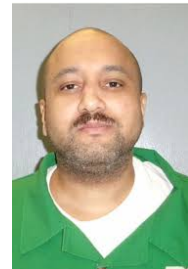
Cost

The death penalty has been found to cost taxpayers significantly more money (almost 2-3 times more) than life without parole.⁹ In fact, it is estimated that from start to finish, one death penalty case can cost \$1.1 million more.

Botched Executions

A botched execution is any execution that did not go according to plan. Here are some real examples taking place in SC:

Mikal Madhi: Mikal was executed via firing squad on April 11, 2025. Three bullets were supposed to be shot into his heart.¹⁰ However, according to pathologists, there were only two bullets fired, both missing the heart, causing a longer, more painful death.



Marion Bowman: Not only did Marion Bowman maintain his innocence, but his execution was botched. On January 31st, 2025, Marion was executed by lethal injection. On February 24th, his autopsy results show the dose of pentobarbital was twice (10 grams) as much as the correct dosage should've been. Furthermore, his lungs were found to be filled with blood and other fluids.



⁷ Hayley Bedard, "Arizona's Handling of Lethal Injection Drugs Raises Transparency and Viability Concerns," Death Penalty Information Center, January 23, 2025, <https://deathpenaltyinfo.org/arizonas-handling-of-lethal-injection-drugs-raises-transparency-and-viability-concerns>.

⁸ Sean Riley, "Navigating the New Era of Assisted Suicide and Execution Drugs | Journal of Law and The Biosciences | Oxford Academic," Oxford Academic, September 28, 2017, <https://academic.oup.com/jlb/article/4/2/424/4265564>.

⁹ Bella Sasselli, "Facts about the Death Penalty - Does the Death Penalty Cost Less than Life without Parole?," Death Penalty Information Center, July 28, 2025, <https://deathpenaltyinfo.org/dpi-series-facts-about-the-death-penalty-does-the-death-penalty-cost-less-than-life-without-parole>.

¹⁰ Anumta Ali, "Lawyers Raise Concern as Autopsy Finds South Carolina's Second Firing Squad Execution May Have Been Botched," Death Penalty Information Center, May 13, 2025, <https://deathpenaltyinfo.org/news/lawyers-raise-concern-as-autopsy-finds-south-carolinas-second-firing-squad-execution-may-have-been-botched>.

¹¹ Hayley Bedard, "South Carolina Preparing for State's First Firing Squad Execution, Marking First Firing Squad Execution in U.S. in 15 Years," Death Penalty Information Center, March 14, 2025, <https://deathpenaltyinfo.org/south-carolina-preparing-for-states-first-firing-squad-execution-marking-first-firing-squad-execution-in-u-s-in-15-years>.