



# The Death Penalty and Race

## From Noose to Needle, SC's Legacy of Racial Terror

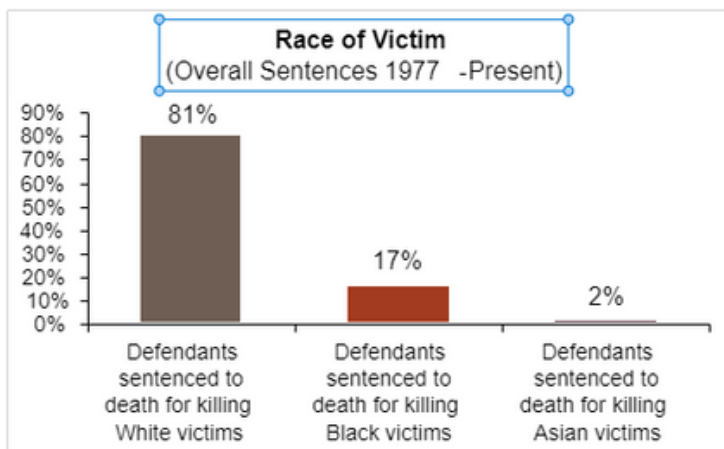
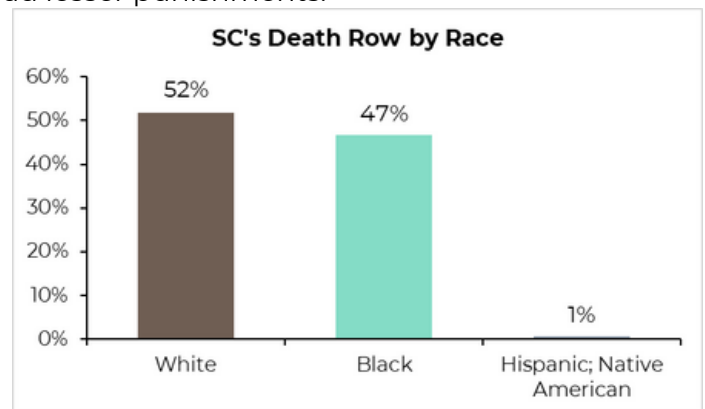
### The "Racist Roots"

There is a long history in our state of using violence to control Black citizens, from slavery to racial terror lynchings. Slaves were whipped for minor infractions to show the rest of the enslaved population that the white men were in charge. Lynchings of Black men achieved the same goal: to show the Black population that perceived wrongs or infractions would be handled with violence. South Carolina's use of the death penalty, which evolved from the practice of lynching, has served the same purpose.

During the Reconstruction Era, South Carolina's state government passed Black Codes creating different treatment in the legal system for Blacks and whites. Black people were only allowed to testify in court in cases involving other people of color. Crimes such as arson, burglary, and assault of a white woman carried penalties of death for Black people, but not for white people. Punishment for minor offenses committed by Blacks resulted in whippings, while similar crimes committed by whites mostly had lesser punishments.

### Present-Day Death Row

- Approximately 47% of South Carolina's death row is Black whereas Black people make up only 26% of the population.
- 81 percent of those on death row have white victims in their cases, showing that a person is more likely to be sentenced to death if their homicide victim is white.
- Since 1999, 86 percent of the Black men executed in South Carolina were convicted of killing white victims, despite the fact that most murders occur between perpetrators and victims of the same race.
- Of the 282 people that the State of South Carolina has executed since 1912, 74% have been Black Men.



### The Legacy of Lynchings

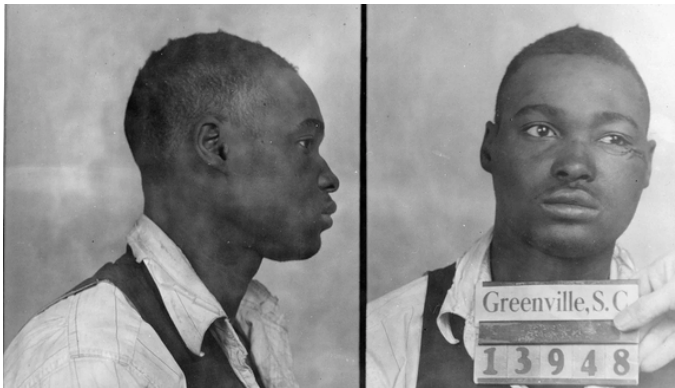
More than 8 in 10 lynchings the United States during this period took place in the South. As national public condemnation of lynchings grew, state leaders promised that the state would punish any Black person who committed a crime, real or imagined, through trials and executions. However, in many cases, the proceedings were little more than sham trials where minimal or no defense was provided, and questions of innocence were irrelevant.

Between 1877 and 1950 there were 191 lynchings of Black South Carolinians. Many lynchings took place because of a perceived violation of social mores or because Black citizens pushed for better treatment or the right to vote.

### **Prominent Lynchings in South Carolina**

In 1904, a Black man named General Lee was lynched by a white mob for knocking on the door of a white woman's home in Reevesville, South Carolina.

In 1903, a Black man, John Brownfield, was tried and convicted of murder by an all-white jury despite the fact that 80 percent of the county where he was tried was made up of Black people.



*Willie Earl (pictured above) was lynched in Greenville, SC February 16, 1947. He is the last officially recognized lynching victim in the state.*

### **The Death Penalty as “Legal Lynching”**

Lynchings were also driven by racist fears that Black men were sexual predators who were preying on white women. People were brutally murdered by mobs based on scant information, though they were never tried or convicted. The state did little to stop these vigilante mobs and the perpetrators were almost never held accountable.

Like with lynching, Black men accused of crimes involving white women were frequent victims of the death penalty. For most of the 20th Century, the death penalty was permitted in South Carolina not just for murder but also for rape and attempted rape.

Between 1900 and 1999, 25 people were executed for attempted rape; all of them were Black men with white female victims.

Fewer than 10 percent of the people executed for rape between 1900 and 1999 were white. During this period, 79 percent of the people executed by the state for all crimes were Black.

### **Case Study: George Stinney, Jr.**

South Carolina had no qualms trying and executing a 14-year-old Black child on scant evidence after a mob unsuccessfully tried to track him down to lynch him. In 1944, 14-year old George Stinney, Jr. was convicted of murdering two white girls based only on an alleged confession obtained without lawyers or his family present. There was no written record of the confession. His trial lasted two hours and no Black people were allowed in the courthouse to observe. His attorney, a tax lawyer by trade, called no witnesses on his behalf, despite the fact that his sister said she was with him at the time of the crime. The jury deliberated for 10 minutes and sentenced him to death.

To accommodate the execution of the child, who was just 95 pounds, in the electric chair, the state had him sit on a thick book so his head would fit in the headpiece that administered lethal shock. Seventy years later, in 2014, a court found that his trial and conviction were inadequate and overturned the conviction.