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S.C. SUPREME COURT

MANAGING DEATH ROW

A Warden's Reflections

Enforcing the Death Penalty With Competence, Compassion

by George N. Martin III

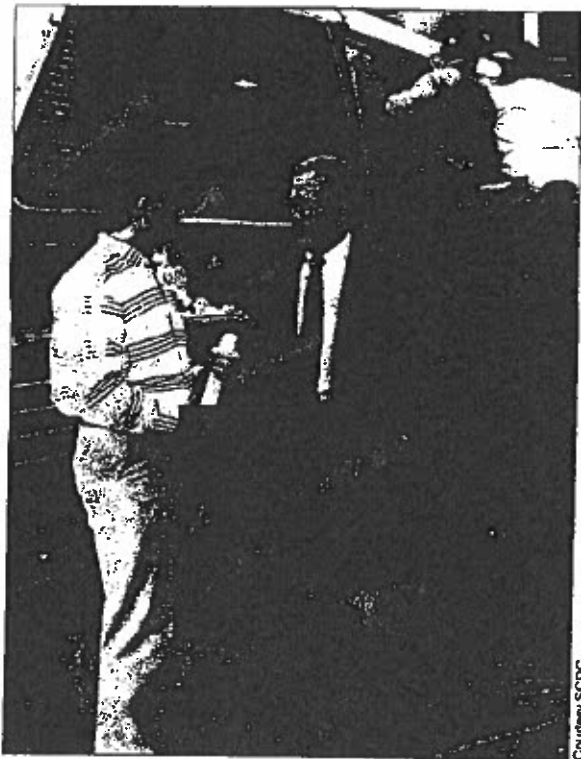
Planning and managing an execution is the most difficult assignment I have ever faced or asked my staff to support. Since 1990, we have carried out two executions at Broad River Correctional Institution in Columbia, S.C., where I am warden. I hope that sharing my thoughts on our experiences might be of value to others who find themselves faced with the task.

This is not a "how to" primer on conducting an execution. Rather, it is an account of what it's like to be the person responsible for ensuring that executions are conducted efficiently and with some semblance of dignity and humanity. This article also is an opportunity for me to acknowledge some people whose support has been essential to me during some difficult times.

I should caution readers who are looking for validation of their belief in capital punishment. My observations and experiences are those of one who continues to struggle with conflicting ethical, moral and religious beliefs—as well as a pragmatic certainty that capital punishment is neither cost-effective nor an effective deterrent to violent crime. Capital punishment is abhorrent to me personally and is in diametric conflict with everything I hold to be consistent with the values of the South Carolina Department of Corrections.

That said, there also is no uncertainty regarding my understanding of the law and my charge. Broad River is responsible for handling executions, and my purpose remains to see that they are carried out properly.

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Warden George N. Martin, who has presided over two executions, talks with a staff member.

Courtesy SCDC

Broad River Opens

The DOC determined that Broad River would be the new site of executions once the facility was completed and activated in 1988. South Carolina had two executions in 1985 and 1986 at the nearby Central Correctional Institution, so there was little doubt that we eventually would be called on.

Even before Broad River opened, the question of participation in an execution was a standard issue in staff screening and selection. For people in key positions, we obviously looked for competence and a well-considered willingness to do a difficult job. Some applicants told us their consciences would not allow them to be a part of an execution; others seemed to view it as a grand opportunity to fulfill a fantasy. There was no place for either type—especially the latter.

Once the institution was activated, I felt it absolutely essential that I see an electrocution and talk with people who had prepared and trained for one. Tom Barton, my counterpart and friend at the Florida State Prison in Starke, arranged for me to serve as a witness at an execution there in November 1988. Seeing the execution carried out with well-rehearsed precision bolstered my confidence. As a member of the witness party, I was briefed, escorted into the chamber and seated as an observer. Thankfully, I was out in about 15 minutes.

My initial reaction was, "Is that all there is to it?" The seemingly cool demeanor of Superintendent Barton and his staff and the deliberate swiftness of the procedure made it appear almost antiseptic. Even the inmate's humbled resignation to his fate and the speed with which the surge of electricity rendered him unconscious could easily have left me with the impression that the procedure was not difficult. Harsh reality would soon follow.

In January 1989, construction and installation of equipment in our new Capital Punishment Facility (CPF)—which adjoins Broad River—was completed ahead of schedule. In March 1989, before the death row population was moved from Central to Broad River, we were told by the DOC's general counsel to expect a death warrant. An execution date would be set for the fourth Friday following its receipt.

James Beam, the senior deputy warden at the time, and I began developing facility plans. We needed to revise the agency's execution policy to be consistent with Broad River's layout, internal procedures and the laws of the state.

Perhaps the single greatest asset at my disposal during that early period of preparation was the opportunity to learn from Jim Aiken, who had overseen South Carolina's first two electrocutions as Central's warden. He provided valuable procedural guidance and moral support. Although Jim has left South Carolina, I continue to treasure his friendship.

The fundamental advice offered by staff at Central and Florida State Prison was to refine our procedure down to the smallest detail, select a team of primary and alternate members for each position, and then practice, practice, practice.

The First Warrant

I will never forget the day in May 1989 I received the phone call from the general counsel informing me that the death warrant was en route. I drove to the warden's office at Central and accepted it. In the presence of defense counsel, clergy and other staff, I read the warrant to the frightened inmate. I told him he would be moved to Broad River in three weeks and placed in the CPF. The execution was scheduled for three days later, on June 17.

We discussed what would happen to his property, the visitation schedule, security procedures and—of all things—his wishes regarding disposition of his body. I assured him that all of us would do everything possible to make the procedure as least difficult for him as his own conduct would allow. He promised me that I could depend on our having no trouble with him. He would remain true to his word.

The next four weeks were among the most difficult of my life. Like many of you, I have seen riots, grisly murder scenes and other prison crises. Yet the impending execution weighed on my mind constantly. I also felt a profound sense of personal responsibility for the welfare of my dedicated staff members.

As the execution date drew closer and the preparation grew more intense, our team became extremely close. There was a consensus that we should not distract ourselves from the mission before us. We had an unspoken understanding that we must simply "just do it"—and then pick up the pieces afterward.

It is important to understand that the execution team we assembled and trained included many of the staff disciplines. In addition to uniformed and other operational staff, our chaplain and maintenance, medical and human service personnel were directly involved. All took part in the practices and were included as team members.

After weeks of planning and practice, I reconciled myself to the inevitable. I came to work on the appointed Thursday prepared to carry out the most difficult assignment of my career.

At about noon, word came that a stay had been granted and there would not be an execution that night. I cannot begin to describe the conflicting sense of relief and frustration we all experienced. It was one of the few times in my life that I was completely at a loss for words.

The inmate's subsequent appeals were denied, and in the spring of 1990 we found ourselves preparing, again, for the first execution at Broad River.

This time there was no stay. We carried the execution out on April 27 with well-drilled precision. The body was removed from the chair and I asked our chaplain to offer a prayer for all of us. Then we waited briefly for the demonstrators outside the facility to disperse before going home.

The members of the execution team, the alternates and the security personnel assigned to the CPF during the 72-hour death-watch were required to attend individual post-stress debriefings. It was time and money well-spent.

Broad River was called on to execute another man in

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September 1991. While the first one removed the element of uncertainty, the second was just as difficult. It required the same intensity of training, preparation and support from agency staff.

We have been fortunate that Broad River was required to focus only on internal operations. Our regional office developed and implemented security procedures for state and local law enforcement agencies to manage off-site security. Both the state Law Enforcement Division and local agencies provide liaison personnel at our external command post that handles crowd control and staff access to the area facilities. The regional office also is responsible for coordination with utility companies in the unlikely event of a power outage or communication failure during an execution.

Our agency's Division of Public Information also has performed with distinction. I have imposed an informal restriction on media access to Broad River staff during the days leading up to an execution. Although I understand the public's interest in capital punishment, the intense stress the media presents is equally compelling. Our public affairs director routinely arranges for media tours and briefings at the CPF, but not during the preparation for an electrocution.

The day of the execution, we provide media representatives with prepared information packets and frequent briefings. They are restricted, though, to a media center set up in the DOC's administration building. This eliminates some of the potential for a general population disturbance their closer proximity would create.

I think we have enforced the death penalty with a measure of competence and compassion. Commissioner Parker Evatt's genuine concern for us has been especially helpful and greatly appreciated. His personal visits with both condemned inmates and our staff are evidence of his humanity and sincere concern for our welfare.

The appointment of an independent ombudsman/observer from the South Carolina Department of Human Affairs also has been helpful. From the time a death warrant is received and throughout the following four weeks, the observer has unrestricted access to the condemned inmate. After the inmate moves from death row to the CPF, this person spends most of the final three days on-site with us.

His main purpose is to ensure that we adhere to our stated procedures and to see that the condemned man is treated humanely. Following completion of the execution, he prepares a formal report for the governor. What otherwise might be considered an unwelcome intrusion is clearly an additional measure of protection from the wildly unfounded accusations that often accompany an execution.

An Inmate's Words

Following the 1989 stay granted the first inmate, the specter of leading an execution continued to weigh on my conscience. The service of his second death warrant and the re-initiation of the preparation nearly consumed me with personal anxiety and concern for our people.

Fortunately, I am blessed with a caring family, professional support and a cherished friendship from childhood; these are all part of my safety net. Nevertheless, I can recall no greater gift than one offered to me by the condemned man who was executed at 1 a.m. on April 27, 1990. He certainly was no hero or martyr, but neither was he any longer the drug- and alcohol-soaked 19-year-old who, with an older accomplice, had brutally shot and killed four people during a robbery spree.

He had been housed in the CPF since the preceding Tuesday morning, and I had watched him frantically try to bring some peace among members of an incredibly dysfunctional family whose members had not spoken to each other in years. We did not relax the rigid security precautions dictated by the situation, but I allowed him additional time at night with a pastoral volunteer who had become an important part of my efforts to make sense of the situation.

With the family visits over and the lawyers' final appeal attempts exhausted, the 1 a.m. execution was a virtual certainty. Final preparations got under way.

At about 11:30 p.m., the barber shaved the man's head and right leg. After staff showered the inmate, issued him clean clothing and applied conducting gel, he returned to his cell to await the execution. The hearse was in place and the official witnesses were en route from the commissioner's conference room in the administration building.

Three people—a defense attorney, the staff chaplain and the pastoral volunteer—were allowed to remain with him. They talked among themselves as he sat quietly on the bunk. The officers at the cell door let me in and I sat beside him. With a reassuring pat on the shoulder I asked, "You doing alright, fella?"

With that, he turned to me and said, "Warden, I've told you for a long time not to worry about me. I told you I wasn't going to cause you any trouble, and I know I'm going to be fine when this is all over. But I've seen what this has been doing to you. You've always been straight with me, and I want you to promise that this won't make you leave here. They won't tell you so, but these guys need you and the people here who care something about them and try to treat them fair."

To hear that from a man who I would lead to his electrocution 15 minutes later was a powerful experience.

Executions will never get any easier for me or anyone at Broad River. But that man's insight and his willingness to offer me a gesture of kindness—even in his own darkest hour—gave me a much needed measure of peace with myself. Commissioner Evatt knows there is a limit to the number of times I intend to do this, but I can cope just a little better with doing what I must sometimes do. □

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