

Exhibit A

RECEIVED
Jun 02 2021
S.C. SUPREME COURT

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

NOTICE OF ELECTION

I, Freddie Eugene Owens #5065, pursuant to Section 24-3-530, South Carolina
Code of Laws, 1976 as amended, hereby elect lethal injection as the method for
execution.

Freddie Eugene Owens
Freddie Eugene Owens
(Freddie Eugene Owens)

Dated: 4-23-21

WITNESSES:

Wileen Darn

TK Park

Jacqueline Murrell

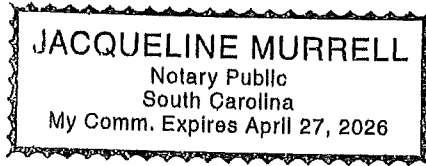


Exhibit B

The Supreme Court of South Carolina

The State, Respondent,

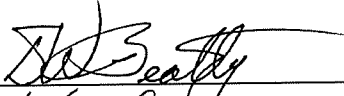

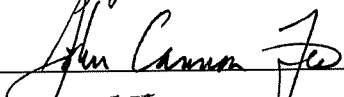
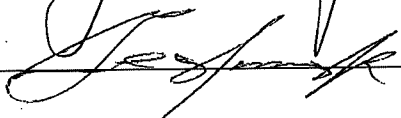
v.

Freddie Eugene Owens, Appellant.

Appellate Case No. 2006-038802

ORDER

On April 22, 2021, the Clerk of this Court issued an execution notice for Petitioner. Following an election of lethal injection as the method for his execution, Petitioner now seeks a stay of his execution. Because the South Carolina Department of Corrections (SCDC) lacks the means to conduct an execution by lethal injection at this time, we grant the motion and stay Petitioner's execution until SCDC advises the Court it has the ability to perform the execution as required by the law.

	C.J.
	J.
	J.
	J.

Kittredge, J., not participating

Columbia, South Carolina
May 4, 2021

cc: Emily Paavola, Esquire
Alan Wilson, Esquire

Donald J. Zelenka, Esquire
Melody J. Brown, Esquire
J. Anthony Mabry, Esquire
Elizabeth J. Peiffer, Esquire
Gerald W. King, Jr., Esquire
Salley W. Elliott, Esquire
Barton J. Vincent Esquire
W. Walter Wilkins, Esquire
Bryan Peter Stirling, Esquire
Robert E. Lee, Esquire
Daniel Clifton Plyler, Esquire

Exhibit C

South Carolina General Assembly
124th Session, 2021-2022

R56, S200

STATUS INFORMATION

General Bill

Sponsors: Senators Hembree, Martin, Kimbrell, Shealy, Gustafson and Turner

Document Path: I:\s-res\gh\0051eth.sp.gh.docx

Companion/Similar bill(s): 3755

Introduced in the Senate on January 12, 2021

Introduced in the House on March 4, 2021

Last Amended on May 5, 2021

Passed by the General Assembly on May 12, 2021

Governor's Action: May 14, 2021, Signed

Summary: Executions

HISTORY OF LEGISLATIVE ACTIONS

<u>Date</u>	<u>Body</u>	<u>Action Description with journal page number</u>
12/9/2020	Senate	Prefiled
12/9/2020	Senate	Referred to Committee on Corrections and Penology
1/12/2021	Senate	Introduced and read first time (Senate Journal-page 214)
1/12/2021	Senate	Referred to Committee on Corrections and Penology (Senate Journal-page 214)
2/2/2021	Senate	Polled out of committee Corrections and Penology (Senate Journal-page 5)
2/2/2021	Senate	Committee report: Favorable Corrections and Penology (Senate Journal-page 5)
2/3/2021		Scrivener's error corrected
3/2/2021	Senate	Amended (Senate Journal-page 59)
3/2/2021	Senate	Read second time (Senate Journal-page 59)
3/2/2021	Senate	Roll call Ayes-32 Nays-11 (Senate Journal-page 59)
3/3/2021		Scrivener's error corrected
3/3/2021	Senate	Read third time and sent to House (Senate Journal-page 168)
3/4/2021	House	Introduced and read first time (House Journal-page 4)
3/4/2021	House	Referred to Committee on Judiciary (House Journal-page 4)
4/28/2021	House	Committee report: Favorable with amendment Judiciary (House Journal-page 64)
5/4/2021	House	Requests for debate-Rep(s). Murphy, Gatch, Finlay, Wetmore, Weeks, Rose, Garvin, Teeder, Fry, Hart, S Williams, Hosey, Jefferson, Forrest, Murray, Gilliard, Bamberg, McDaniel, Collins, Henderson-Myeres, Anderson, Ott, Pope, Taylor, Hixon, Dilliard, Robinson, McGarry (House Journal-page 14)
5/5/2021	House	Amended (House Journal-page 35)
5/5/2021	House	Read second time (House Journal-page 35)
5/5/2021	House	Roll call Yeas-66 Nays-43 (House Journal-page 61)
5/6/2021	House	Read third time and sent to Senate (House Journal-page 30)
5/6/2021	House	Roll call Yeas-65 Nays-43 (House Journal-page 31)
5/12/2021	Senate	Concurred in House amendment and enrolled (Senate Journal-page 51)
5/12/2021	Senate	Roll call Ayes-32 Nays-11 (Senate Journal-page 51)
5/13/2021		Ratified R 56
5/14/2021		Signed By Governor

View the latest [legislative information](#) at the website

VERSIONS OF THIS BILL

12/9/2020

2/2/2021

2/3/2021

3/2/2021

3/3/2021

4/28/2021

5/5/2021

NOTE: THIS IS A TEMPORARY VERSION. THIS DOCUMENT WILL REMAIN IN THIS VERSION UNTIL FINAL APPROVAL BY THE LEGISLATIVE COUNCIL.

(R56, S200)

AN ACT TO AMEND SECTION 24-3-530, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEATH BY ELECTROCUTION OR LETHAL INJECTION, SO AS TO PROVIDE THAT A PERSON SENTENCED TO DEATH SHALL SUFFER THE PENALTY BY ELECTROCUTION OR BY FIRING SQUAD OR LETHAL INJECTION, IF LETHAL INJECTION IS AVAILABLE AT THE TIME OF ELECTION, TO PROVIDE THAT AN ELECTION EXPIRES AND MUST BE RENEWED IN WRITING IF THE CONVICTED PERSON RECEIVES A STAY OF EXECUTION OR THE EXECUTION DATE HAS PASSED, TO PROVIDE THAT A PENALTY MUST BE ADMINISTERED BY ELECTROCUTION FOR A PERSON WHO WAIVES HIS RIGHT OF ELECTION, TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF CORRECTIONS SHALL DETERMINE AND CERTIFY TO THE SUPREME COURT WHETHER THE METHOD SELECTED IS AVAILABLE, AND TO PROVIDE THAT THE MANNER OF INFLECTING A DEATH SENTENCE MUST BE ELECTROCUTION, UNLESS THE PERSON ELECTS DEATH BY FIRING SQUAD, IF EXECUTION BY LETHAL INJECTION IS UNAVAILABLE OR IS HELD TO BE UNCONSTITUTIONAL BY AN APPELLATE COURT OF COMPETENT JURISDICTION.

Be it enacted by the General Assembly of the State of South Carolina:

Death penalty, methods of execution

SECTION 1. Section 24-3-530 of the 1976 Code is amended to read:

“Section 24-3-530. (A) A person convicted of a capital crime and having imposed upon him the sentence of death shall suffer the penalty by electrocution or, at the election of the convicted person, by firing squad or lethal injection, if it is available at the time of election, under the direction of the Director of the Department of Corrections. The election for death by electrocution, firing squad, or lethal injection must be made in writing fourteen days before each execution date or it is

waived. If the convicted person receives a stay of execution or the execution date has passed for any reason, then the election expires and must be renewed in writing fourteen days before a new execution date. If the convicted person waives the right of election, then the penalty must be administered by electrocution.

(B) Upon receipt of the notice of execution, the Director of the Department of Corrections shall determine and certify by affidavit under penalty of perjury to the Supreme Court whether the methods provided in subsection (A) are available.

(C) A person convicted of a capital crime and sentenced to death by electrocution prior to the effective date of this section must be administered death by electrocution unless the person elects death by firing squad or lethal injection, if it is available, in writing fourteen days before the execution date.

(D) If execution by lethal injection under this section is determined and certified pursuant to subsection (B) to be unavailable by the Director of the Department of Corrections or is held to be unconstitutional by an appellate court of competent jurisdiction, then the manner of inflicting a death sentence must be by electrocution, unless the convicted person elects death by firing squad.

(E) The Department of Corrections must provide written notice to a convicted person of his right to election under this section and the available methods.

(F) The Department of Corrections shall establish protocols and procedures for carrying out executions pursuant to this section.”

Severability clause

SECTION 2. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

Time effective

SECTION 3. This act takes effect upon approval by the Governor and applies to persons sentenced to death as provided by law prior to and after the effective date of this act.