

URGENT ACTION

COURT HALTS TWO EXECUTIONS IN SOUTH CAROLINA

Two executions by electric chair in South Carolina, scheduled for 18 and 25 June 2021, have been halted. South Carolina enacted a law on 14 May that changed South Carolina's death penalty, allowing for execution by electric chair or firing squad. The two executions were scheduled immediately following the enactment of that law. The South Carolina Supreme Court halted the executions until the state establishes protocols for death by firing squad – which both men chose as their preferred method of execution. These executions, if carried out, would have ended a 10-year hiatus in executions in South Carolina.

NO FURTHER ACTION IS REQUESTED. MANY THANKS TO ALL WHO SENT APPEALS.

On 14 May 2021, Governor Henry McMaster signed into law revisions to South Carolina's death penalty statute that allow those sentenced to die to choose between execution by firing squad or electric chair if lethal injection drugs are not available. The law was passed in response to the state's inability to secure the drugs necessary for lethal injection, as defined under the state execution protocols. The South Carolina Supreme Court soon after scheduled two executions on 18 and 25 June, respectively.

The new South Carolina law keeps lethal injection as the primary method of execution but states that if lethal injection is unavailable "then the manner of inflicting a death sentence must be by electrocution, unless the convicted person elects death by firing squad." The new law also maintains the provision that those under sentence of death must make their election within 14 days of their execution date "or it is waived." If the person sentenced to die does not make an election, the state's Department of Corrections will use electrocution to carry out the execution. The law previously made lethal injection the default form of execution if no choice was made. Both men were sentenced under the older version of the law that made lethal injection the default execution method, but reserved the choice for electrocution. According to media reports, the man scheduled to be executed on 18 June did not previously choose between electrocution or lethal injection, while the man scheduled to be executed on 25 June previously selected lethal injection. The South Carolina Department of Corrections has not yet created a firing squad – so death by the 109-year-old electric chair was the only means of execution at this time.

On 16 June 2021, the South Carolina Supreme Court halted the executions from moving forward until the state establishes protocols for death by firing squad – which both men now chose as their preferred method of execution. No executions have been carried out in the state of South Carolina since May 2011. Amnesty International will continue to monitor the developments in South Carolina and will issue a future Urgent Action should executions in the State of South Carolina resume.

Amnesty International opposes the death penalty in all cases without exception regardless of the nature or circumstances of the crime; guilt, innocence, or other characteristics of the individual; or the method used by the state to carry out the execution.

NAME AND PRONOUN: Two men face execution in South Carolina (them, they, theirs)

THIS IS THE SECOND AND FINAL OUTPUT FOR UA 068/21

LINK TO PREVIOUS UA: <https://www.amnesty.org/en/documents/amr51/4259/2021/en/>