A Year in the Life of Death: Murders and Capital Sentences in South Carolina

David Elton McCord

Drake University School of Law

Follow this and additional works at: https://scholarcommons.sc.edu/sclr

Part of the Law Commons

Recommended Citation
Available at: https://scholarcommons.sc.edu/sclr/vol53/iss2/5

This Article is brought to you by the Law Reviews and Journals at Scholar Commons. It has been accepted for inclusion in South Carolina Law Review by an authorized editor of Scholar Commons. For more information, please contact dillarda@mailbox.sc.edu.
A YEAR IN THE LIFE OF DEATH: MURDERS AND CAPITAL SENTENCES IN SOUTH CAROLINA, 1998

DAVID McCORD*

I. INTRODUCTION ............................................ 250

II. THE DATA FROM SLED ............................................ 252
    B. What the SLED Report Data Showed ...................... 254
        1. Population Effects ........................................ 254
        2. By Geography ............................................. 256
        3. By Income ................................................. 256
        4. By Month ................................................ 257
        5. Days of the Week ......................................... 258
        6. Time of Day .............................................. 258
        7. Victim Resident Status .................................. 258
        8. Weapon Type .............................................. 259
        9. Circumstances ............................................ 259
       10. Relationship of Offender and Victim ................. 260
       11. Premises of Murder ..................................... 261
       12. Race/Gender/Age ....................................... 262
       13. Victims .................................................. 264
       14. Alcohol/Drug Use ....................................... 265
       15. Active/Cleared ......................................... 266
       16. Other Crimes ............................................ 266
    C. Correlation Between the Race and Gender of Suspects and Victims .................................. 267

III. AN ANALYSIS BASED ON INFORMATION FROM NEWSPAPERS .... 269
    A. The Case Sample and the Process of Assembling It .......... 269
    B. Categories of Homicides ................................ 271
    C. General Observations Regarding Newsworthiness .......... 272
    D. Summaries of Categories and Newsworthiness Therein .... 274
        1. Domestic—Male/Female Relationship—Spontaneous .... 274

* Associate Dean and Professor of Law, Drake Law School; J.D. Harvard Law School 1978. The author would like to thank his secretary, Karla Westberg, and his research assistants—Leslie Clemenson, Bethany Currie, Travase Erickson, Michael Marquess, and Christine Sand—for their diligent assistance. Also, thanks go to Lt. Jerry Hamby of the South Carolina Law Enforcement Division for providing essential information without which this Article could not have been written.
2. Domestic Male/Female Relationship—
   Planned: Stalking, Luring, etc. .......................... 275
3. Domestic Male/Female Relationship—
   Planned: Conspiracy ...................................... 275
4. Domestic Male/Female Relationship—
   Murder/Suicide .......................................... 276
5. Domestic Male/Female Relationships:
   Collateral Victim ......................................... 276
6. Domestic—Child Victim .................................... 277
7. Domestic—Other Relationships ............................. 278
8. Acquaintance Disputes ..................................... 278
9. Stranger Disputes—Arising in a Bar/Nightclub ........ 279
10. Stranger Disputes—Others ................................ 279
11. Drug Disputes ............................................ 279
12. During Another Felony ................................... 280
13. Insufficient Information to Categorize .................. 281

IV. CAPITAL SENTENCES ........................................... 282
   A. Introduction ............................................. 282
   B. The Worst Cases ......................................... 282
      1. The Worst Homicides .................................... 285
         a. Nine (or Possibly More) Depravity Points ........ 285
         b. Eight Depravity Points ............................ 286
         c. Six Depravity Points .............................. 287
         d. Five Depravity Points ............................. 288
         e. Four Depravity Points .............................. 288
         f. Three Depravity Points ............................. 291
   C. Overinclusion Examined .................................. 294
   D. Underinclusion Examined .................................. 294
   E. Did Race-of-Defendant Discrimination Exist? ............ 295
   F. Victim Race Effects .................................... 296

V. CONCLUSION .................................................... 297

APPENDICES .................................................... 299

I. INTRODUCTION .................................................. 299

About a decade ago, Baltimore Sun reporter David Simon spent a year with
the Baltimore homicide unit. He wrote a fascinating book based upon his
experiences, entitled Homicide: A Year on the Killing Streets. But Simon’s
book, while illuminating and engrossing, did not present an empirically
exhaustive survey of all the homicides in Baltimore for that year. Rather,

Simon gave an overview and focused on particular cases being worked by the squad of detectives with whom he had affiliated himself. Inspired by Simon's idea, I undertook a study covering the same one-year time frame, but inclusive of all homicides and more expansive in geographic scope—a state rather than a city. In as much detail as possible, it became my goal to describe all of the murders and nonnegligent manslaughters in one state for one year. As a part of that effort, I wanted to analyze the death sentences resulting from those crimes to assess whether those sentences were only imposed in the most heinous cases (as death penalty supporters claim) or whether they were imposed in a seemingly arbitrary or racially discriminatory manner (as death penalty detractors often argue).

This Article consists of three parts. In Part II, I explain why I chose South Carolina and the year 1998 for my study. Then I set forth the findings I extracted from records kept by the South Carolina State Law Enforcement Division (SLED) concerning the murders and nonnegligent manslaughters (hereinafter simply "homicides") in South Carolina for that year. Further, I analyze the data using population, income, and race data from census figures in order to discover patterns.

The SLED data is in the form of a computer printout with one line devoted to each homicide. Thus, Part III augments the raw data from Part II with additional information gleaned from newspaper reports about the homicides. I exhaustively researched the South Carolina newspapers available on-line and found details concerning over half of the cases. These news reports revealed interesting patterns concerning both the homicides themselves and the reporting of them.

2. See id. at 595 (discussing Simon's stint as a "police intern" with the Baltimore Police Department's homicide unit).

3. While the scope of my study is broader and more exhaustive, I do not pretend to believe that my work will in any way rival Simon's on a stylistic basis.

4. For purposes of brevity in the title of the Article, I used the term "murders" rather than the more exact term "murder and nonnegligent manslaughter" that I obtained information about in the Sourcebook of Criminal Justice Statistics. SOURCEBOOK OF CRIMINAL JUSTICE STATISTICS 1999 (Ann L. Pastore et al. eds., 27th ed. 2000) [hereinafter SOURCEBOOK]. "Nonnegligent manslaughter" is meant to encompass what under the common law would be called "heat of passion" manslaughter, as well as "reckless homicide." Id. at 616 (defining non-negligent manslaughter as "intentionally and without legal jurisdiction causing the death of another when action under extreme provocation").


Finally, in Part IV, I examine the data from the perspective of the death penalty. I analyze whether the defendants who were sentenced to death for homicides committed in South Carolina during 1998 were (a) all of the most heinous murderers, (b) some of the most heinous murderers, or (c) an arbitrarily selected group that included less heinous murderers. Further, I examine the data to see whether any patterns of racial disparity are observable.

II. THE DATA FROM SLED

A. Why 1998? Why South Carolina?

I began my search for a suitable jurisdiction in which to conduct my study by referring to the Sourcebook of Criminal Justice Statistics that is published on a yearly basis by the United States Department of Justice. The answer to the question “Why 1998?” is straightforward: the 1998 Sourcebook figures were the most current figures available when I began this research project in the fall of 2000. However, the answer to the question “Why South Carolina?” is more complicated.

I wanted a state that met three criteria: (1) a state that had a sizeable number of homicides, but still a small enough number that I could research each one of them—I figured this to be around 200; (2) a state that had the death penalty; and (3) a state that was serious about using the death penalty as demonstrated by the fact that it regularly executed malefactors. Based on these three criteria, the likely candidates seemed to be Arkansas (201 murders and twenty-three executions as of December 31, 2000) and Oklahoma (204 murders and thirty executions as of same date).

I decided to check on the information available in Oklahoma first. I was surprised to learn from a knowledgeable official within the Oklahoma Department of Justice that very few states have any detailed, collated information on any crimes beyond basic raw numbers of each type of crime committed. For homicides, Oklahoma could provide only a printout that listed three items: (1) the county of occurrence, (2) the means of causing death, and (3) the date. However, the Oklahoma official did tell me that South Carolina would be the best bet because that state had received a significant grant from the federal government some years back to develop an “incident-based

8. Id. at 279.
10. SOURCEBOOK, supra note 4, at 279.
11. DEATH PENALTY INFO. CTR., supra note 9.
13. Id.
reporting system,” instead of a “summary reporting system” that prevails in virtually every other state.14 South Carolina certainly met two of my criteria—it had the death penalty and was serious about using it (twenty-five executions as of December 31, 200015). But the number of homicides listed for South Carolina (306) was more than I had initially bargained for.16 However, I decided that if I could get the appropriate information from South Carolina, I was willing to do the additional work necessary to deal with the larger number of homicides.

Unfortunately for South Carolina, it is a good state by which to study homicides. The homicide rate in South Carolina for 1998 was calculated as 8.0 per 100,000 population, which makes it one of the most murderous states in the country—only Alabama (8.1), Arizona (8.1), Georgia (8.1), Illinois (8.4), Louisiana (12.8), Maryland (10.0), Mississippi (11.4), Nevada (9.7), New Mexico (10.9), North Carolina (8.1), and Tennessee (8.5) exceeded South Carolina’s rate for 1998, and most of them not by a significant margin.17 I made my own calculation of the South Carolina homicide rate, based on the 2000 Census data and arrived at the figure 7.6.18 I assume the discrepancy between this figure and the 8.0 in the Sourcebook can be explained by the Sourcebook’s use of an earlier census figure. I will use the 7.6 figure for purposes of this Article.

My efforts to obtain data from South Carolina were fruitful. SLED was quite helpful by providing me a printout of the available information concerning the 305 homicides in South Carolina during 1998.19 I have been unable to account for the discrepancy between the Sourcebook number of 306, and the printout version of 305 homicides. While the SLED Report did not provide the names of the victims and alleged perpetrators, which would have been very helpful in performing news database searches, it did contain a lot of useful information, particularly when compared with what is available in most other states.20

14. Id.
15. DEATH PENALTY INFO. CTR., supra note 9.
16. SOURCEBOOK, supra note 4, at 279.
17. Id.
18. Id. at 279; CENSUS 2000, supra note 5. Calculations are based on the census population as reported on April 1, 2000.
19. See SLED Report, supra note 6. SLED collects the data from local police agencies—city police departments and county sheriffs’ offices. The local agency sends SLED copies of its “incident reports”—summaries written by the investigating officers shortly after the “incident.” In the case of a homicide, the “incident” is the homicide.

The local agency transmits the incident report, either through pre-coded data or a paper copy, to SLED during the course of the year. SLED transmits back monthly summaries, and a year-end summary to each local agency in an effort to make sure that all incidents are reported, and that the reports are updated with new developments. As to homicides, which are less numerous than many of the other types of incidents about which data is collected, SLED takes a particularly active role in prompting the local agencies to update the information. Telephone Interview with Jerry Hamby, Lieutenant, South Carolina Law Enforcement Division (July 26, 2001).
The SLED report provided the following information: (1) the county of the occurrence; (2) the date of the homicide; (3) the time of the homicide; (4) the day of the week of the homicide; (5) the weapon used; (6) a one-word description of the location; (7) the race, gender, and age of the victim; (8) a one-word description of the relationship between the victim and the offender; (9) the race, gender, and age of the offender as reported to the police; (10) the race, gender, and age of any offender actually arrested; (11) a one-word description of the circumstances of the homicide; (12) whether there was evidence of alcohol or drug use by the victim or the offender; (13) whether the offender committed additional offenses in the course of the homicide; and (14) the status of the case (either “Arrest,” “Active” or “[offender] Dead”).

The law provides for a presumption of innocence. In this Article, though, I will indulge in a presumption of guilt. That is, I will assume that a person arrested for a homicide is guilty of it, and if no arrest has been made, then I will assume that the description listed in the SLED Report is correct as to the race, gender, and age of the offender. For my purposes, the “offender” listed in the SLED Report is the actual offender. I see no other way to make the data meaningful, inasmuch as I was able to determine the actual outcomes of a relatively small percentage of the cases (and even an actual outcome could be erroneous).

There are two reasons that this presumption of guilt largely comports with reality. First, many of the homicides are committed in a domestic context or between acquaintances, and there is usually no doubt about the identity of the offender. Second, of the outcomes I was able to ascertain, the person arrested was acquitted in only two cases—both times on the basis of self defense, not on the basis that the police arrested the wrong person. In essence, unlike the fictional world of murder mysteries, the real world of homicides does not involve many “whodunits,” but a whole host of “whydunits.”

B. What the SLED Report Data Showed

1. Population Effects

byI have listed the forty-six counties in South Carolina in decreasing order of population, and have calculated the homicide rate for each (per 100,000 residents). Interestingly, the figures do not support the generally-held belief that urban areas are hotbeds of homicidal activity. According to the 2000 Census, South Carolina has three metropolitan areas in the top 200 in population size in the United States: Greenville-Spartanburg-Anderson

21. Id. A status of “Active” means that no arrest had been made as of one year following the close of calendar year 1998.
22. See infra Appendix G at no.11; Appendix N at no.1.
23. See infra Appendix A.
24. See infra Appendix A.
(962,441, rank 52), with homicide rates in these counties of 6.3, 9.8, and 6.0, respectively; Charleston-North Charleston (549,033, rank 77), with homicide rates in Charleston and Berkeley Counties of 5.2 and 4.9, respectively; and Columbia (536,691, rank 80), in Lexington and Richland Counties, with homicide rates of 4.6 and 8.4, respectively. In five of these seven counties, the homicide rates were less than that of the state as a whole (7.6), and in the other two counties (Spartanburg, 9.9; and Richland, 8.4) the rate did not dramatically exceed the state rate.

To take into account the possibility that these figures could be deceptive because of disparities in the land areas of the counties, Appendix B lists the counties in order of decreasing population density with the accompanying homicide rates. Again, the most densely populated counties usually had homicide rates below the state rate. Specifically, of the ten most densely populated counties, only two of them (Spartanburg (9.9) and Richland (8.4)) had homicide rates that exceeded the state rate.

On the other hand, counties with the most homicides tended to be among those with comparatively small total populations and population densities. Appendix A shows that ten of the eleven counties with double-digit homicide rates were in the lowest half of counties in terms of total population (with the lone exception of Orangeburg County, 16th in population rank). And the three counties with homicide rates over 20.0 were all in the lowest third in total population. The population density figures in Appendix B tell the same tale: all the counties with double-digit homicide rates were in the lowest sixty percent in population density.

There is a small counter-trend evident: the three counties with no homicides had small populations and sparse population densities. Further, many counties have such small populations that even one homicide has a dramatic effect on the rate; for example, compare Barnwell (23,500, no homicides, 0.0 rate) with Fairfield (23,500, one homicide, 4.3 rate) and Hampton (21,400, two homicides, 9.3 rate). Thus, some of the small counties may be statistical flukes in the sense that their rarely-occurring homicides happened to have been committed in the year I chose to study. However, the prevalence of high homicide rates in small counties shows that the overall trend

---

26. See supra note 18 and accompanying text.
27. See infra Appendix A.
28. See infra Appendix B.
29. See infra Appendix B.
30. See infra Appendices A-B.
31. See infra Appendices A-B.
32. See infra Appendix A.
33. See infra Appendix A.
34. See infra Appendix B.
35. See infra Appendices A-B.
36. See infra Appendices A-B.
is not a fluke.37 Contrary to popular perception, rural areas in South Carolina are more homicide-prone than urban areas.38

2. **By Geography**

I wanted to examine whether particular geographic areas of South Carolina were homicide-prone or not. Appendix C inscribes the county homicide rates on a map of the state.39 The distribution of homicide rates seems random, with two exceptions. First, a four-county region in the northeastern part of the state, bordering on or close to North Carolina was a particularly homicidal area in 1998; Marlboro and Dillon Counties had the two highest rates in the state, and Chesterfield and Marion Counties were fourth and fifth, respectively.40 The second exception was that all three counties with no homicides were close together along the Georgia border.41

3. **By Income**

There is a popular conception that crime in general, and homicide in particular, is correlated with poverty.42 To determine whether this was true in South Carolina during 1998, I compiled two appendices that combine the homicide data with census data regarding income levels.43 Appendix D ranks the counties in order of decreasing median household income based on 1997 data with the corresponding homicide rates.44 The correlation of income with homicide rate is clear.45 Out of the ten top counties in median income, only three of them had homicide rates that exceeded the

---

37. See infra Appendices A-B.
38. See infra Appendices A-B.
39. See infra Appendix C.
40. See infra Appendices A-C.
41. See infra Appendices A-C.
42. See, e.g., WALTER S. DEKESEREDY & MARTIN D. SCHWARTZ, CONTEMPORARY CRIMINOLOGY 312-14 (1996) (determining what accounts for the strong relationship between both racial and economic inequalities and homicide). This undergraduate criminology text summarizes a well-known theory of Judith and Peter Blau as follows:

They argue that "sheer poverty" or the absence of material goods (cars, houses, color TVs, and so on) does not motivate poor people to kill others. Rather, homicide is the product of relative deprivation. In other words, disenfranchised people commit homicide because they harbor deep feelings of despair, frustration, hopelessness, resentment, and alienation generated by inequalities that they define as unjust.

Id. at 312 (emphasis in original). The Blaus' original work can be found at Judith R. Blau & Peter M. Blau, The Cost of Inequality: Metropolitan Structure and Violent Crime, 47 AM. SOC. REV. 114 (1982).
43. See infra Appendices D-E.
44. See infra Appendix D.
45. See infra Appendix D.
state rate, but not by much. On the other hand, all of the counties with homicide rates over 15.0 were in the bottom half of counties in median income, and all three counties with rates over 20.0 were in the bottom ten in terms of median income.

Unsurprisingly, Appendix E, which correlates the poverty rates in each county based on 1997 data with the homicide rates, clearly shows the same pattern: the five counties with the highest homicide rates were among the top eleven in poverty rates. At the other end of the spectrum, of the ten counties with the lowest poverty rates, only one of them had a homicide rate above the state rate, but not by much.

4. By Month

The homicides by month are as follows:

<table>
<thead>
<tr>
<th>Month</th>
<th>Homicides</th>
</tr>
</thead>
<tbody>
<tr>
<td>January</td>
<td>36</td>
</tr>
<tr>
<td>February</td>
<td>25</td>
</tr>
<tr>
<td>March</td>
<td>22</td>
</tr>
<tr>
<td>April</td>
<td>20</td>
</tr>
<tr>
<td>May</td>
<td>20</td>
</tr>
<tr>
<td>June</td>
<td>25</td>
</tr>
<tr>
<td>July</td>
<td>19</td>
</tr>
<tr>
<td>August</td>
<td>28</td>
</tr>
<tr>
<td>September</td>
<td>35</td>
</tr>
<tr>
<td>October</td>
<td>25</td>
</tr>
<tr>
<td>November</td>
<td>26</td>
</tr>
<tr>
<td>December</td>
<td>26(^{50})</td>
</tr>
</tbody>
</table>

The spread is relatively even among the months. The only modestly discernible pattern is that the homicides are the fewest in the months of spring (March, April, and May with a total of sixty-two), the next fewest in the summer months (June, July, and August with a total of seventy-two), and the most numerous in the fall months (September, October, and November with a total of eighty-six) and winter months (December, January, and February with a total of eighty-seven).\(^{51}\)

---

46. See infra Appendix D.
47. See infra Appendix D.
48. See infra Appendix E.
49. See infra Appendix E.
50. SLED Report, supra note 6.
51. Id.
5. *Days of the Week*

The homicides were evenly distributed among days of the week, with Friday and Saturday being somewhat higher: Sunday – forty-two, Monday – forty-two, Tuesday – thirty-eight, Wednesday – thirty-nine, Thursday – thirty-six, Friday – forty-nine, and Saturday – fifty-nine.  

6. *Time of Day*

The homicides were reported for each hour of the day. From 4:00 a.m. to noon was the low period for homicides—ranging from a low of three during the 8:00-9:00 a.m. hour to a high of nine during the 6:00-7:00 a.m. hour. Homicide activity picked up between 1:00 p.m. and 6:00 p.m.—a high of twelve during the 4:00-5:00 p.m. hour and a low of eight during the 3:00-4:00 p.m. hour. The peak period for homicides was between 7:00 p.m. and 3:00 a.m.—ranging from a high of twenty-six during the 11:00 p.m. to midnight hour and a low of thirteen during the midnight to 1:00 a.m. hour.

7. *Victim Resident Status*

Most victims were killed very close to home. Two hundred and seventy-two victims were killed in the same jurisdiction (the city or county of the reporting police agency) they lived. Twenty other victims were South Carolina residents, but were killed in another police jurisdiction in the state. Only four victims were from out-of-state. Nine victims were of unknown residence.

---

52. Id.
53. Id.
54. Id.
55. Id.
56. SLED Report, supra note 6.
57. Id.
58. Id.
59. Id.
60. Id.
8. *Weapon Type*

The list of weapons used, beginning with the most-used weapon and continuing through the least-used are as follows:

<table>
<thead>
<tr>
<th>Weapon Type</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Handgun</td>
<td>158</td>
</tr>
<tr>
<td>Knives/cutting instrument</td>
<td>48</td>
</tr>
<tr>
<td>Personal weapons</td>
<td>30</td>
</tr>
<tr>
<td>Shotgun</td>
<td>25</td>
</tr>
<tr>
<td>Blunt object</td>
<td>19</td>
</tr>
<tr>
<td>Rifle</td>
<td>10</td>
</tr>
<tr>
<td>Firearm, unknown type</td>
<td>10</td>
</tr>
<tr>
<td>Strangulation/hanging</td>
<td>7</td>
</tr>
<tr>
<td>Fire/incendiary device</td>
<td>6</td>
</tr>
<tr>
<td>Motor vehicle</td>
<td>3</td>
</tr>
<tr>
<td>Other</td>
<td>3</td>
</tr>
<tr>
<td>Drug/narcotic/sleeping pills</td>
<td>1</td>
</tr>
<tr>
<td>Drowning</td>
<td>161</td>
</tr>
</tbody>
</table>

Firearms homicides, totaling 203, outnumbered all other weapons combined.  

9. *Circumstances*

These figures are a result of rough and ready, one-phrase law enforcement categorization of the homicides. Thus, while the categorization may be incorrect in any given case, the figures in aggregate give a good general idea of the broad categories into which homicides fall. I will list them in the order of most occurring to least occurring.

<table>
<thead>
<tr>
<th>Circumstance</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Argument</td>
<td>127</td>
</tr>
<tr>
<td>Other felony involved</td>
<td>72</td>
</tr>
<tr>
<td>Lover's quarrel</td>
<td>44</td>
</tr>
<tr>
<td>Drug dealing</td>
<td>29</td>
</tr>
<tr>
<td>Other circumstances</td>
<td>29</td>
</tr>
<tr>
<td>Assault on law enforcement officer</td>
<td>1</td>
</tr>
</tbody>
</table>

61. *Id.* Four of the deaths were listed as being from unknown causes. *Id.* There were also four categories of weapon-type for which there were no identified cases: (1) other firearm, (2) poison, (3) explosives, and (4) pushed/thrown from high place. *Id.*


63. *Id.*

64. *Id.* There were also five categories that had no identified homicides: gangland, juvenile gang, mercy killing, institutional, and sniper. *Id.*
10. Relationship of Offender and Victim

These relationships are divided by the report into three subcategories: (1) Within Family, (2) Outside Family, but Known to Each Other, and (3) Unknown to Each Other. In the “Within Family” category, the breakdown relationship of the victim to the offender as follows:

<table>
<thead>
<tr>
<th>Relationship</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Spouse</td>
<td>22</td>
</tr>
<tr>
<td>Common law spouse</td>
<td>18</td>
</tr>
<tr>
<td>Parent</td>
<td>6</td>
</tr>
<tr>
<td>Sibling</td>
<td>6</td>
</tr>
<tr>
<td>In-law</td>
<td>4</td>
</tr>
<tr>
<td>Stepparent</td>
<td>4</td>
</tr>
<tr>
<td>Stepchild</td>
<td>2</td>
</tr>
<tr>
<td>Grandparent</td>
<td>1</td>
</tr>
<tr>
<td>Grandchild</td>
<td>1</td>
</tr>
<tr>
<td>Other family member</td>
<td>16</td>
</tr>
</tbody>
</table>

Within the subcategory of “Outside the Family, but Known to Each Other,” the breakdown categorizes the victim as follows:

<table>
<thead>
<tr>
<th>Relationship</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acquaintance</td>
<td>147</td>
</tr>
<tr>
<td>Boyfriend/Girlfriend</td>
<td>20</td>
</tr>
<tr>
<td>Friend</td>
<td>16</td>
</tr>
<tr>
<td>Ex-spouse</td>
<td>4</td>
</tr>
<tr>
<td>Neighbor</td>
<td>3</td>
</tr>
<tr>
<td>Child of boy/girlfriend</td>
<td>3</td>
</tr>
<tr>
<td>Homosexual relationship</td>
<td>3</td>
</tr>
<tr>
<td>Employer</td>
<td>1</td>
</tr>
<tr>
<td>Otherwise known</td>
<td>3</td>
</tr>
</tbody>
</table>

In the subcategory of “Unknown to Each Other,” the breakdown was:

<table>
<thead>
<tr>
<th>Relationship</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Victim was stranger</td>
<td>102</td>
</tr>
<tr>
<td>Relationship unknown</td>
<td>46</td>
</tr>
</tbody>
</table>

65. Id.
66. Id. Stepsibling was the one category with no entries. Id.
67. Id. There were two categories with no entries: Babysitter and Employee. Id.
68. Id.
The facts demonstrate that victims were much more likely to be killed by offenders known to them than by strangers.\textsuperscript{69}

11. Premises of Murder

The following figures indicate that a victim is by far more likely to be killed at home than anywhere else:

<table>
<thead>
<tr>
<th>Location</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residence/home</td>
<td>168</td>
</tr>
<tr>
<td>Highway/road/alley</td>
<td>46</td>
</tr>
<tr>
<td>Parking lot/garage</td>
<td>35</td>
</tr>
<tr>
<td>Bar/nightclub</td>
<td>21</td>
</tr>
<tr>
<td>Apartment/condo</td>
<td>17</td>
</tr>
<tr>
<td>Commercial/office building</td>
<td>8</td>
</tr>
<tr>
<td>Convenience store</td>
<td>8</td>
</tr>
<tr>
<td>Hotel/motel</td>
<td>4</td>
</tr>
<tr>
<td>Drugstore/doctor's office/hospital</td>
<td>2</td>
</tr>
<tr>
<td>Government/public building</td>
<td>2</td>
</tr>
<tr>
<td>Lake/waterway</td>
<td>2</td>
</tr>
<tr>
<td>Restaurant</td>
<td>2</td>
</tr>
<tr>
<td>Service/gas station</td>
<td>2</td>
</tr>
<tr>
<td>Specialty store</td>
<td>2</td>
</tr>
<tr>
<td>Department/discount store</td>
<td>1</td>
</tr>
<tr>
<td>Grocery/supermarket</td>
<td>1</td>
</tr>
<tr>
<td>School</td>
<td>1</td>
</tr>
<tr>
<td>Shopping mall</td>
<td>1</td>
</tr>
<tr>
<td>Other/unknown</td>
<td>19\textsuperscript{70}</td>
</tr>
</tbody>
</table>

\textsuperscript{69} See SLED Report, supra note 6.
\textsuperscript{70} Id. There were also several categories with no entries: Air/bus/train terminal, Bank/savings and loan, Church/synagogue/temple, Construction site, Jail/prison, Liquor store, Rental storage facility, College, and Highway rest area. Id.
12. Race/Gender/Age

<table>
<thead>
<tr>
<th>Offender's Age</th>
<th>Black Male</th>
<th>White Male</th>
<th>Black Female</th>
<th>White Female</th>
</tr>
</thead>
<tbody>
<tr>
<td>11-15</td>
<td>7</td>
<td>0</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>16-20</td>
<td>62</td>
<td>22</td>
<td>7</td>
<td>3</td>
</tr>
<tr>
<td>21-25</td>
<td>66</td>
<td>19</td>
<td>4</td>
<td>3</td>
</tr>
<tr>
<td>26-30</td>
<td>35</td>
<td>24</td>
<td>6</td>
<td>4</td>
</tr>
<tr>
<td>31-35</td>
<td>25</td>
<td>16</td>
<td>4</td>
<td>2</td>
</tr>
<tr>
<td>36-40</td>
<td>13</td>
<td>15</td>
<td>4</td>
<td>0</td>
</tr>
<tr>
<td>41-45</td>
<td>12</td>
<td>5</td>
<td>2</td>
<td>5</td>
</tr>
<tr>
<td>46-50</td>
<td>10</td>
<td>10</td>
<td>1</td>
<td>3</td>
</tr>
<tr>
<td>51-55</td>
<td>5</td>
<td>4</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>56-60</td>
<td>2</td>
<td>1</td>
<td>3</td>
<td>0</td>
</tr>
<tr>
<td>61-65</td>
<td>4</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>66-70</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>71-75</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Total</td>
<td>241</td>
<td>119</td>
<td>33</td>
<td>23</td>
</tr>
</tbody>
</table>

The vast predominance of male offenders is no surprise. It is a well-known and longstanding fact that males commit violent crimes far out of proportion to their approximately forty-nine percent representation in the population.  

Women, acting alone, killed only people they knew. Of the twenty-three solo women killers, the offender-victim relationships were as follows:

- Common law spouses: 10
- Girlfriend/boyfriend: 4
- Acquaintance: 3
- Child/parent: 1
- Parent/child: 1
- Girlfriend/boyfriend’s child: 1
- Spouses: 1
- Other family: 1
- Unknown: 1

71. Id. There are far more offenders (416) than victims (305) because many of the homicides involved multiple offenders. Id. There are also several cases where the authorities had no information concerning the killer and therefore, these are not reflected in the Table.


73. SLED Report, supra note 6.

74. Id.
Remarkably, a woman acting alone did not kill a stranger in a single known instance in South Carolina in 1998. It is only when acting in concert with others (almost always a male or males) that a woman was occasionally involved in the killing of a stranger.

The presence of black offenders is prominent. According to the 2000 Census, 67.2% of South Carolina’s total population of 4,012,012 was white (approximately 2,695,560 white residents). With white offenders numbering 142 (119 male and 23 female), the white offender rate per 100,000 white residents was 5.3. The 2000 Census data for blacks shows that 29.5% of the state’s residents were black (approximately 1,185,216 black residents). With 274 black offenders (241 male and 33 female), the black offender rate per 100,000 black residents was 23.2—more than four times the white rate of 5.3. This difference seems startling, but may indicate that the black homicide rate in South Carolina is lower than one might expect (or the white rate is higher, or both), given that in 1998 the nationwide black homicide rate was almost seven times higher than the white homicide rate.

The age breakdown is also enlightening. The peak of homicidal ages for all categories, except white females, is in the twenty-year span between ages 16 and 35. However, black males tend to offend earlier with seven killers in the 11-15 age group, compared with none for white males. The highest number of black, male killers are in the 16-20 and 21-25 age brackets, with a decrease in the 26-30 and 31-35 age brackets. By contrast, the white, male killers are relatively evenly distributed in the age brackets of 16-20, 21-25, 26-30, 31-35, and 36-40 (22, 19, 24, 16, and 15, respectively).

The SLED report demonstrates the well-known fact that older people are less homicidal than younger adults. In fact, there was a dramatic drop-off in offenders older than fifty-five. The homicidal flame still flickered in the 50-55 year-old age bracket with eighteen killers, but burned very low after age.

---

75. Id.
76. Id.
77. Id.
79. SLED Report, supra note 6.
81. SLED Report, supra note 6.
82. See SOURCEBOOK, supra note 4, at 304 (listing for 1998 a white offender rate nationwide of 4.1 and a black offender rate of 28.3).
83. SLED Report, supra note 6.
84. Id.
85. Id.
86. Id.
88. SLED Report, supra note 6.
fifty-five with thirteen killers. And the flame was extinguished after age sixty-six, the age of the two oldest offenders in the SLED report.

Further, offenders in the fifty-plus group almost exclusively killed people they knew. The offender/victim relationship breakdown for the thirty-one killers in the fifty-plus age group is as follows:

- Acquaintances: 8
- Spouses: 6
- Homosexual lovers: 4
- Common law spouses: 3
- Step-parent/stepchild: 2
- Boyfriend/girlfriend: 2
- Other family: 2
- Ex-husband/ex-wife: 1
- Parent/child: 1
- Strangers: 2

Only two fifty-and-over offenders killed a stranger, and those two acted together in the same homicide.

13. Victims

<table>
<thead>
<tr>
<th>Victim’s Age</th>
<th>Black Male</th>
<th>White Male</th>
<th>Black Female</th>
<th>White Female</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-5</td>
<td>7</td>
<td>3</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>6-10</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>11-15</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>16-20</td>
<td>25</td>
<td>2</td>
<td>5</td>
<td>3</td>
</tr>
<tr>
<td>21-25</td>
<td>31</td>
<td>16</td>
<td>4</td>
<td>3</td>
</tr>
<tr>
<td>26-30</td>
<td>19</td>
<td>7</td>
<td>8</td>
<td>4</td>
</tr>
<tr>
<td>31-35</td>
<td>14</td>
<td>11</td>
<td>2</td>
<td>10</td>
</tr>
<tr>
<td>36-40</td>
<td>8</td>
<td>6</td>
<td>8</td>
<td>4</td>
</tr>
<tr>
<td>41-45</td>
<td>10</td>
<td>6</td>
<td>4</td>
<td>8</td>
</tr>
<tr>
<td>46-50</td>
<td>9</td>
<td>5</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>51-55</td>
<td>3</td>
<td>6</td>
<td>2</td>
<td>1</td>
</tr>
</tbody>
</table>

89. Id.
90. Id.
91. Id.
92. Id.
93. Id.
2002] A YEAR IN THE LIFE OF DEATH 265

<table>
<thead>
<tr>
<th>Age Group</th>
<th>Victims Using Alcohol</th>
<th>Victims Using Drugs</th>
<th>Victims Using Both</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>56-60</td>
<td>4</td>
<td>4</td>
<td>3</td>
<td>2</td>
</tr>
<tr>
<td>61-65</td>
<td>2</td>
<td>2</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>66-70</td>
<td>0</td>
<td>4</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>71-75</td>
<td>1</td>
<td>5</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>76-80</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>81-85</td>
<td>2</td>
<td>2</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Total</td>
<td>135</td>
<td>80</td>
<td>42</td>
<td>44</td>
</tr>
</tbody>
</table>

Asian female 30-35: 1; Indian male 16-20: 2; and Male race unknown 26-30: 1.

GRAND TOTAL: 305

Just as black males make up the largest category of offenders, they also make up the largest category of victims.\(^{95}\) As to gender, while there is a predominance of male victims (approximately 67\%), this predominance is not as pronounced in the offender category, where 86\% were male.\(^{96}\) As to age, it is interesting to find that very young children are more at risk of being killed than older children.\(^{97}\) There were thirteen victims in the age group 0-5, but there were only three victims in the combined age groups of 6-10 and 11-15.\(^{98}\) Young black males in the three age groups from 16-30 comprise a greater number of victims than any other five-year category for any other combination of race and gender.\(^{99}\) The peak age for both black and white female victims is older than the peak age for either black or white males.\(^{100}\)

14. Alcohol/Drug Use

The figures indicate that forty-three victims had been using alcohol, three had been using drugs, and two had been using both alcohol and drugs.\(^{101}\) With respect to offenders, sixty-six had been using alcohol, six using drugs, and twelve using both alcohol and drugs.\(^{102}\) The accuracy and completeness of this tabulation is somewhat suspect because the information does not come from autopsies, rather it comes from the reports of police officers on the scene who may or may not be able to ascertain which, if either, of the parties were using alcohol or drugs.

---

94. SLED Report, supra note 6.
95. Id.
96. Id.
97. Id.
98. Id.
99. Id.
100. SLED Report, supra note 6.
101. Id.
102. Id.
15. Active/Cleared

Forty-one of the cases were still active as of December 31, 1999, the closing date for the SLED report which is one year following the end of the calendar year 1998. Two hundred and sixty-two cases had been cleared: 244 of them by arrest, seventeen by the death of the offender, and one because prosecution was declined. Two cases had been “administratively closed,” which means the police agency had no leads and closed the investigation. These figures are somewhat skewed in favor of clearance because in a multiple offender case, if there is even one arrest, the case is counted as cleared even if less than all of the offenders have been arrested.

16. Other Crimes

Often the homicide was committed while the offender was in the process of committing another crime. The SLED report shows the following on this point:

<table>
<thead>
<tr>
<th>Crime</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Multiple homicides</td>
<td>19</td>
</tr>
<tr>
<td>Robbery</td>
<td>57</td>
</tr>
<tr>
<td>Aggravated assault</td>
<td>39</td>
</tr>
<tr>
<td>Breaking and entering</td>
<td>10</td>
</tr>
<tr>
<td>Arson</td>
<td>6</td>
</tr>
<tr>
<td>Sexual assault</td>
<td>6</td>
</tr>
<tr>
<td>Kidnap</td>
<td>5</td>
</tr>
<tr>
<td>Simple assault</td>
<td>4</td>
</tr>
<tr>
<td>Weapon law violation</td>
<td>4</td>
</tr>
<tr>
<td>Drug offense</td>
<td>3</td>
</tr>
<tr>
<td>Larceny</td>
<td>3</td>
</tr>
<tr>
<td>Motor vehicle theft</td>
<td>1</td>
</tr>
<tr>
<td>Prostitution</td>
<td>1</td>
</tr>
</tbody>
</table>

103. Id.
104. Id.
105. Id.
106. SLED Report, supra note 6.
107. Id. This number reflects the total of eight double homicides and one triple homicide.
108. In South Carolina, attempted murder is considered aggravated assault. See CRIME IN SOUTH CAROLINA, supra note 6, at 21.
Sometimes these other crimes did not occur in isolation, but in conjunction with other crimes.\textsuperscript{110} The combinations as reported are as follows:

- Breaking and entering/robbery: 6
- Robbery/sexual assault: 2
- Robbery/kidnapping: 2
- Robbery/weapon law violation: 2
- Robbery/drugs: 1
- Breaking and entering/arson: 1
- Breaking and entering/simple assault: 1
- Drug offense/weapon law violation: 1
- Sexual assault/larceny: 1
- Kidnap/aggravated assault: 1
- Kidnap/larceny: 1
- Aggravated assault/simple assault: 1
- Arson/aggravated assault: 1
- Breaking and entering/robbery/kidnapping: 1\textsuperscript{111}

\section*{C. Correlation Between the Race and Gender of Suspects and Victims}

The table below is limited to cases that were reported to have a single offender. It would be impossible to incorporate multiple offender cases, where the offenders are sometimes of different races, in a table like the following:\textsuperscript{112}

\begin{itemize}
\item As to multiple offenders\textsuperscript{\textsuperscript{111}} there were thirty-six homicides where a black victim was killed by black offenders, and there were seventeen homicides where a white victim was killed by white offenders. \textit{Id.} As to homicides where the victim was one race and the offenders were all another race there were eleven homicides where a white victim was killed by black offenders and one homicide where a black victim was killed by white offenders. \textit{Id.} Finally, there were instances where the offenders were of different races: there were five cases where a white victim was killed by multiple offenders that included both blacks and whites, and there were three cases where a black victim was killed by multiple offenders that included offenders of both races. \textit{Id.}

As to cases with multiple victims, four of the ten episodes involved multiple black victims killed by one or more black offenders. \textit{Id.} In three other cases, all the victims were black, and (1) all the killers were white; (2) the killer's race was unknown; and (3) one of the offenders was black and the other offender's race was not listed. \textit{Id.} In one case, both of the victims were white, and there were two black offenders and two white offenders. \textit{Id.} In the final two cases, there was one black victim and one white victim, and in one case the single offender was black, while in the other case both offenders were black. \textit{Id.}
\end{itemize}

\textsuperscript{110} Id.
\textsuperscript{111} Id.
\textsuperscript{112} The homicides involving a single victim and multiple offenders were also largely along racial lines. \textit{Id.}

As to multiple offenders\textsuperscript{\textsuperscript{111}} there were thirty-six homicides where a black victim was killed by black offenders, and there were seventeen homicides where a white victim was killed by white offenders. \textit{Id.} As to homicides where the victim was one race and the offenders were all another race there were eleven homicides where a white victim was killed by black offenders and one homicide where a black victim was killed by white offenders. \textit{Id.} Finally, there were instances where the offenders were of different races: there were five cases where a white victim was killed by multiple offenders that included both blacks and whites, and there were three cases where a black victim was killed by multiple offenders that included offenders of both races. \textit{Id.}

As to cases with multiple victims, four of the ten episodes involved multiple black victims killed by one or more black offenders. \textit{Id.} In three other cases, all the victims were black, and (1) all the killers were white; (2) the killer's race was unknown; and (3) one of the offenders was black and the other offender's race was not listed. \textit{Id.} In one case, both of the victims were white, and there were two black offenders and two white offenders. \textit{Id.} In the final two cases, there was one black victim and one white victim, and in one case the single offender was black, while in the other case both offenders were black. \textit{Id.}
## Single Offender/Victim Correlation by Race/Gender

<table>
<thead>
<tr>
<th>Offender</th>
<th>Black</th>
<th>White</th>
<th>Black</th>
<th>White</th>
</tr>
</thead>
<tbody>
<tr>
<td>Black male</td>
<td>61</td>
<td>5</td>
<td>30</td>
<td>7</td>
</tr>
<tr>
<td>White male</td>
<td>3</td>
<td>29</td>
<td>0</td>
<td>28</td>
</tr>
<tr>
<td>Black female</td>
<td>12</td>
<td>1</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>White female</td>
<td>0</td>
<td>6</td>
<td>0</td>
<td>1</td>
</tr>
</tbody>
</table>

**Total Intraracial:** 169  
**Total Interracial:** 16<sup>113</sup>

This table vividly illustrates the well-known fact that the vast majority of killings are intraracial rather than interracial.<sup>114</sup> Black males predominantly killed black males, and secondarily, black females.<sup>115</sup> White males predominantly killed white males and, at about the same rate, white females.<sup>116</sup> Black females killed almost exclusively black males; white females killed almost exclusively white males.<sup>117</sup>

Of the interracial killings by lone offenders, in thirteen instances blacks killed whites; in only three instances did whites kill blacks.<sup>118</sup> The range of situations in which interracial homicides were committed ran the gamut: four fatal domestic disputes (three between boyfriends and girlfriends, one between ex-spouses); three acquaintances; one drug dispute; three robberies of a stranger; one rape of an acquaintance; one killing by an employer; one killing of a sheriff’s deputy; and two for unknown reasons.<sup>119</sup>

I did a further breakdown of the above data incorporating the variable of age. This breakdown turned out not to be very suggestive, except to point out that the four highest offender-victim combinations all involved black males: six instances where a black male offender age 16 to 20 killed a black male victim age 16 to 20; six instances where a black male offender age 16 to 20 killed a black male victim age 21 to 25; four instances where a black male offender age 21 to 25 killed a black male victim age 16 to 20; and four instances where a black male offender age 21 to 25 killed a black male victim age 21 to 25.<sup>120</sup>

---

113. *Id.*
114. *Id.; see also DeKeseredy & Schwartz, supra* note 42, at 295 (stating that murder is mainly an intraracial crime).
116. *Id.*
117. *Id.*
118. *Id.*
119. *Id.*
120. *Id.*
The relative predominance of black offenders and victims, and the fact that most killings are intraracial, led me to create Appendix F, which lists the counties in decreasing percentage of black population and their corresponding homicide rates.\footnote{121} One would expect to see a correlation between higher percentages of black population with higher homicide rates, and this is partially borne out by the data.\footnote{122} All five counties with the highest homicide rates were in the top fifteen counties in black population.\footnote{123} On the other hand, only two of the ten counties with the lowest percentage of black population had homicide rates exceeding the state rate, and one had a homicide rate equaling the state rate.\footnote{124}

However, there is an interesting counter-trend: the county with the highest percentage of black population (71%) was one of the three counties with no homicides at all; one of the other counties with no homicides had a majority (54%) of black residents; and the third no-homicide county had a percentage of black residents (43%), well above the statewide percentage (29.5%).\footnote{125}

Of course, racially-based data is emotionally charged. By reporting this data, I certainly do not mean to assert (or even imply) that blacks are more homicide-prone because of their race. The social factors in the homicide mix are so many, varied, and intertwined that it would be foolhardy to assert that any one factor has any particular causal nexus. Two sets of data in particular have interactive effects: race and poverty.\footnote{126} A correlation between low income and homicide rates already has been shown.\footnote{127} Since blacks generally have lower incomes, it could well be that poverty is a primary causal factor of homicides, and race is merely incidental.

III. AN ANALYSIS BASED ON INFORMATION FROM NEWSPAPERS

A. The Case Sample and the Process of Assembling It

My plan when I began this project was to find details about all 305 homicides in newspaper reports available on-line.\footnote{128} The best sources for newspapers online were Westlaw and Lexis. Between the two, I discovered four South Carolina newspapers that were fully available on-line for the relevant time period: The Post and Courier (Charleston), The Sun News (Myrtle Beach), The Herald (Rock Hill), and The State (Columbia). I also found the Beaufort Gazette available starting January 1, 2000, and it contained

\footnotesize
\begin{itemize}
  \item \footnote{121} See infra Appendix F.
  \item \footnote{122} See infra Appendix F.
  \item \footnote{123} See infra Appendix F.
  \item \footnote{124} See infra Appendix F.
  \item \footnote{125} See infra Appendix F.
  \item \footnote{126} DeKESEREDY & SCHWARTZ, supra note 42, at 312-14.
  \item \footnote{127} See supra text accompanying notes 42-49.
  \item \footnote{128} All of these news reports, which number in the hundreds, are on file with the author.
\end{itemize}
information about only one 1998 homicide where the offenders were arrested long after the incident.

The process of searching for news articles about the homicides was painstaking, since the SLED printout did not provide the names of either the offenders or the victims to use as search terms. Thus, I had to resort to using the very broad search term of "murder," which generated thousands of "hits." Then, I had to briefly review each hit to see whether it pertained to a murder that occurred in South Carolina during 1998. Once I ascertained that a news report did relate to such an event, I correlated it with the homicides on the SLED report by matching dates of occurrence, ages of victims, geographic locations, and other categories. Through this process, I retrieved news reports concerning 159 of the 305 homicides in the report. Surprisingly, I discovered ten additional homicides through the news reports that could not be correlated with any of the 305 homicides in the report. Thus, I concluded that there were some difficulties in the statewide reporting system in South Carolina resulting in homicides not being reported to SLED. Indeed, since I found ten additional homicides in the newspapers I searched that covered only about half the cases in the SLED printout, it would be reasonable to surmise that another ten or so additional cases exist. Thus, I ended up with information about 169 homicides, 159 of which were listed in the printout.

While I did not succeed in my mission of obtaining detailed information about all 305 homicides, I believe that the 169 homicides for which I did find information provide a fair cross-section for analysis. Clearly, the sample is skewed in two ways. First, I got virtually complete coverage of the locales in which the various newspapers were headquartered, such as, Charleston and Berkeley Counties (The Post and Courier), Horry County (The Sun News), York County (The Herald), and Lexington and Richland Counties (The State). Second, because two of the state's three largest metropolitan areas, Charleston and Columbia, were included in this full coverage, my sample is somewhat biased in the direction of urban homicides.

129. Lt. Jerry Hamby tracked down what had happened to nine of the ten missing cases. E-mail from Jerry Hamby, Lieutenant, South Carolina Law Enforcement Division, to David McCord, Associate Dean and Professor of Law, Drake Law School (Aug. 8, 2001) (on file with author). He discovered that in three instances the local police agency had completely failed to report the homicide to SLED; in five instances (including a triple homicide in Marion County), the local agency had mistakenly reported the homicide as an aggravated assault; and in one case, where the robbery victim died of a heart attack, the local agency had correctly not reported it as a homicide because it did not meet Uniform Crime Reporting criteria because the offender inflicted no physical injury on the victim. Id. Of course, under felony murder principles, that homicide is still a murder. Thus, I will continue to include it in my sample. There was one case missing that Lt. Hamby could not explain. Id.

130. An additional twenty homicides would raise the South Carolina homicide rate for 1998 from 7.6 per 100,000 to 8.1 per 100,000. See supra notes 17-18 and accompanying text.

131. See infra Appendix A.
B. Categories of Homicides

In attempting to discern patterns among the homicides, I undertook to categorize them in a way that seemed natural, according to the details I could learn from the newspaper reports. Author David Simon, commenting about Baltimore homicides, stated that there are only “rare victims for whom death is not the inevitable consequence of a long-running domestic feud or a stunted pharmaceutical career.”

My research shows that Simon has overstated the rarity of victims outside those two milieus (assuming the range of South Carolina homicides is roughly similar to Baltimore’s), although domestic and drug-related homicides loom large in my sample, too.

Before I relate the results of that categorization effort, I must acknowledge the somewhat inexact nature of my effort. There were several drawbacks that might have led me to incorrectly categorize a given case. First, sometimes a case fell into more than one category. For example, in one case a son burglarized his mother’s house, robbed, and bludgeoned her with a hammer. I could have classified the case as a domestic one since it involved a son and mother, or as a homicide committed during another felony (i.e., burglary and robbery). In such an overlapping situation, I used my best judgment. The second pitfall is that many of the news reports provided scant information and thus, may not have reported a salient fact that would have made a difference between placing the homicide in one category rather than another. Further, the news reports themselves may have contained inaccuracies.

Despite these possible sources of inaccuracy, my categorization effort still has value. The point was to get a general overview of the types of homicides, and for this purpose, it matters little if I misclassified a few cases because the general outlines of the pattern are still definite and easily ascertainable. Herewith, then, is the result of my categorization effort:

<table>
<thead>
<tr>
<th>Domestic:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Male/female relationships</td>
<td></td>
</tr>
<tr>
<td>Spontaneous</td>
<td>20</td>
</tr>
<tr>
<td>Planned: stalking, luring, etc.</td>
<td>7</td>
</tr>
<tr>
<td>Planned: conspiracy</td>
<td>2</td>
</tr>
<tr>
<td>Murder/suicide</td>
<td>8</td>
</tr>
<tr>
<td>Collateral victim</td>
<td>8</td>
</tr>
<tr>
<td>Child victim</td>
<td>12</td>
</tr>
<tr>
<td>Other relationships</td>
<td>10</td>
</tr>
<tr>
<td>Acquaintance disputes</td>
<td>29</td>
</tr>
<tr>
<td>Stranger disputes</td>
<td>13</td>
</tr>
</tbody>
</table>

132. See Simon, supra note 1, at 164.
133. See infra Appendix R at no.23.
One important pattern here, as was also true in Part II from the SLED report, is that victims are more likely to be killed by persons they know (domestic relationships or acquaintances) than by strangers. Adding the sixty-seven cases of domestic grievances and twenty-nine acquaintance disputes, ninety-six of the 169 homicide victims (57%) were killed by someone the victim knew, often very well. Indeed, this slightly understates the percentage because many of the fourteen drug dispute killings probably involved people who were acquainted, albeit in a nefarious manner, and a few of the killings that occurred during another felony were between persons who knew each other well.

Another important pattern is that the largest single category of homicides arose out of male/female relationships gone awry—a total of forty-five.

A third striking fact is that the whole milieu of alcohol and drugs is, unsurprisingly, a violent one. While outside the context of the commission of a homicide during another felony, strangers relatively infrequently kill each other; over two-thirds of the incidents (nine out of thirteen) where they did so involved bars/nightclubs. In addition, fourteen homicides arose out of illegal drug disputes. Further, many of the domestic grievance killings were, according to the news reports, fueled by alcohol. I suspect that many others involved alcohol or drugs, but were not so reported in the newspapers.

C. General Observations Regarding Newsworthiness

The pattern I observed in newspapers’ reporting of homicides had several interesting and sometimes surprising aspects. First, there was a great disparity among the homicides concerning how much publicity each received. While there were 169 homicides in my sample, there were only 159 criminal incidents that gave rise to them—six incidents involved double homicides, and two triple incidents involved triple homicides.

---

134. See infra Appendices G-S.
135. See supra notes 64-70 and accompanying text.
136. See supra note 134 and accompanying text.
137. See infra Appendices Q-R.
138. See supra note 134 and accompanying text.
139. See supra note 134 and accompanying text.
140. See supra note 134 and accompanying text.
141. See infra Appendices G-N.
legal outcomes because in quite a few of the cases there were multiple offenders and thus multiple legal outcomes, yet the media did not report the outcome with respect to each of the offenders.153 Apparently, the legal outcome of homicide cases is deemed by the media to be newsworthy only sporadically.

D. Summaries of Categories and Newsworthiness Therein

Below are descriptions of the thirteen categories into which I placed the cases, including insights about the crimes themselves, and comments about the perceived newsworthiness of cases in each category. Each category has a corresponding appendix that lists all the cases in the category along with the date of the homicide, the county of the homicide, the number and placement of the news reports, and a brief description of the homicide.154

1. Domestic—Male/Female Relationship—Spontaneous155

By “spontaneous,” I mean that it appeared from the news reports that the homicides occurred in “hot blood” when there was an argument and a weapon handy. It is possible that some of these homicides should be classified in the next category of “Planned: Stalking, Luring, etc.” rather than as “spontaneous.” But I am confident that the twenty homicides I have classified as “spontaneous” were not thoroughly planned in advance.

In twelve cases a male killed a female, while in eight cases a female killed a male.156 Thus, this category contains a relative abundance of female offenders (40%), given that offenders in South Carolina were only 14% female.157

Firearms were by far the weapon of choice in this category: fourteen slayings occurred with firearms, two with knives and two by strangulation.158

The spectrum of relationships in this category included husband and wife living together, estranged husband and wife, common-law husband and wife, boyfriend and girlfriend living together, boyfriend and girlfriend not living together, and ex-boyfriend and girlfriend.159

None of these cases garnered “significant” news coverage.160
homicides, and the multiple homicides were always reported together.\textsuperscript{142} Of the 159 incidents, I counted the news reports concerning each and categorized the coverage as "extensive" if there were more than ten articles. Only nine cases received extensive coverage.\textsuperscript{142} I classified a case that received between six and ten news reports as receiving "significant" coverage. There were only eighteen such cases.\textsuperscript{144} Cases that were reported three to five times in the newspapers I categorized as receiving "modest" coverage. There were thirty-nine such cases.\textsuperscript{145} Finally, the cases that were reported only once or twice I categorized as receiving "minimal" publicity. This was by far the largest category, with ninety-three cases.\textsuperscript{146}

Thus, the "minimal" newsworthiness category accounted for more cases than the other three categories combined.\textsuperscript{147} Apparently homicide, while the most serious of crimes, is not inherently more than minimally newsworthy in the eyes of the press unless it contains some feature to distinguish it from the "ordinary" homicide. In subpart D each category of homicide will be examined, and I will point out the cases that were deemed worthy of "extensive" or "significant" coverage and try to discern some reasons why those cases stood out to the media.

A second crucial feature of the news reporting was the intensely local nature of the coverage. Most cases were reported only in a paper in the locality of the homicide.\textsuperscript{148} Even the cases that received "extensive" coverage, all received most of their reporting in one paper in the local area.\textsuperscript{149} Apparently, homicides are not inherently newsworthy outside the locality where they occurred, except for a very few cases that attract some outside media attention.

Finally, I was surprised with the infrequency with which the newspapers reported the legal outcomes of the cases. Subtracting from the 159 incidents twenty-nine cases in which there was no legal resolution to report—twelve cases in which the offender died and seventeen cases in which the police made no arrest\textsuperscript{150}—there remained 130 incidents about which newspapers could have reported the outcomes (unless cases were still pending as of the writing of this article, which would be true only if an offender were arrested much belatedly—I am aware of only one instance in which this is the case).\textsuperscript{151} Of these 130 cases, I found reports of the legal outcomes of only forty-four of them (34%).\textsuperscript{152} Indeed, even this percentage overstates the newsworthiness of

\textsuperscript{142} See infra Appendices G-S.
\textsuperscript{143} See infra Appendices G-S.
\textsuperscript{144} See infra Appendices G-S.
\textsuperscript{145} See infra Appendices G-S.
\textsuperscript{146} See infra Appendices G-S.
\textsuperscript{147} See infra Appendices G-S.
\textsuperscript{148} See infra Appendices G-S.
\textsuperscript{149} See infra Appendices G-S.
\textsuperscript{150} SLED Report, supra note 6.
\textsuperscript{151} See infra Appendix R at no.18.
\textsuperscript{152} See infra Appendices G-S.
2. *Domestic Male/Female Relationship—Planned: Stalking, Luring, etc.*\(^1\)\(^6\)

The common theme that binds these seven cases together is that the offender, a male in all seven cases, engaged in significant planning by taking a gun with him to confront a female in a location the male would not otherwise have been.\(^1\)\(^6\) In all cases, the weapon causing the death was a firearm.\(^1\)\(^6\) Two of these cases reached the level of "significant" reporting.\(^1\)\(^6\) In one, the offender broke into his ex-wife's house, shot her several times with a shotgun, and told the police how much he had enjoyed doing it.\(^1\)\(^6\) In the other case, the ex-boyfriend offender stalked and killed his ex-girlfriend after she had sought help from the police and the court system.\(^1\)\(^6\)

3. *Domestic Male/Female Relationship—Planned: Conspiracy*\(^1\)\(^6\)\(^7\)

There are only two cases in this category, and in both of them the offenders were female.\(^1\)\(^6\)\(^8\) In one case, an ex-girlfriend offender hired five other offenders to "teach her ex-boyfriend a lesson"; one of the five shot the victim as he stepped off a bus.\(^1\)\(^6\)\(^9\) Apparently, this was more of a "lesson" than the ex-girlfriend had bargained for. Although this was a highly unusual kind of homicide, it garnered only "modest" publicity.\(^1\)\(^7\)\(^0\)

The other case was one of the nine cases that garnered "extensive" media attention.\(^1\)\(^7\)\(^1\) Indeed, the newsworthiness of this homicide is apparent; it was the most "tabloid-worthy" of all the 1998 South Carolina homicides. The offender wife conspired with her lover to have the lover kill her husband while the wife and the husband were walking on the beach during a trip to celebrate their third anniversary.\(^1\)\(^7\)\(^2\) The wife and lover's alibi was that the husband was killed by an unknown robber on the beach.\(^1\)\(^7\)\(^3\)

\(^{161}\) See infra Appendix H.
\(^{162}\) See infra Appendix H.
\(^{163}\) See infra Appendix H.
\(^{164}\) See infra Appendix H at nos.2-3.
\(^{165}\) See infra Appendix H at no.2. The prosecution played the tape of the defendant's confession that included the following excerpt: "I popped another shell into her. It felt good. Popped another shell into her. It felt better. Popped another shell into her. It felt even better. Popped one in her abdomen, popped one in her chest, her heart, one in her guts." Bobbie Young, *Weik's Taped Confession Played at Shooting Trial, POST & COURIER* (Charleston, S.C.), May 27, 1999, at B1. The medical examiner testified that the defendant had shot the victim with a shotgun five or six times. *Id.*
\(^{166}\) See infra Appendix H at no.3.
\(^{167}\) See infra Appendix I.
\(^{168}\) See infra Appendix I.
\(^{169}\) See infra Appendix I at no.1.
\(^{170}\) See infra Appendix I at no.1.
\(^{171}\) See infra Appendix I at no.2.
\(^{172}\) See infra Appendix I at no.2.
\(^{173}\) See infra Appendix I at no.2.
4. *Domestic Male/Female Relationship—Murder/Suicide*\(^{174}\)

The eight cases in this category would have fallen into either the “Spontaneous” or the “Planned: Stalking, Luring, etc.” except for the additional fact that the male offender not only killed the female, but killed himself as well.\(^{175}\)

In all eight cases, the offender used a firearm to commit the murder and suicide combination.\(^{176}\) Four of the eight cases involved husbands and wives, two involved boyfriends and girlfriends, and the remaining two cases involved ex-boyfriends and ex-girlfriends.\(^{177}\) None of these cases received more than two mentions in the press.\(^{178}\) But this is not surprising, since there is little left to report after the offender is dead.

5. *Domestic Male/Female Relationships: Collateral Victim*\(^{179}\)

In these eight cases, all involving male offenders and firearms, the offender shot to death another male as part of a dispute involving a female.\(^{180}\) In four cases, the offender shot the female as well, but in three of them she survived.\(^{181}\) In five cases, the offender shot another male who the offender apparently perceived as theying for the female’s affection.\(^{182}\) In two cases, the offender shot a male whom was with the female as an escort for her protection; in one case, the offender shot a deputy sheriff and in the other case, the offender shot the female’s son, who was the stepson of the offender.\(^{183}\) In the last case, the offender killed a former boyfriend who was beating the ex-girlfriend.\(^{184}\)

Only one of these cases garnered even “modest” news reports.\(^{185}\) It seems that the double-killing involving the deputy sheriff could be expected to receive more publicity,\(^{186}\) but the SLED report indicates that in that case the offender was in the “Dead” category.\(^{187}\) Although the news report does not indicate how he died, if he died shortly after the double homicide in a shootout with the police, then there was probably little left to report.

---

174. See infra Appendix J.
175. See infra Appendix J.
176. See infra Appendix J.
177. See infra Appendix J.
178. See infra Appendix J.
179. See infra Appendix K.
180. See infra Appendix K.
181. See infra Appendix K at nos.1-2, 5, 8.
182. See infra Appendix K at nos.1-3, 7-8.
183. See infra Appendix K at nos.4-5.
184. See infra Appendix K at no.6.
185. See infra Appendix K at no.7.
186. See infra Appendix K at no.5.
6. Domestic—Child Victim

In ten of these twelve cases, the child victim was killed by a relative. Four of the cases can be classified as "standard" child abuse cases in which a victim two years old or younger was killed by being struck, shaken, etc., by an offender who probably had no intent to inflict deadly injuries. One other case involved death by beating, probably without intent to inflict mortal injuries, but the case stands out because the victim was significantly older (age six), and the victim's aunt and two adolescent children inflicted the beating.

Two of the cases involved death by arson. In one case, the offender went to the home of her boyfriend, the father of the two-year-old victim, fought with the father, and started a fire that killed the victim. In the other arson case, the offender, the child's father, poured gasoline around a van in which his two-year-old daughter was sitting and set it afire, burning her to death.

Five of the cases involved intentional killing not involving arson. Two of the cases involved an apparent double homicide, even though the homicides were committed several days apart. The offender, a relative, drowned the four-year-old victim in a pond behind her home, the death originally being ruled accidental. Ten days later the first victim's five-year-old brother was found suffocated in a car, a victim of the same offender. In one of the other intentional killing cases, the father and mother of an infant had sexually abused the infant for two months before conspiring to kill him for fear doctors would discover evidence of the abuse on the next visit; the father smothered the infant with a pillow. In another case, the offender sexually abused and asphyxiated the victim. In the final case, perhaps the most bizarre homicide about which I found a report, the offender lived in a mobile home next door to his sister and her family. The offender became unhappy because his sister had no milk for his cereal, so he went to his mobile home, got a gun, and fired several shots into the sister's mobile home, killing his seven-year-old niece.

188. See infra Appendix L.
189. See infra Appendix L.
190. See infra Appendix L at nos.1-3, 8.
191. See infra Appendix L at no.9.
192. See infra Appendix L at nos.5, 12.
193. See infra Appendix L at no.5.
194. See infra Appendix L at no.12.
195. See infra Appendix L at nos.4, 6-7, 10-11.
196. See infra Appendix L at nos.10-11.
197. See infra Appendix L at nos.10-11.
198. See infra Appendix L at nos.10-11.
199. See infra Appendix L at no.6.
200. See infra Appendix L at no.4.
201. See infra Appendix L at no.7.
202. See infra Appendix L at no.7.
This category of cases scored well in terms of newsworthiness. Three of the nine cases that received “extensive” news coverage were in this category. Further, the double homicide of the young brother and sister by a relative garnered “significant” coverage.

7. Domestic—Other Relationships

These homicides involved killings within families that did not fall into any of the former categories. The offender and victim relationships were as follows: son/parent (three); stepson/stepparent (three); brother/brother (three); and father/adult child (one). It should be noted that all the offenders in this category were male, except that in one case the offender son was aided by his female cousin in killing the offender’s mother. Only one of these cases garnered “significant” press coverage.

8. Acquaintance Disputes

This large category is very much a mixed bag. It involves a host of scenarios where the offender and the victim knew each other fairly well. The content of the dispute that led to the homicide is rarely explained in any detail in the news reports. The only identifiable subcategory (six cases) can be termed “planned revenge” killings, where the offender(s) and the victim had an earlier dispute, and the offender(s) came back after a significant time lapse with a firearm and killed the victim.

On the whole, cases in this category were not deemed very newsworthy by the media. There was one case that was one of the nine statewide where I found “extensive” press coverage—four young male offenders had an ongoing dispute with the victim’s friend. The four lay in wait outside an apartment and fired guns when the friend and the victim emerged. The friend was unharmed but the victim died from a single shotgun pellet that severed his artery. One other case received “significant” coverage. The victim was arguing with acquaintances, and the offender tried to break up the fight and

203. See infra Appendix L at nos. 9, 12.
204. See infra Appendix L at nos. 10-11.
205. See infra Appendix M.
206. See infra Appendix M.
207. See infra Appendix M at no. 10.
208. See infra Appendix M at no. 10.
209. See infra Appendix N.
210. See infra Appendix N.
211. See infra Appendix N.
212. See infra Appendix N at nos. 2, 6, 10, 17-18, 29.
213. See infra Appendix N at no. 29.
214. See infra Appendix N at no. 29.
215. See infra Appendix N at no. 29.
216. See infra Appendix N at no. 25.
began arguing with the victim. The offender and the victim then fought, and the offender stabbed the victim fifteen times.

9. **Stranger Disputes—Arising in a Bar/Nightclub**

The theme uniting these cases is that the homicides were relatively spontaneous occurrences between an offender and a victim around a bar, usually in a parking lot. While the news reports do not usually indicate that drinking was involved, one might readily assume that is often the case.

Only one of these cases reached the level of "significant" newsworthiness: the offender shot two South Carolina State University students in the parking lot of a nightclub during an argument.

10. **Stranger Disputes—Others**

There were four cases involving killings by strangers (not in the course of another felony) that did not occur in or around bars or nightclubs. The news reports are sparse concerning what sparked these homicidal encounters and no unifying theme can be ascertained. None of the four cases obtained the level of "significant" press coverage.

11. **Drug Disputes**

The illegal drug scene is a dangerous one. Fourteen cases clearly fall into this category, and it is certainly possible that some of the acquaintance and stranger disputes I classified earlier actually were drug disputes that cannot be identified as such from the news reports. Also noteworthy is that there were only two incidents in South Carolina in 1998 where there were as many as three homicides involved in a criminal episode, and both cases fall into the drug dispute category—one a triple homicide in Lancaster County and the other in Marion County.

Several drug-dispute homicides also involved burglary or robbery. I chose not to classify them in the next category, "During Another Felony," because I have reserved that category for instances where the victims were

---

217. See infra Appendix N at no.25.
218. See infra Appendix O.
219. See infra Appendix N at no.25.
220. See infra Appendix O.
221. See infra Appendix O at nos.7-8.
222. See infra Appendix O.
223. See infra Appendix P.
224. See infra Appendix Q.
225. See infra Appendix P.
226. See infra Appendix Q.
227. See infra Appendix Q at nos.2-4, 7-9.
228. See infra Appendix Q.
innocent, unlike the victims in the drug dispute category who were involved in illicit activity.

All the offenders and victims in these drug dispute cases were males, and all the homicides were committed by firearms.\(^{229}\)

Two cases in this category attracted the media.\(^{230}\) One of them, the triple homicide in Lancaster County, was one of the nine cases that received “extensive” publicity.\(^{231}\) A singular fact about the case was that the three offenders were white, but the three victims were black.\(^{232}\) I hypothesize that it was the interracial aspect of this case, as well as the fact that three murders were committed, that attracted such significant press attention. The interracial aspect was more significant, inasmuch as the other triple homicide, involving all black offenders and victims, scarcely made a ripple in the press.\(^{233}\)

12. During Another Felony\(^{234}\)

The predominant theme of this category is homicides committed during the course of a robbery or attempted robbery. This large category includes thirty cases involving twenty-eight criminal episodes (because two of the cases involve double homicides).\(^{235}\) All but two of these twenty-eight episodes involved robbery or attempted robbery, although sometimes the robbery was combined with additional offenses.\(^{236}\)

Of the twenty-six episodes involving robbery, thirteen of them could be classified as “plain” robberies to obtain money, jewelry, or other valuable items.\(^{237}\) Five other homicides were carjackings.\(^{238}\) The other eight episodes involved robbery plus some other crime: robbery plus burglary of a home or business (six),\(^{239}\) and robbery plus kidnapping (two).\(^{240}\)

In the two episodes not involving robbery, one involved the additional crime of rape.\(^{241}\) The other involved one homicide followed by another homicide committed after a lapse of time to cover for the first homicide.\(^{242}\) Specifically, a female offender offered a man money to kill her daughter-in-law; apparently he declined.\(^{243}\) The woman then hired another man, who did

\(^{229}\) See infra Appendix Q.
\(^{230}\) See infra Appendix Q at nos.2-4, 7-9.
\(^{231}\) See infra Appendix Q at nos.2-4.
\(^{232}\) See infra Appendix Q at nos.2-4.
\(^{233}\) See infra Appendix Q at nos.7-9.
\(^{234}\) See infra Appendix R.
\(^{235}\) See infra Appendix R.
\(^{236}\) See infra Appendix R.
\(^{237}\) See infra Appendix R at nos.2, 8-10, 13-14, 19-20, 23-27, 29.
\(^{238}\) See infra Appendix R at nos.3, 11, 17, 21, 28.
\(^{239}\) See infra Appendix R at nos.5-7, 12, 18, 30.
\(^{240}\) See infra Appendix R at nos.1, 22.
\(^{241}\) See infra Appendix R at no.4.
\(^{242}\) See infra Appendix R at nos.15-16.
\(^{243}\) See infra Appendix R at nos.15-16.
Cases in this category were, on average, the most newsworthy in South Carolina during 1998. Three of the cases were among the nine statewide that received “extensive” publicity—a popular high school student shot four times in an attempted carjacking, three offenders robbed a Sam’s Club store by forcing the victim-employee to open the safe, then closed him in the trunk of a car and burned the vehicle, and four offenders shot a high school student victim in an attempted carjacking. Furthermore, nine additional cases received “significant” press coverage.

13. Insufficient Information to Categorize

In sixteen cases, I found insufficient information in the news reports to categorize the cases as falling into any of the former categories. In fourteen cases, according to the news reports, this was due to the police having no leads in the homicide. Thus, there was no basis upon which I could categorize them, given that the relationship between the victim and the offender was unknown. In the other two cases, the offender had been arrested, but the sparse details in the news articles did not enable me to categorize the homicide.

Unsurprisingly, since there was no follow-up to report in the fourteen cases where no offender was identified, these cases did not rank high in terms of newsworthiness. However, one of the cases did reach the level of “significant” news coverage.

Thus, these are the contours of homicide in South Carolina during 1998: a deadly brew of personal relationships gone awry and contemporaneous felonies escalated, all in a culture rife with guns, drugs, and liquor. It remains to be examined in Part IV which of these homicides did or did not prompt a deadly response from the state in the form of a death sentence.

245. See infra Appendix R at nos.11, 18, 21.
246. See infra Appendix R at nos.3-4, 12, 15-16, 25, 27, 29-30.
247. See infra Appendix S.
248. See infra Appendix S.
249. See infra Appendix S at nos.1-5, 7-9, 11-16.
250. See infra Appendix S at nos.6, 10.
251. See infra Appendix S at no.11.
IV. CAPITAL SENTENCES

A. Introduction

I did not find news reports relating to all 305 homicides, and even as to many homicides about which I did find news reports, I did not find resolutions. Nonetheless, I do know how many persons were sentenced to death for homicides committed in South Carolina during 1998: three—Michael Passaro, Sammie L. Stokes, and John E. Weik. I ascertained this by checking the list of seventy persons on South Carolina’s death row as of January 1, 2001, and ascertaining when their crimes were committed. By this process, I isolated the three offenders who ended up on South Carolina’s death row for homicides committed there during 1998.

In the subparts below, I will examine three crucial issues in the death penalty debate as they relate to South Carolina homicides during 1998. First, I will examine whether the problem of “overinclusion” exists. Overinclusion is the imposition of death sentences on defendants who are not among the worst murderers. Second, I will explore whether “underinclusion” is demonstrated; that is, whether death sentences were imposed on only some rather than all of the worst murderers. Finally, I will examine whether racial patterns exist.

B. The Worst Cases

Supreme Court jurisprudence establishes that states imposing the death penalty must have a mechanism for assuring that death sentences are imposed only upon a class of murderers who are somehow “worse” than other

252. DEATH PENALTY INFO. CTR., supra note 9, at http://deathpenatlyinfo.org/DRUSA-SC.html (last visited Jan. 23, 2002) (This information is provided by the efforts of the NAACP Legal Defense and Education Fund in its quarterly publication, Death Row USA.).

253. Id.

254. Indisputably, one of the key concerns behind the United States Supreme Court’s regulation of the administration of the death penalty since 1972 has been to minimize overinclusion. See Carol S. Steiker & Jordan M. Steiker, Sober Second Thoughts: Reflections on Two Decades of Constitutional Regulation of Capital Punishment, 109 HARV. L. REV. 355, 365-69 (1995) (offering an illuminating review of the Court’s caselaw on this point).

255. While some commentators believe the Supreme Court death penalty doctrine has been significantly influenced by the Court’s distaste for underinclusion, I have argued elsewhere that the only sort of underinclusion about which the Court has been concerned is invidious (mostly racial) underinclusion, and the Court has in fact imposed constitutional requirements, such as giving the defendant an opportunity to present mitigating evidence that in fact foster merits-based underinclusion. See David McCord, Judging the Effectiveness of the Supreme Court’s Death Penalty Jurisprudence According to the Court’s Own Goals: Mild Success or Major Disaster?, 24 FLA. ST. U. L. REV. 545, 567-75 (1997).
murderers. 256 Most states have accomplished this objective by defining “aggravating circumstances.” 257 I have discovered through many years of death-penalty research and reading hundreds of appellate cases, that there are several recurring factors tending to make a case death-eligible in the eyes of most prosecutors and jurors. 258 Some of these factors are captured quite well by a state’s definition of aggravating circumstances; some exist more as a matter of common sense. I will now undertake to rank the worst homicides in South Carolina during 1998 by reference to these common factors.

I will use a method of my own devising based on “depravity points.” I assigned one depravity point for each of the following common sense exacerbating factors that exist in a case:

- Additional Attempted Murder
- Additional Murder
- Arson
- Burglary
- Child Victim
- Clear Premeditation
- Horrendous Method (anything other than one or two gunshots or knife wounds)
- Kidnapping
- Law Enforcement Victim
- Robbery
- Sexual Assault
- Miscellaneous (anything else that seems particularly exacerbating).

256. The Supreme Court has nicely summed up its doctrine on this point:
Our capital punishment cases under the Eighth Amendment address two different aspects of the capital decisionmaking process: the eligibility decision and the selection decision. To be eligible for the death penalty, the defendant must be convicted of a crime for which the death penalty is a proportionate punishment. To render a defendant eligible for the death penalty in a homicide case, we have indicated that the trier of fact must convict the defendant of murder and find one “aggravating circumstance” (or its equivalent) at either the guilt or penalty phase. . . . [T]he circumstance may not apply to every defendant convicted of a murder; it must apply only to a subclass of defendants convicted of murder.


258. See, e.g., McCord, supra note 255, at 582-90 (analyzing twenty-five Georgia death-penalty cases and concluding that only one of them was even arguably overincluded); David McCord, Is Death “Different” for Purposes of Harmless Error Analysis? Should It Be?: An Assessment of United States and Louisiana Supreme Court Caselaw, 59 LA. L. REV. 1105, 1165-67 (1999) (analyzing all forty-four death penalty cases reviewed on direct appeal by the Louisiana Supreme Court during a six-year period). While the purpose of the article was not to report whether these cases seemed to contain recurring aggravating factors, my review indicated that each of them did. Id.

Published by Scholar Commons, 2002
I then added up the depravity points for each case and ranked them from most to least depraved.

The incompleteness of the retrieved news reports provides some problems in this enterprise. Since I did not find news reports on approximately less than half the homicides, there is the possibility that there were some very bad homicides among that missing group. The SLED Report does provide information on some of the depravity points, even for cases which I did not find news articles, for example, information about additional victims and felonies. Thus, I can tell that there are six cases in which arrests were made about which I did not find news reports that might well qualify for being among the worst if I had further information: two double homicides, two rape/robberies, one burglary/robbery, and one arson/additional attempted murder.

Still, the cases for which I did find news reports certainly provide a fair cross section of the homicides committed, including the three for which capital sentences were imposed. Further, because the media is more likely to report a high-depravity point case due to its sensational nature, my sample contains a high proportion of the highly depraved homicides.

Another shortcoming in my analysis is the lack of information concerning the offenders' records for committing violent crimes. For many prosecutors, an offender's violent history is a significant, and sometimes determinative, factor in whether to seek a death sentence. And it may also be a determinative factor to the sentencer. The only information about other acts of violence available in the news reports were those instances where other crimes of the offender were mentioned in the news reports of the other 1998 homicides that I was investigating.

Another shortcoming of my "depravity point" approach is that it accords each depravity point equal weight. In real life, though, for example, the killing of a law enforcement officer may have more weight than a burglary. Still, though, after seeing the results of my admittedly simplistic approach, I was satisfied that it did a good job on ranking the gravity of these homicides.

Finally, I could be faulted for ranking the crimes without considering key mitigating factors, such as the offender's youth, arguable insanity, or arguable mental retardation. Offenders with such characteristics may commit very

259. See SLED Report, supra note 6.
260. Id.
261. See infra Appendix H at no.2; Appendix L at no.12; Appendix R at nos.15-16.
262. See, e.g., Ronald J. Sievert, Capital Murder: A Prosecutor's Personal Observations on the Prosecution of Capital Cases, 27 AM. J. CRIM. L. 105, 108 (1999) ("For me, [a former death penalty prosecutor] the crime and the likely death of an innocent victim had to be contemplated in advance, and the history of the defendant had to be such that it was clear he or she was a truly dangerous (and evil) human being.").
depraved crimes, yet the offender may not be among the worst murderers. Still, from the perspective of prosecutors, the characteristics of the crime, not the defects of the criminal, are primary in determining whether a death sentence will be sought. After assigning the depravity points in all the cases, I concluded that cases scoring between zero and two depravity points just did not look like the worst homicides in South Carolina during 1998. Instead, they looked like commonplace homicides that should not and did not provoke prosecutors to seek capital sentences. Thus, the following listing includes the twenty cases that garnered three or more depravity points.

1. The Worst Homicides

Ironically, I will be unable to include this highest depravity point case in my later analysis because the offenders were belatedly captured, and litigation is still pending as of the time of this writing (summer 2001). Thus, it is unknown whether some of the offenders will be sentenced to death.

a. Nine (or Possibly More) Depravity Points

Three offenders burglarized a Sam’s Club store in Augusta, Georgia, after closing time as the manager was leaving. They forced him back into the store to open the safe, then forced him into the trunk of a car, drove the car across the river into North Augusta, South Carolina, and set the car on fire.

One of the offenders had participated in an earlier burglary, robbery, and double homicide in Georgia. The depravity points for this offender are:

**Depravity points:** Burglary (2), Robbery (2), Kidnapping (1), Arson (1), Horrendous method—burning (1), Additional homicide (in Georgia) (2).

---

265. The one possible two-depravity point case, which could have been an exception to this rule, is where the defendant shot his wife and the accompanying sheriff’s deputy. See *infra* Appendix G at no. 12; Appendix K at no. 5. The killing of a law enforcement officer is particularly likely to induce a prosecutor to seek a death sentence. However, in this one instance in South Carolina during 1998 the printout indicates that the offender was dead and thus not amenable to a death sentence. SLED Report, *supra* note 6.
266. See *infra* Appendix R at no. 18.
267. See *infra* Appendix R at no. 18.
268. See *infra* Appendix R at no. 18.
This offender might be ascribed even more depravity points, because he was part of a crime ring that was responsible for other serious felonies, including yet another double homicide in Georgia.\textsuperscript{269}

The other two offenders garner five depravity points based on the Sam’s Club homicide. Further, although they were not direct participants in the Georgia double homicide/burglary/robbery, they were part of the crime ring mentioned above.

\begin{tabular}{ll}
\textit{Race of offenders:} & B, B, B \\
\textit{Race of victim:} & W (Sam’s Club manager) \\
\textit{Sentences:} & The offender with at least nine depravity points pleaded guilty to get a life sentence in exchange for testifying against the others.\textsuperscript{270} The others, along with several other defendants, were (as of July, 2001) being prosecuted for wide-ranging crimes in Georgia under the state RICO statute.\textsuperscript{271} Presumably, South Carolina is standing in line to prosecute them for the Sam’s Club murder.
\end{tabular}

\textbf{b. Eight Depravity Points}

Patti Syphrett offered Douglas Ferguson $1000 to kill her daughter-in-law, Connie Snipes, and he apparently declined.\textsuperscript{272} She then hired Sammie Stokes to kill Snipes, which he did after kidnapping and raping her.\textsuperscript{273} During and after the rape, Stokes mutilated Snipes with a knife and then shot her in the head.\textsuperscript{274} Then Syphrett and Stokes, worried that Ferguson would snitch on them, killed Ferguson by binding his head with duct tape and suffocating him.\textsuperscript{275} One other offender was deeply involved in the murder of Snipes, and yet another was marginally involved.\textsuperscript{276} Depravity points are calculated only for Syphrett and Stokes.

\textsuperscript{270} See infra Appendix R at no. 18.
\textsuperscript{271} See infra Appendix R at no. 18.
\textsuperscript{272} See infra Appendix R at nos. 15-16.
\textsuperscript{273} See infra Appendix R at nos. 15-16.
\textsuperscript{274} See infra Appendix R at nos. 15-16.
\textsuperscript{275} See infra Appendix R at nos. 15-16.
\textsuperscript{276} See infra Appendix R at nos. 15-16.
Depravity Points: Additional murder, Clear premeditation (2), Sexual assault, Kidnapping, Horrendous method (2), Multiple stabbing and gunshot, Suffocation, Miscellaneous murder-for-hire

Race of offenders: W (female), B (male), B (female), unknown as to fourth offender

Race of victims: W, W

Sentences: The prosecution sought the death sentence against the white, female offender, but the jury returned a life sentence after only an hour’s deliberation.\(^{277}\) The black male offender was sentenced to death in a separate trial, which was not reported in news articles, but discovered while searching the list of South Carolina death row inmates.\(^{278}\) There were no news reports about sentences for the other two offenders, but reports indicated that the prosecution intended to seek the death sentence against the remaining male offender, but not against the black female offender.\(^{279}\) The remaining male offender is not on the list of convicts on South Carolina’s death row, so apparently he escaped a death sentence.\(^{280}\)

c. *Six Depravity Points*

Six masked men broke into a house, forced the five occupants to lie down, and shot all of them; two survived.\(^{281}\) The incident was suspected to be drug-related.\(^{282}\)

Depravity points: Clear premeditation (1), Burglary (1), Additional murder (2), and Additional attempted murder (2).

\(^{277}\) *See infra* Appendix R at nos.15-16.
\(^{279}\) *See infra* Appendix R at nos.15-16.
\(^{281}\) *See infra* Appendix Q at nos.7-9.
\(^{282}\) *See infra* Appendix Q at nos.7-9.
Race of offenders: B, B, B
Race of victims: B, B, B
Sentences: Two convicted and sentenced to 60 years; three of the four others pleaded guilty to lesser charges; outcome for other unknown.

d. Five Depravity Points

Offender drowned a child relative, then a few days later asphyxiated the first victim’s younger brother.

Depravity points: Additional murder (1), Child victim (2), Horrendous method—drowning (1), and Horrendous method—asphyxiation (1).
Race of offender: B
Race of victim: B, B
Sentence: Unknown, but there was no death sentence. Offender was only seventeen.

e. Four Depravity Points

1. Offender entered victim’s workplace, set fire to the office, robbed and kidnapped the victim, and beat victim with a pipe. The victim died twelve days later from the beating.

Depravity points: Arson (1), Robbery (1), Kidnapping (1), and Horrendous method—beating with pipe (1).
Race of offender: B
Race of victim: W
Sentence: Plea bargain to life sentence.

283. Since this case was not reported in the SLED Report, I had to resort to other means to find the race of the offenders and victims. Telephone Interview with Timothy H. Pogue, Marion County Attorney (July 1, 2001).
284. See infra Appendix Q at nos. 7-9.
285. See infra Appendix L at nos. 10-11.
286. See infra Appendix L at nos. 10-11.
287. See infra Appendix R at no. 1.
288. See infra Appendix R at no. 1.
289. Since this case was not reported in the SLED Report, I had to resort to other means to find the race of the offender and the victim. Telephone interview with Kristy Repon, Reporter, The Chronicle Independent, in Camden, S.C. (July 5, 2001).
290. See infra Appendix R at no. 1.
2. Offender, who was the boyfriend of victim’s mother, sexually abused and asphyxiated the victim while the mother was away.291

*Depravity points:* Child victim (1), Sexual assault (1), Clear premeditation (1), and Horrendous method— asphyxiation (1).

*Race of offender:* W

*Race of victim:* W

*Sentence:* Unknown, but there was no death sentence.292

3. Four persons stole a pound of marijuana from one offender; one individual ran away with it.293 Offender shot two of the remaining three marijuana thieves and then called two of his friends for help.294 These other two offenders took the third marijuana thief into the countryside and shot him numerous times.295

*Depravity points:* Kidnapping (1), Additional murder (2), Horrendous method—multiple shots (1).

*Race of offenders:* W, W, W

*Race of victims:* B, B, B

*Sentences:* Two received life-without-parole sentences; the other received a two-year term as an accessory after the fact.296

4. Offender broke into the home of her boyfriend, who was the father of a two-year-old, fought with the man, and started a fire that killed the two-year-old victim.297

*Depravity points:* Burglary (1), Arson (1), Child victim (1) and Horrendous method—burning (1).

*Race of offender:* B

*Race of victim:* B

*Sentence:* Unknown, but there was no death sentence.298

291. *See infra* Appendix L at no.4.


293. *See infra* Appendix Q at nos.2-4.

294. *See infra* Appendix Q at nos.2-4.

295. *See infra* Appendix Q at nos.2-4.

296. *See infra* Appendix Q at nos.2-4.

297. *See infra* Appendix L at no.5.

5. Offender ex-husband broke into ex-wife’s house, shot her several times with a shotgun, and later told the police that he enjoyed it. 299

   Depravity points: Clear premeditation (1), Burglary (1), Horrendous method—multiple shots (1), Miscellaneous—relished murder (1).
   Race of offender: W
   Race of victim: W
   Sentence: Death 300

6. Three offenders robbed a drug house and shot an occupant. 301 Weeks later, the same offenders carjacked and repeatedly shot a victim, who had stopped to help them when their car broke down. 302

   Depravity points: Robbery (of drug house) (1), Additional murder (1), Robbery (carjacking) (1), Horrendous method—multiple shots (1).
   Race of offenders: B, B, B
   Race of victims: B, B
   Sentences: One offender pleaded to voluntary manslaughter and agreed to testify against the other two. 303 Unknown as to other two, but no death sentences were imposed. 304

7. The offenders, mother and father of an infant less than a year old, sexually abused the infant for two months before conspiring to kill him for fear doctors would discover the abuse on the next visit. 305 The father smothered the victim with a pillow. 306

   Depravity points: Sexual assault (1), Clear premeditation (1), Child victim (1), Horrendous method—smothering (1).
   Race of offenders: W, W
   Race of victim: W
   Sentences: The prosecution filed notice of intent to seek the death penalty against the father,

---

299. See infra Appendix H at no.2.
300. See infra Appendix H at no.2.
301. See infra Appendix Q at no.6.
302. See infra Appendix Q at no.6; Appendix R at no.17.
303. See infra Appendix Q at no.6; Appendix R at no.17.
305. See infra Appendix L at no.6.
306. See infra Appendix L at no.6.
who plea bargained to a life sentence; a death notice was not filed as to the wife, who also plea bargained to a life sentence.307

8. Offender father poured gasoline around a van in which his two-year-old daughter was sitting, got in, left a suicide note, and set the van afire as revenge against his estranged wife.308 But the offender escaped the burning van, suffering serious burns in the process.309

Depravity points: Arson (1), Child victim (1), Horrendous method—burning (1), Clear premeditation (1)
Race of offender: W
Race of victim: W
Sentence: Offender pleaded guilty, against advice of counsel, and was sentenced to death by a judge.310

f. Three Depravity Points

1. Offender raped victim in the bushes, beat her beyond recognition, and strangled her.311 Although offender was not prosecuted for kidnapping, there is a strong implication of kidnapping or at least wrongful imprisonment.312

Depravity points: Sexual assault (1), Kidnap (or at least wrongful imprisonment) (1), Horrendous method—beating and strangulation (1)
Race of offender: B
Race of victim: W
Sentence: Thirty years for voluntary manslaughter after conviction by jury.313

2. Three offenders burglarized and robbed a residence and shot the occupant multiple times.314

307. See infra Appendix L at no.6.
308. See infra Appendix L at no.12.
309. See infra Appendix L at no.12.
310. See infra Appendix L at no.12.
311. See infra Appendix R at no.4.
312. See infra Appendix R at no.4.
313. See infra Appendix R at no.4.
314. See infra Appendix R at no.5.
Depravity points: Burglary (1), Robbery (1), Horrendous method—multiple shots (1)
Race of offenders: B, B, B
Race of victim: B
Sentences: Unknown, but there was no death sentence.315

3. High school student carjacked by three offenders, one of whom shot him multiple times; the shooter had been planning a carjacking for some time.316

Depravity points: Robbery (1), Horrendous method—multiple shots (1), Clear premeditation (at least by shooter) (1)
Race of offenders: B, B, B
Race of victim: B
Sentences: Two offenders: one offender got a life sentence; the other offender got a forty-two year sentence.317

4. Offender kicked in the door of an apartment to commit robbery and shot both occupants, one of whom survived.318

Depravity points: Burglary (1), Robbery (1), Additional attempted murder (1)
Race of offender: B
Race of victim: B
Sentence: Thirty years for voluntary manslaughter.319

5. Three offenders robbed, kidnapped, and strangled victim.320

Depravity points: Robbery (1), Kidnapping (1), Horrendous method—strangulation (1)
Race of offenders: W, W, W
Race of victim: W
Sentences: Unknown, but there was no death sentence.321

316. See infra Appendix R at no.11.
317. See infra Appendix R at no.11.
318. See infra Appendix R at no.20.
319. See infra Appendix R at no.20.
320. See infra Appendix R at no.22.
6. Offender son burglarized his mother’s house, stole her money and car keys, and hit her in the head two or three times with a hammer.\textsuperscript{322}

\begin{center}
\begin{tabular}{ll}
\textit{Depravity points:} & Burglary (1), Robbery (1), Horrendous method—blunt instrument (1) \\
\textit{Race of offender:} & B \\
\textit{Race of victim:} & B \\
\textit{Sentence:} & Unknown, but there was no death sentence.\textsuperscript{323}
\end{tabular}
\end{center}

7. Offender raped, robbed, and drowned victim in her home.\textsuperscript{324} Offender was also convicted of kidnapping, but according to news reports the criminal episode all took place within her home,\textsuperscript{325} so the kidnapping conviction must have been based on a theory—which wisely has been abandoned in most jurisdictions—that forced movement of a person a short distance within a building is sufficient to satisfy the “asportation” requirement.\textsuperscript{326} In my opinion, this episode did not seem to involve a “real” kidnapping, so I did not ascribe a depravity point for it.

\begin{center}
\begin{tabular}{ll}
\textit{Depravity points:} & Sexual assault (1), Robbery (1), Horrendous method—drowning (1) \\
\textit{Race of offender:} & B \\
\textit{Race of victim:} & B \\
\textit{Sentence:} & Life without parole.\textsuperscript{327}
\end{tabular}
\end{center}

8. Offender burgled victim’s house to commit robbery, kidnapped the victim and shot him about a quarter-mile away from his home.\textsuperscript{328}

\begin{center}
\begin{tabular}{ll}
\textit{Depravity points:} & Burglary (1), Robbery (1), Kidnapping (1) \\
\textit{Race of offender:} & B \\
\textit{Race of victim:} & B \\
\textit{Sentence:} & Unknown, but there was no death sentence.\textsuperscript{329}
\end{tabular}
\end{center}

\textsuperscript{322} See infra Appendix R at no.23.
\textsuperscript{323} See DEATH PENALTY INFO. CTR., supra note 9, at http://www.deathpenaltyinfo.org/DRUSA-SC.html (last visited Jan. 23, 2002).
\textsuperscript{324} See infra Appendix R at no.29.
\textsuperscript{325} See infra Appendix R at no.29.
\textsuperscript{327} See infra Appendix R at no.29.
\textsuperscript{328} See infra Appendix Q at no.14.
\textsuperscript{329} See DEATH PENALTY INFO. CTR., supra note 9, at http://www.deathpenaltyinfo.org/DRUSA-SC.html (last visited Jan. 23, 2002).
C. Overinclusion Examined

Without doubt, the three cases in which death sentences were imposed in South Carolina during 1998 were among the worst homicides. One of the cases involved eight depravity points; thus, it was the worst case of the year (excluding the nine depravity point case from consideration because it is still pending). The other two cases each garnered four depravity points, which puts them among the twelve worst cases in South Carolina during 1998.

The only possibility of overinclusion arises in the one of the three cases involving multiple offenders, since it is always possible that an offender who gets a death sentence in a multiple offender scenario should not be attributed all aspects of the crime that make it among the worst.

D. Underinclusion Examined

Just as clear as the fact that overinclusion did not exist is the fact that underinclusion did. Excluding the single most aggravated case from consideration because it has yet to be litigated, the eleven remaining cases scoring four or more in depravity points included a total of twenty-one offenders. Of these offenders, only three received death sentences and considering the number of cases rather than the number of offenders, death sentences were only handed out in three of the eleven cases with four or more depravity points. Further, no death sentences were meted out to any of the fifteen offenders in the nine cases scoring three depravity points.

Whether underinclusion is a problem is in the eye of the beholder. Death penalty opponents argue, somewhat disingenuously in my mind because they do not really want to see this problem cured by more death sentences, that since there are equally culpable offenders who do not receive death sentences this makes it unfair to the ones who do. Death penalty supporters argue that while in a perfect world all of these equally culpable and very heinous offenders would receive death sentences, in this imperfect world it is still better justice

330. See supra Part IV.B.1.a-b.
331. See supra Part IV.B.1.e-5 & Part IV.B.1.e.8.
333. See supra Part IV.B.1.a.
334. See supra Part IV.B.1.a-e.
335. See supra Part IV.B.1.e-5.
336. See supra Part IV.B.1.f.
337. See, e.g., Marvin E. Wolfgang, We Do Not Deserve to Kill, 13 T. M. COOLEY L. REV. 977, 985-87 (1996) (arguing in Socratic dialogue form that inequality of application among even "deserving" offenders makes the death penalty an intolerable sanction).
for a few of those who deserve death to receive it.\textsuperscript{338} Thus, the fact that sometimes prosecutors must make strategic choices, such as accepting a plea bargain in a case where proof of guilt is less than ironclad, or giving a deal to one offender to get his testimony against another, does not undermine the validity of death sentences on those who deserve them.\textsuperscript{339}

E. Did Race-of-Defendant Discrimination Exist?

There is no evident racial discrimination on the basis of the defendant’s race from my data. Two of the offenders who received death sentences were white, one was black,\textsuperscript{340} which is almost exactly the same proportion of whites to blacks in the South Carolina population.\textsuperscript{341} Indeed, given that blacks constituted eleven of the twenty offenders involved in the cases scoring four or higher in depravity points, excluding the pending case,\textsuperscript{342} it appears that blacks may, in fact, have been under-represented among capital sentenced defendants. This, of course, is what one would expect if there are victim race effects, given that most homicides are intraracial. I will examine this proposition shortly.

The only possible evidence of defendant race discrimination is in the multiple offender case scoring eight depravity points.\textsuperscript{343} The prosecution sought the death penalty against the white female offender, but the jury declined to impose it; while in a later trial, the jury did impose a death sentence on the black male defendant.\textsuperscript{344}

Also, one might wish to examine whether black defendants are more likely to receive death sentences when they kill white victims. There were so few

\textsuperscript{338} See, e.g., Ernst van den Haag, In Defense of the Death Penalty: A Practical and Moral Analysis, in The Death Penalty in America 323, 323-24 (Hugo Adam Bedau ed., 3d ed. 1982): Justice requires punishing the guilty—as many of the guilty as possible—even if only some can be punished, and sparing the innocent—as many of the innocent as possible, even if not all are spared. Morally, justice must always be preferred to equality. It would surely be wrong to treat everybody with equal injustice in preference to meting out justice to some. Justice cannot ever permit sparing some guilty persons, or punishing some innocent ones, for the sake of equality—because others have been unjustly spared or punished. . . . Anyone familiar with law enforcement knows that punishments can be inflicted only on an unavoidably capricious selection of the guilty.

\textsuperscript{339} See Barry Latzer, The Failure of Comparative Proportionality Review of Capital Cases (With Lessons from New Jersey), 64 ALB. L. REV. 1161, 1235-43 (2001) (arguing that underinclusion is inevitable in the real world due to problems of proof and exigencies such as budgets and plea bargains for testimony and that underinclusion for these reasons does not undermine the legitimacy of capital punishment).

\textsuperscript{340} See supra Part IV.B.

\textsuperscript{341} See supra notes 78-80 and accompanying text.

\textsuperscript{342} See supra Part IV.B.1.a-e.

\textsuperscript{343} See supra Part IV.B.1.b.

\textsuperscript{344} See supra Part IV.B.1.b.
interracial killings among the homicides scoring three or more depravity points that it is difficult to tell whether there is any basis for this fear. Only four white victims were killed by black offenders among these cases: two in the six depravity point case where a mixed race group of offenders killed two white victims, 345 one in a four depravity point case of robbery, kidnap, and arson, 346 and one in a three depravity point case where a black male offender killed a white female victim. 347 A death sentence was imposed against one of the two black offenders in the eight depravity point case, but not on the other. 348 Also, the death sentence was not imposed in the four depravity point nor the three depravity point cases. 350

\[
F.\hspace{1em}\text{Victim Race Effects}
\]

Victim race effects are quite apparent from my data. Excluding the unresolved, nine-depravity-point case, there were eighteen victims in the eleven cases scoring four or more depravity points. 351 Eleven of those victims were black and seven white. 352 Yet all three death sentences were assessed to killers of white victims; if the nine-depravity-point case results in death sentences, those too will be for a white victim. 353 Broadening the scope to include cases scoring three depravity points, there were twenty-six victims—seventeen black and nine white. 354 Still, the only three death sentences were proscribed for the murders of white victims. 355 Even more broadly, recall that I did not find news reports 356 on approximately 150 homicides—undoubtedly, some of those homicides would involve black victims in high depravity point cases. Yet no death sentences arose from the case segment about which I did not find reports. 357

Of course, this pattern does not necessarily indicate that racial discrimination was occurring. More particular facts of the cases may justify the differential treatments. Still though, this finding is quite consistent with other

345. See supra Part IV.B.1.c.
346. See supra Part IV.B.1.e.1.
347. See supra Part IV.B.1.f.1.
348. See supra Part IV.B.1.b.
349. See supra Part IV.B.1.e.1.
350. See supra Part IV.B.1.f.1.
351. See supra Part IV.B.1.a-e.
352. See supra Part IV.B.1.a-e.
353. See supra Part IV.B.1.a-e.
354. See supra Part IV.B.1.a-e.
355. See supra Part IV.B.1.a-e.
356. See supra Part IV.A.
studies that have concluded there are significant victim race effects in death sentencing, whether or not this is intended by prosecutors and sentencers.\footnote{358. The most famous such study is the one conducted by University of Iowa researchers which led to an almost successful challenge to the death penalty in McCleskey v. Kemp, 481 U.S. 279, 291-99 (1987), on the basis of racial bias. See Baldus et al., supra note 263. That sophisticated multiple regression analysis, based upon thousands of Georgia homicide cases over many years, found that the factor of "one or more white victims" injected into the case a "death-odds multiplier" of 4.3, that is, that "on the average, after adjustment for the other factors in the model, a defendant's odds of receiving a death sentence are increased by a factor of 4.3 when the victim is white." Id. at 148-49.}

V. CONCLUSION

A reader may well ask concerning all this data, "Is it any more than merely interesting? Is it in some way useful? In particular, does it tell us anything about how to decrease the number of homicides?" Obviously, simply knowing as much as we can about homicides does not, in and of itself, aid in their prevention. However, acquiring such knowledge is a necessary preliminary step in designing public policies to prevent homicides. Several desirable public policy steps are easily inferable from my data—all are unsurprising and difficult to implement: (1) reduce the availability of firearms,\footnote{359. But see Daniel D. Polsby & Don B. Kates, Jr., American Homicide Exceptionalism, 69 U. COLO. L. REV. 969, 992-1007 (1998) (arguing that most homicides are committed by persons with histories of criminal violence, and there is no evidence that these persons would find it difficult to obtain a gun even if firearms were much less readily available).} (2) provide better economic opportunities for the poor, (3) teach non-violent dispute-resolution techniques among people who know each other, (4) provide better police and community protection to those who face domestic danger, and (5) make illegal drug trafficking less of a high-stakes game.

As to my capital punishment data, I urge more persons concerned about the death penalty—both supporters and opponents—to undertake the kind of detailed, nitty-gritty analysis I have attempted, rather than relying on unproven generalizations such as, "The death penalty is imposed only on the worst-of-the-worst," or, to the contrary, "The death penalty is applied on an arbitrary basis."\footnote{360. For example, death penalty opponents often promulgate what I will call the "friendless drifter" prototype of condemned inmates and assert that many, if not most, death-sentenced inmates fit the following pattern: a young, poor, urban male who is black or Latino, a newcomer to a rural or small-town area having a criminal record, and who has killed a merchant or law enforcement officer during the course of some serious felony. See James S. Liebman, The Overproduction of Death, 100 COLUM. L. REV. 2030, 2078 (2000) (characterizing this as "a generalized fact pattern often encountered in capital cases"). I have never seen any detailed analysis performed that would substantiate this prototype. Certainly, the 1998 South Carolina data does not support this prototype—two of the three death-sentenced inmates committed domestic homicides, and the third, as far as I could tell from the sparse available data, was not a drifter. Further, I have read hundreds of appellate opinions during several years of death penalty research, and I have not found the "friendless drifter" scenario to be particularly common.} Truly, the death penalty devil is in the details.
## APPENDIX A
### COMPARISON OF POPULATION AND HOMICIDE RATE

<table>
<thead>
<tr>
<th>County</th>
<th>Population (rounded to nearest hundred from 2000 Census data)</th>
<th>Number of Homicides</th>
<th>Homicide Rate per 100,000 (rounded to nearest tenth)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Greenville</td>
<td>379,600</td>
<td>24</td>
<td>6.3</td>
</tr>
<tr>
<td>Richland</td>
<td>320,700</td>
<td>27</td>
<td>8.4</td>
</tr>
<tr>
<td>Charleston</td>
<td>310,000</td>
<td>16</td>
<td>5.2</td>
</tr>
<tr>
<td>Spartanburg</td>
<td>253,800</td>
<td>25</td>
<td>9.9</td>
</tr>
<tr>
<td>Lexington</td>
<td>216,000</td>
<td>10</td>
<td>4.6</td>
</tr>
<tr>
<td>Horry</td>
<td>196,600</td>
<td>15</td>
<td>7.6</td>
</tr>
<tr>
<td>Anderson</td>
<td>165,700</td>
<td>10</td>
<td>6.0</td>
</tr>
<tr>
<td>York</td>
<td>164,600</td>
<td>10</td>
<td>6.1</td>
</tr>
<tr>
<td>Berkeley</td>
<td>142,700</td>
<td>7</td>
<td>4.9</td>
</tr>
<tr>
<td>Aiken</td>
<td>142,600</td>
<td>12</td>
<td>8.4</td>
</tr>
<tr>
<td>Florence</td>
<td>125,800</td>
<td>7</td>
<td>5.6</td>
</tr>
<tr>
<td>Beaufort</td>
<td>120,900</td>
<td>7</td>
<td>5.8</td>
</tr>
<tr>
<td>Pickens</td>
<td>110,800</td>
<td>5</td>
<td>4.5</td>
</tr>
<tr>
<td>Sumter</td>
<td>104,700</td>
<td>9</td>
<td>8.6</td>
</tr>
<tr>
<td>Dorchester</td>
<td>96,400</td>
<td>3</td>
<td>3.1</td>
</tr>
<tr>
<td>Orangeburg</td>
<td>91,600</td>
<td>18</td>
<td>19.7</td>
</tr>
<tr>
<td>Laurens</td>
<td>69,600</td>
<td>6</td>
<td>8.6</td>
</tr>
<tr>
<td>Darlington</td>
<td>67,400</td>
<td>4</td>
<td>5.9</td>
</tr>
<tr>
<td>Greenwood</td>
<td>66,300</td>
<td>4</td>
<td>6.0</td>
</tr>
</tbody>
</table>


362. See SLED Report, supra note 6. I found twelve homicides through news reports that were not reported in the SLED Report. I ignored these for purposes of calculating the figures in Part I of this Article, with one exception: that was a triple homicide in Marion County doubling the homicide rate in that relatively small county. The adjusted figures are in parentheses. The other nine non-reported homicides were scattered across other counties, where their inclusion would not so dramatically affect the homicide rates.
<table>
<thead>
<tr>
<th>County</th>
<th>Population (rounded to nearest hundred from 2000 Census data)</th>
<th>Number of Homicides</th>
<th>Homicide Rate per 100,000 (rounded to nearest tenth)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Oconee</td>
<td>66,200</td>
<td>1</td>
<td>1.5</td>
</tr>
<tr>
<td>Lancaster</td>
<td>61,400</td>
<td>3</td>
<td>4.9</td>
</tr>
<tr>
<td>Georgetown</td>
<td>55,800</td>
<td>4</td>
<td>7.2</td>
</tr>
<tr>
<td>Cherokee</td>
<td>52,500</td>
<td>5</td>
<td>9.5</td>
</tr>
<tr>
<td>Kershaw</td>
<td>52,600</td>
<td>3</td>
<td>5.7</td>
</tr>
<tr>
<td>Chesterfield</td>
<td>42,800</td>
<td>7</td>
<td>16.4</td>
</tr>
<tr>
<td>Colleton</td>
<td>38,300</td>
<td>6</td>
<td>15.7</td>
</tr>
<tr>
<td>Williamsburg</td>
<td>37,200</td>
<td>4</td>
<td>10.8</td>
</tr>
<tr>
<td>Newberry</td>
<td>36,100</td>
<td>4</td>
<td>11.1</td>
</tr>
<tr>
<td>Marion</td>
<td>35,500</td>
<td>3 (6)</td>
<td>8.4 (16.9)</td>
</tr>
<tr>
<td>Chester</td>
<td>34,100</td>
<td>2</td>
<td>5.9</td>
</tr>
<tr>
<td>Clarendon</td>
<td>32,500</td>
<td>3</td>
<td>9.2</td>
</tr>
<tr>
<td>Dillon</td>
<td>30,700</td>
<td>9</td>
<td>29.3</td>
</tr>
<tr>
<td>Union</td>
<td>29,900</td>
<td>1</td>
<td>3.3</td>
</tr>
<tr>
<td>Marlboro</td>
<td>28,800</td>
<td>11</td>
<td>38.2</td>
</tr>
<tr>
<td>Abbeville</td>
<td>26,200</td>
<td>3</td>
<td>11.5</td>
</tr>
<tr>
<td>Edgefield</td>
<td>24,600</td>
<td>2</td>
<td>8.1</td>
</tr>
<tr>
<td>Barnwell</td>
<td>23,500</td>
<td>0</td>
<td>0.0</td>
</tr>
<tr>
<td>Fairfield</td>
<td>23,500</td>
<td>1</td>
<td>4.3</td>
</tr>
<tr>
<td>Hampton</td>
<td>21,400</td>
<td>2</td>
<td>9.3</td>
</tr>
<tr>
<td>Jasper</td>
<td>20,700</td>
<td>5</td>
<td>24.2</td>
</tr>
<tr>
<td>Lee</td>
<td>20,100</td>
<td>1</td>
<td>5.0</td>
</tr>
<tr>
<td>Saluda</td>
<td>19,200</td>
<td>3</td>
<td>15.6</td>
</tr>
<tr>
<td>Bamberg</td>
<td>16,700</td>
<td>2</td>
<td>12.0</td>
</tr>
<tr>
<td>Calhoun</td>
<td>15,200</td>
<td>1</td>
<td>6.6</td>
</tr>
<tr>
<td>Allendale</td>
<td>11,200</td>
<td>0</td>
<td>0.0</td>
</tr>
<tr>
<td>McCormick</td>
<td>10,000</td>
<td>0</td>
<td>0.0</td>
</tr>
<tr>
<td>TOTAL</td>
<td>4,016,500</td>
<td>305</td>
<td>7.6[^3]</td>
</tr>
</tbody>
</table>

[^3]: This is lower than the 8.0 figure reported in the Sourcebook, undoubtedly because the Sourcebook compilers did not have access to the 2000 Census figures on which I based my population figures. See SOURCEBOOK, supra note 4, at 279.
### APPENDIX B

**COMPARISON OF POPULATION DENSITY AND HOMICIDE RATE**

<table>
<thead>
<tr>
<th>County</th>
<th>Population Density (2000 Census Data)</th>
<th>Homicide Rate per 100,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Greenville</td>
<td>480.5</td>
<td>6.3</td>
</tr>
<tr>
<td>Richland</td>
<td>424.2</td>
<td>8.4</td>
</tr>
<tr>
<td>Charleston</td>
<td>337.3</td>
<td>5.2</td>
</tr>
<tr>
<td>Spartanburg</td>
<td>312.9</td>
<td>9.9</td>
</tr>
<tr>
<td>Lexington</td>
<td>309.0</td>
<td>4.6</td>
</tr>
<tr>
<td>York</td>
<td>241.4</td>
<td>6.1</td>
</tr>
<tr>
<td>Anderson</td>
<td>230.8</td>
<td>6.0</td>
</tr>
<tr>
<td>Pickens</td>
<td>222.9</td>
<td>4.5</td>
</tr>
<tr>
<td>Beaufort</td>
<td>206.0</td>
<td>5.8</td>
</tr>
<tr>
<td>Horry</td>
<td>173.4</td>
<td>7.6</td>
</tr>
<tr>
<td>Dorchester</td>
<td>167.7</td>
<td>3.1</td>
</tr>
<tr>
<td>Sumter</td>
<td>157.4</td>
<td>8.6</td>
</tr>
<tr>
<td>Florence</td>
<td>157.2</td>
<td>5.6</td>
</tr>
<tr>
<td>Greenwood</td>
<td>145.3</td>
<td>6.0</td>
</tr>
<tr>
<td>Cherokee</td>
<td>133.7</td>
<td>9.5</td>
</tr>
<tr>
<td>Aiken</td>
<td>132.9</td>
<td>8.4</td>
</tr>
<tr>
<td>Berkeley</td>
<td>129.9</td>
<td>4.9</td>
</tr>
<tr>
<td>Darlington</td>
<td>120.1</td>
<td>5.9</td>
</tr>
<tr>
<td>Lancaster</td>
<td>111.8</td>
<td>4.9</td>
</tr>
<tr>
<td>Oconee</td>
<td>105.9</td>
<td>1.5</td>
</tr>
<tr>
<td>Laurens</td>
<td>97.3</td>
<td>8.6</td>
</tr>
<tr>
<td>Orangeburg</td>
<td>82.8</td>
<td>19.7</td>
</tr>
<tr>
<td>Dillon</td>
<td>75.9</td>
<td>29.3</td>
</tr>
<tr>
<td>Kershaw</td>
<td>72.5</td>
<td>5.7</td>
</tr>
</tbody>
</table>

---


365. *See supra* Appendix A.
<table>
<thead>
<tr>
<th>County</th>
<th>Population Density (2000 Census Data)</th>
<th>Homicide Rate per 100,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Marion</td>
<td>72.5</td>
<td>8.4 (16.9)366</td>
</tr>
<tr>
<td>Georgetown</td>
<td>68.5</td>
<td>7.2</td>
</tr>
<tr>
<td>Marlboro</td>
<td>60.0</td>
<td>38.2</td>
</tr>
<tr>
<td>Chester</td>
<td>58.6</td>
<td>5.9</td>
</tr>
<tr>
<td>Union</td>
<td>58.1</td>
<td>3.3</td>
</tr>
<tr>
<td>Newberry</td>
<td>57.2</td>
<td>11.1</td>
</tr>
<tr>
<td>Chesterfield</td>
<td>53.5</td>
<td>16.4</td>
</tr>
<tr>
<td>Clarendon</td>
<td>53.5</td>
<td>9.2</td>
</tr>
<tr>
<td>Abbeville</td>
<td>51.5</td>
<td>11.5</td>
</tr>
<tr>
<td>Lee</td>
<td>49.1</td>
<td>5.0</td>
</tr>
<tr>
<td>Edgefield</td>
<td>49.0</td>
<td>8.1</td>
</tr>
<tr>
<td>Barnwell</td>
<td>42.8</td>
<td>0</td>
</tr>
<tr>
<td>Bamberg</td>
<td>42.4</td>
<td>12.0</td>
</tr>
<tr>
<td>Saluda</td>
<td>42.4</td>
<td>15.6</td>
</tr>
<tr>
<td>Calhoun</td>
<td>40.0</td>
<td>6.6</td>
</tr>
<tr>
<td>Williamsburg</td>
<td>39.8</td>
<td>10.8</td>
</tr>
<tr>
<td>Hampton</td>
<td>38.2</td>
<td>9.3</td>
</tr>
<tr>
<td>Colleton</td>
<td>36.2</td>
<td>15.7</td>
</tr>
<tr>
<td>Fairfield</td>
<td>34.1</td>
<td>4.3</td>
</tr>
<tr>
<td>Jasper</td>
<td>31.5</td>
<td>24.2</td>
</tr>
<tr>
<td>McCormick</td>
<td>27.7</td>
<td>0</td>
</tr>
<tr>
<td>Allendale</td>
<td>27.5</td>
<td>0</td>
</tr>
</tbody>
</table>

366. The 16.9 figure includes a triple homicide not included in the SLED Report.
APPENDICES

APPENDIX C
HOMICIDE RATES BY COUNTY
### APPENDIX D

**Comparison of Median Household Income and Homicide Rate**

<table>
<thead>
<tr>
<th>County</th>
<th>Median Household Income (rounded to nearest hundred $)</th>
<th>Homicide Rate$^{368}</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lexington</td>
<td>42,700</td>
<td>4.6</td>
</tr>
<tr>
<td>York</td>
<td>39,700</td>
<td>6.1</td>
</tr>
<tr>
<td>Beaufort</td>
<td>38,900</td>
<td>5.8</td>
</tr>
<tr>
<td>Greenville</td>
<td>38,800</td>
<td>6.3</td>
</tr>
<tr>
<td>Aiken</td>
<td>38,100</td>
<td>8.4</td>
</tr>
<tr>
<td>Dorchester</td>
<td>36,600</td>
<td>3.1</td>
</tr>
<tr>
<td>Berkeley</td>
<td>36,200</td>
<td>4.9</td>
</tr>
<tr>
<td>Richland</td>
<td>35,900</td>
<td>8.4</td>
</tr>
<tr>
<td>Pickens</td>
<td>35,800</td>
<td>4.5</td>
</tr>
<tr>
<td>Spartanburg</td>
<td>35,700</td>
<td>9.9</td>
</tr>
<tr>
<td>Charleston</td>
<td>35,200</td>
<td>5.2</td>
</tr>
<tr>
<td>Anderson</td>
<td>34,700</td>
<td>6.0</td>
</tr>
<tr>
<td>Oconee</td>
<td>34,300</td>
<td>1.5</td>
</tr>
<tr>
<td>Kershaw</td>
<td>34,100</td>
<td>5.7</td>
</tr>
<tr>
<td>Greenwood</td>
<td>32,900</td>
<td>6.0</td>
</tr>
<tr>
<td>Lancaster</td>
<td>32,700</td>
<td>4.9</td>
</tr>
<tr>
<td>Cherokee</td>
<td>31,500</td>
<td>9.5</td>
</tr>
<tr>
<td>Horry</td>
<td>31,300</td>
<td>7.6</td>
</tr>
<tr>
<td>Abbeville</td>
<td>31,000</td>
<td>11.5</td>
</tr>
<tr>
<td>Georgetown</td>
<td>30,900</td>
<td>7.2</td>
</tr>
<tr>
<td>Florence</td>
<td>30,600</td>
<td>5.6</td>
</tr>
<tr>
<td>Newberry</td>
<td>30,600</td>
<td>11.1</td>
</tr>
<tr>
<td>Laurens</td>
<td>30,200</td>
<td>8.6</td>
</tr>
</tbody>
</table>

---


368. See supra Appendix A.
<table>
<thead>
<tr>
<th>County</th>
<th>Median Household Income (rounded to nearest hundred $)</th>
<th>Homicide Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Calhoun</td>
<td>29,500</td>
<td>6.6</td>
</tr>
<tr>
<td>Barnwell</td>
<td>29,100</td>
<td>0</td>
</tr>
<tr>
<td>Chester</td>
<td>29,100</td>
<td>5.9</td>
</tr>
<tr>
<td>Edgefield</td>
<td>29,000</td>
<td>8.1</td>
</tr>
<tr>
<td>Saluda</td>
<td>29,000</td>
<td>15.6</td>
</tr>
<tr>
<td>Sumter</td>
<td>29,000</td>
<td>8.6</td>
</tr>
<tr>
<td>Union</td>
<td>28,700</td>
<td>3.3</td>
</tr>
<tr>
<td>Darlington</td>
<td>28,600</td>
<td>5.9</td>
</tr>
<tr>
<td>Chesterfield</td>
<td>28,400</td>
<td>16.4</td>
</tr>
<tr>
<td>Fairfield</td>
<td>27,800</td>
<td>4.3</td>
</tr>
<tr>
<td>McCormick</td>
<td>27,100</td>
<td>0</td>
</tr>
<tr>
<td>Orangeburg</td>
<td>26,600</td>
<td>19.7</td>
</tr>
<tr>
<td>Colleton</td>
<td>25,700</td>
<td>15.7</td>
</tr>
<tr>
<td>Jasper</td>
<td>25,200</td>
<td>24.2</td>
</tr>
<tr>
<td>Hampton</td>
<td>25,100</td>
<td>9.3</td>
</tr>
<tr>
<td>Bamberg</td>
<td>23,900</td>
<td>12.0</td>
</tr>
<tr>
<td>Clarendon</td>
<td>23,900</td>
<td>9.2</td>
</tr>
<tr>
<td>Dillon</td>
<td>23,600</td>
<td>29.3</td>
</tr>
<tr>
<td>Marlboro</td>
<td>23,500</td>
<td>38.2</td>
</tr>
<tr>
<td>Marion</td>
<td>23,300</td>
<td>8.4 (16.9)</td>
</tr>
<tr>
<td>Lee</td>
<td>23,200</td>
<td>5.0</td>
</tr>
<tr>
<td>Williamsburg</td>
<td>22,400</td>
<td>10.8</td>
</tr>
<tr>
<td>Allendale</td>
<td>20,900</td>
<td>0</td>
</tr>
</tbody>
</table>

369. The 16.9 figure includes a triple homicide not reported in the SLED Report.
## APPENDIX E

**COMPARISON OF POVERTY RATE AND HOMICIDE RATE**

<table>
<thead>
<tr>
<th>County</th>
<th>Poverty Rate (1997 data)</th>
<th>Homicide Rate$^{371}$</th>
</tr>
</thead>
<tbody>
<tr>
<td>Allendale</td>
<td>35.1</td>
<td>0</td>
</tr>
<tr>
<td>Lee</td>
<td>28.3</td>
<td>5.0</td>
</tr>
<tr>
<td>Williamsburg</td>
<td>28.3</td>
<td>10.8</td>
</tr>
<tr>
<td>Clarendon</td>
<td>26.8</td>
<td>9.2</td>
</tr>
<tr>
<td>Bamberg</td>
<td>26.4</td>
<td>12.0</td>
</tr>
<tr>
<td>Dillon</td>
<td>25.7</td>
<td>29.3</td>
</tr>
<tr>
<td>Jasper</td>
<td>25.5</td>
<td>24.2</td>
</tr>
<tr>
<td>Marion</td>
<td>24.1</td>
<td>8.4 (16.9)$^{372}$</td>
</tr>
<tr>
<td>Hampton</td>
<td>23.9</td>
<td>9.3</td>
</tr>
<tr>
<td>Orangeburg</td>
<td>23.3</td>
<td>19.7</td>
</tr>
<tr>
<td>Marlboro</td>
<td>23.2</td>
<td>38.2</td>
</tr>
<tr>
<td>Colleton</td>
<td>22.6</td>
<td>15.7</td>
</tr>
<tr>
<td>Barnwell</td>
<td>21.5</td>
<td>0</td>
</tr>
<tr>
<td>Darlington</td>
<td>20.2</td>
<td>5.9</td>
</tr>
<tr>
<td>Sumter</td>
<td>19.7</td>
<td>8.6</td>
</tr>
<tr>
<td>McCormick</td>
<td>19.6</td>
<td>0</td>
</tr>
<tr>
<td>Fairfield</td>
<td>19.5</td>
<td>4.3</td>
</tr>
<tr>
<td>Florence</td>
<td>19.4</td>
<td>5.6</td>
</tr>
<tr>
<td>Calhoun</td>
<td>19.2</td>
<td>6.6</td>
</tr>
<tr>
<td>Edgefield</td>
<td>18.8</td>
<td>8.1</td>
</tr>
<tr>
<td>Chesterfield</td>
<td>18.8</td>
<td>16.4</td>
</tr>
<tr>
<td>Georgetown</td>
<td>18.6</td>
<td>7.2</td>
</tr>
<tr>
<td>Chester</td>
<td>17.2</td>
<td>5.9</td>
</tr>
<tr>
<td>Charleston</td>
<td>16.8</td>
<td>5.2</td>
</tr>
<tr>
<td>Saluda</td>
<td>16.8</td>
<td>15.6</td>
</tr>
<tr>
<td>Lancaster</td>
<td>14.8</td>
<td>4.9</td>
</tr>
</tbody>
</table>


$^{371}$ See supra Appendix A.

$^{372}$ The 16.9 figure includes a triple homicide not reported in the SLED Report.
<table>
<thead>
<tr>
<th>County</th>
<th>Poverty Rate (1997 data)</th>
<th>Homicide Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Richland</td>
<td>14.8</td>
<td>8.4</td>
</tr>
<tr>
<td>Horry</td>
<td>14.4</td>
<td>7.6</td>
</tr>
<tr>
<td>Newberry</td>
<td>14.4</td>
<td>11.1</td>
</tr>
<tr>
<td>Laurens</td>
<td>14.3</td>
<td>8.6</td>
</tr>
<tr>
<td>Union</td>
<td>14.2</td>
<td>3.3</td>
</tr>
<tr>
<td>Abbeville</td>
<td>14.1</td>
<td>11.5</td>
</tr>
<tr>
<td>Berkeley</td>
<td>14.1</td>
<td>4.9</td>
</tr>
<tr>
<td>Cherokee</td>
<td>14.1</td>
<td>9.5</td>
</tr>
<tr>
<td>Greenwood</td>
<td>13.8</td>
<td>6.0</td>
</tr>
<tr>
<td>Aiken</td>
<td>13.7</td>
<td>8.4</td>
</tr>
<tr>
<td>Dorchester</td>
<td>13.1</td>
<td>3.1</td>
</tr>
<tr>
<td>Beaufort</td>
<td>13.0</td>
<td>5.8</td>
</tr>
<tr>
<td>Kershaw</td>
<td>12.4</td>
<td>5.7</td>
</tr>
<tr>
<td>Spartanburg</td>
<td>11.6</td>
<td>9.9</td>
</tr>
<tr>
<td>Oconee</td>
<td>11.1</td>
<td>1.5</td>
</tr>
<tr>
<td>Pickens</td>
<td>11.1</td>
<td>4.5</td>
</tr>
<tr>
<td>York</td>
<td>11.0</td>
<td>6.1</td>
</tr>
<tr>
<td>Anderson</td>
<td>10.8</td>
<td>6.0</td>
</tr>
<tr>
<td>Greenville</td>
<td>10.5</td>
<td>6.3</td>
</tr>
<tr>
<td>Lexington</td>
<td>9.4</td>
<td>4.6</td>
</tr>
</tbody>
</table>
APPENDIX F

COMPARISON OF BLACK POPULATION PERCENTAGE WITH HOMICIDE RATE

<table>
<thead>
<tr>
<th>County</th>
<th>Black Population Percentage</th>
<th>Homicide Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Allendale</td>
<td>71</td>
<td>0</td>
</tr>
<tr>
<td>Williamsburg</td>
<td>66</td>
<td>10.8</td>
</tr>
<tr>
<td>Lee</td>
<td>64</td>
<td>5.0</td>
</tr>
<tr>
<td>Bamberg</td>
<td>63</td>
<td>12.0</td>
</tr>
<tr>
<td>Orangeburg</td>
<td>61</td>
<td>19.7</td>
</tr>
<tr>
<td>Fairfield</td>
<td>59</td>
<td>4.3</td>
</tr>
<tr>
<td>Marion</td>
<td>56</td>
<td>8.4 (16.9)</td>
</tr>
<tr>
<td>Hampton</td>
<td>56</td>
<td>9.3</td>
</tr>
<tr>
<td>McCormick</td>
<td>54</td>
<td>0</td>
</tr>
<tr>
<td>Clarendon</td>
<td>53</td>
<td>9.2</td>
</tr>
<tr>
<td>Jasper</td>
<td>53</td>
<td>24.1</td>
</tr>
<tr>
<td>Marlboro</td>
<td>51</td>
<td>38.2</td>
</tr>
<tr>
<td>Calhoun</td>
<td>49</td>
<td>6.6</td>
</tr>
<tr>
<td>Sumter</td>
<td>47</td>
<td>8.6</td>
</tr>
<tr>
<td>Dillon</td>
<td>45</td>
<td>29.3</td>
</tr>
<tr>
<td>Richland</td>
<td>45</td>
<td>8.4</td>
</tr>
<tr>
<td>Barnwell</td>
<td>43</td>
<td>0</td>
</tr>
<tr>
<td>Colleton</td>
<td>42</td>
<td>15.7</td>
</tr>
<tr>
<td>Darlington</td>
<td>42</td>
<td>5.9</td>
</tr>
<tr>
<td>Edgefield</td>
<td>42</td>
<td>8.1</td>
</tr>
</tbody>
</table>

---

374. See supra Appendix A.
375. The 16.9 figure includes a triple homicide not reported in the SLED Report.
<table>
<thead>
<tr>
<th>County</th>
<th>Black Population Percentage</th>
<th>Homicide Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chester</td>
<td>39</td>
<td>5.9</td>
</tr>
<tr>
<td>Florence</td>
<td>39</td>
<td>5.6</td>
</tr>
<tr>
<td>Georgetown</td>
<td>39</td>
<td>7.2</td>
</tr>
<tr>
<td>Charleston</td>
<td>35</td>
<td>5.2</td>
</tr>
<tr>
<td>Chesterfield</td>
<td>33</td>
<td>16.4</td>
</tr>
<tr>
<td>Newberry</td>
<td>33</td>
<td>11.1</td>
</tr>
<tr>
<td>Greenwood</td>
<td>32</td>
<td>6.0</td>
</tr>
<tr>
<td>Union</td>
<td>31</td>
<td>3.3</td>
</tr>
<tr>
<td>Abbeville</td>
<td>30</td>
<td>11.5</td>
</tr>
<tr>
<td>Saluda</td>
<td>30</td>
<td>15.6</td>
</tr>
<tr>
<td>Berkeley</td>
<td>27</td>
<td>4.9</td>
</tr>
<tr>
<td>Lancaster</td>
<td>27</td>
<td>4.9</td>
</tr>
<tr>
<td>Aiken</td>
<td>26</td>
<td>8.4</td>
</tr>
<tr>
<td>Kershaw</td>
<td>26</td>
<td>5.7</td>
</tr>
<tr>
<td>Laurens</td>
<td>26</td>
<td>8.6</td>
</tr>
<tr>
<td>Dorchester</td>
<td>25</td>
<td>3.1</td>
</tr>
<tr>
<td>Beaufort</td>
<td>24</td>
<td>5.8</td>
</tr>
<tr>
<td>Cherokee</td>
<td>21</td>
<td>9.5</td>
</tr>
<tr>
<td>Spartanburg</td>
<td>21</td>
<td>9.9</td>
</tr>
<tr>
<td>York</td>
<td>19</td>
<td>6.1</td>
</tr>
<tr>
<td>Greenville</td>
<td>18</td>
<td>6.3</td>
</tr>
<tr>
<td>Anderson</td>
<td>17</td>
<td>6.0</td>
</tr>
<tr>
<td>Horry</td>
<td>16</td>
<td>7.6</td>
</tr>
<tr>
<td>Lexington</td>
<td>13</td>
<td>4.6</td>
</tr>
<tr>
<td>Oconee</td>
<td>8</td>
<td>1.5</td>
</tr>
<tr>
<td>Pickens</td>
<td>7</td>
<td>4.5</td>
</tr>
</tbody>
</table>
APPENDIX G

DOMESTIC—MALE/FEMALE RELATIONSHIP—SPONTANEOUS

1. March 21; York County


2. March 30; Pickens County


3. April 26; Newberry County


---

376. The homicides are in chronological order within each Appendix.
4. May 13; Greenwood County


5. May 29; Abbeville County

   Husband shot his wife of forty years during an argument at the home of their daughter; the couple had been separated for six years. *Honea Path Man Charged in Estranged Wife’s Death*, THE STATE (Columbia, S.C.), June 2, 1998, at B2.

6. June 15; Lexington County


7. July 9; Lexington County

   Girlfriend had moved out of apartment of offender, and had gone back with a friend to retrieve children and possessions when the offender shot her in the car and wounded her friend. *Woman Shot Dead at Apartment Complex*, POST & COURIER (Charleston, S.C.), July 10, 1998, at B6.

8. July 13; Horry County


9. July 25; Marion County

   Victim boyfriend argued with offender girlfriend and slapped her around; then he went to sleep. She shot him with a shotgun while he slept. She and her father buried the body, which was not discovered for several months. *Body Found in Shallow Grave in Horry County*, SUN NEWS (Myrtle Beach, S.C.), Nov. 25, 1998, at C3. This homicide was not reported in SLED Report.
10. January 13; Georgetown County


11. August 23; York County


12. August 31; Chesterfield County

One victim, a sheriff’s deputy, accompanied the other victim, the offender’s wife, to her home pursuant to a court order to pick up her personal belongings. Offender shot both. Wife’s death is the subject of the entry in this Appendix; deputy’s death is listed in Appendix K. James R. Langford & Kenneth A. Gailliard, Deputy, Woman Killed, THE HERALD (Rock Hill, S.C.), Sept. 1, 1998, at 1A; Elsa McDowell, Police Death Sends Chills in Community, POST & COURIER (Charleston, S.C.), May 23, 1999, at B1.

13. September 5; Anderson County

Live-in girlfriend shot her boyfriend in the thigh during an argument. The boyfriend locked himself in the bathroom and bled to death even though the wound would not have been fatal with treatment. Court TV to Show Belton Woman’s Trial, POST & COURIER (Charleston, S.C.), June 19, 1999, at B3; Simpsonville Man Shot to Death; Woman Arrested, THE STATE (Columbia, S.C.), Sept. 7, 1998, at B3.
14. September 18; Pickens County


15. September 24; Lexington County


16. September 27; Saluda County


17. October 1; Charleston County


18. October 19; Berkeley County

19. October 27; Berkeley County


20. November 14; Greenwood County

APPENDIX H
DOMESTIC—MALE/FEMALE RELATIONSHIP—PLANNING:
STALKING, LURING, ETC.

1. February 11; Colleton County


2. April 30; Dorchester County


3. June 5; Richland County

Victim had dated offender, but broke it off. The offender began stalking her, and she obtained a restraining order. Offender shot the victim three times in the parking lot of her workplace. Rick Brundrett, Lawsuit Says Officials Failed to Protect Victim, THE STATE (Columbia, S.C.), June 16, 2000, at B7; Rick Brundrett, 2 Murder Trials Open This Week in Richland Co., THE STATE (Columbia, S.C.),
4. June 14; Darlington County

Offender boyfriend shot victim girlfriend once or twice in the head in a convenience store parking lot. Boyfriend Faces Charge in Woman's Shooting, POST & COURIER (Charleston, S.C.), June 16, 1998, at B3.

5. June 26; Florence County


6. October 4; Lexington County

7. December 23; Orangeburg County

APPENDIX I
DOMESTIC—MALE/FEMALE RELATIONSHIP—PLANNED:
CONSPIRACY

1. February 22; Charleston County

Ex-girlfriend offender hired five other offenders to “teach her ex-boyfriend a lesson”; one of the five shot victim as he stepped off a bus, apparently taking the scheme further than the others had intended. Edward C. Fennell, 15-year-old Boy to be Tried as Adult in Murder, Robbery, POST & COURIER (Charleston, S.C.), May 2, 1998, at B3; Edward C. Fennell, Death Was ‘Lesson’ Gone Wrong, Police Say, POST & COURIER (Charleston, S.C.), Feb. 25, 1998, at A1; Edward C. Fennell, Man Killed on His Way to Mother’s, POST & COURIER (Charleston, S.C.), Feb. 24, 1998, at B1; Richard Green, Jr., 3 Teens Sentenced to Prison for Killing, POST & COURIER (Charleston, S.C.), Apr. 24, 1999, at B3.

2. June 9; Horry County

Woman conspired with lover to have the lover kill her husband while wife and husband were walking on the beach during a trip to celebrate their third anniversary. Conspirators’ cover story was that an unknown robber killed husband. Closing Arguments in Murder Trial Set Today, THE STATE (Columbia, S.C.), Nov. 13, 1999, at B3; Kathleen Dayton, Private Eyes Dispel Job Myths; Investigators Spend Most Time in Waiting, SUN NEWS (Myrtle Beach, S.C.), May 26, 1999, at D1; Judge Denies Bond for Woman Charged with Killing Husband, THE STATE (Columbia, S.C.), June 27, 1998, at B2; Lauren Leach & Tonya Root, Poole Lawyers Appeal Her Conviction, SUN NEWS (Myrtle Beach, S.C.), Nov. 18, 1999, at C4; Lauren Leach, Witnesses Say They Saw Suspect Going to Beach, SUN NEWS (Myrtle Beach, S.C.), Nov. 13, 1999, at A1; Lauren Leach, Interviews Indicate Renee Poole Expected Slaying, SUN NEWS (Myrtle Beach, S.C.), Nov. 12, 1999, at A1; Lauren Leach, Prosecution Opens Case vs. Poole, SUN NEWS (Myrtle Beach, S.C.), Nov. 11, 1999, at A1; Lauren Leach, Jury Selected to Hear Case Against Poole; Wife Charged in Husband’s Death on MB Trip, SUN NEWS (Myrtle Beach, S.C.), Nov. 9, 1999, at C1; Lauren Leach, Laptop Seized in Poole Case, SUN NEWS (Myrtle Beach, S.C.), Mar. 9, 1999, at C1; Lauren Leach, Wilson Seeks Death Penalty Against Poole; Judge Denies Bond Request, SUN NEWS (Myrtle Beach, S.C.), Dec. 2, 1998, at A1; Lauren Leach, Man Charged in Poole Killing Released, SUN NEWS (Myrtle Beach, S.C.), Oct. 22, 1998, at C2; Lauren Leach, Frazier Has Bail Set in Killing; Possible Release Upsets Victim’s Kin, SUN NEWS (Myrtle Beach, S.C.), Oct.
APPENDIX J
DOMESTIC—MALE/FEMALE RELATIONSHIP—MURDER/SUICIDE

The fact situation in each of these cases is the same: male kills female in whom he has a romantic interest, then kills himself. All the killings were done with guns. The only variable is the nature of the relationship between the offender and the victim, which will be indicated for each case.

1. February 25; Horry County


2. March 7; Aiken County


3. March 17; Beaufort


4. March 25; Cherokee County


5. Approximately May 21; Orangeburg County

6. June 16; Lexington County


7. September 12; Berkeley County


8. October 13; Laurens County

APPENDIX K

DOMESTIC—MALE/FEMALE RELATIONSHIP—COLLATERAL VICTIM

1. January 1; Greenville County


2. February 9; Newberry County


3. May 9; Spartanburg County

Victim was arguing with offender, who was the new boyfriend of victim’s ex-girlfriend. Offender shot victim. *Spartanburg Man Charged in Arcadia Shooting*, THE STATE (Columbia, S.C.), May 18, 1998, at B3.

4. August 13; Pickens County

Estranged wife of offender received a suspicious call at work. She asked her two sons from a prior marriage to escort her home. Offender husband confronted the three and fired into the car as it was driving away, killing his stepson. *Liberty Man Charged with Killing Stepson*, POST & COURIER (Charleston, S.C.), Aug. 15, 1998, at B3; *Liberty Man Charged with Killing Stepson*, THE STATE (Columbia, S.C.), Aug. 15, 1998, at B2.

5. August 31; Chesterfield County

One victim, a sheriff’s deputy, accompanied the other victim, the offender’s wife, to her home pursuant to a court order to pick up her personal belongings. Offender shot both. The deputy’s death is reported in this Appendix; wife’s death is reported in Appendix G. James R. Lanford & Kenneth A. Gailliard, *Deputy, Woman Killed*, THE HERALD (Rock Hill, S.C.), Sept. 1, 1998, at 1A; Elsa McDowell, *Police Death Sends Chills in Community*, POST & COURIER (Charleston, S.C.), May 23, 1999, at B1.
6. September 15; Richland County

Victim went to offender’s home, where his ex-girlfriend was living, and began beating her. Victim was shot by offender. *Columbia Man Killed in Lyles St. Shooting*, THE STATE (Columbia, S.C.), Sept. 16, 1998, at B3.

7. October 16; Lexington County


8. November 13; Orangeburg County

APPENDIX L
DOMESTIC—CHILD VICTIM

1. January 1; Spartanburg County


2. January 17; Greenville County


3. January 28; Spartanburg County


4. February 22; Beaufort County

Offender was boyfriend of the mother of the seven-year-old victim. While the mother was away, the offender sexually abused and asphyxiated the victim. *Suspect Charged in Girl’s Death*, POST & COURIER (Charleston, S.C.), Feb. 25, 1998, at B3.

5. March 14; Greenville County

Offender broke into home of her boyfriend, who was the father of the two-year-old victim, fought with father of victim, and started a fire that killed the victim. *Woman Faces Charge of Murder for Fire*, POST & COURIER (Charleston, S.C.), Mar. 19, 1998, at B3.
6. June 24; York County


7. August 12; Horry County


8. August 19; Sumter County

Offender father killed eleven-month-old son by blows to the head. Man Charged in Death of His 11-Month-Old Son, THE STATE (Columbia, S.C.), Sept. 4, 1998, at B2; Sumter Man Charged in Death of His Son, POST & COURIER (Charleston, S.C.), Sept. 4, 1998, at B3;
9. October 8; Richland County

Victim, a six-year-old girl, had been placed by the Department of Social Services with her aunt’s family. The aunt and her two boys (victim’s cousins) beat the victim with a belt, who fell and hit her head on a coffee table. Victim died in the hospital from the head injury.


10, 11. October 29, November 8; Orangeburg County


12. November 23; Horry County

Father poured gasoline around a van in which his two-year-old daughter was sitting and set it afire, burning her to death. Conway Man is Sentenced to Die, THE STATE (Columbia, S.C.), Aug. 18, 2000, at B3; Father To Be Charged in Fire Death, THE STATE (Columbia, S.C.), Nov. 25, 1998, at B7; Father's Bond Set at $400,000 in Girl's Death, POST & COURIER (Charleston, S.C.), Apr. 26, 1999, at B3; Judge Sets Bond In Murder Case, SUN NEWS (Myrtle Beach, S.C.), Apr. 24, 1999, at C2; Lauren Leach, Man Charged in Daughter's Death, SUN NEWS (Myrtle Beach, S.C.), Dec. 8, 1998, at C1; Lauren Leach, Father Facing Charges in Death of Daughter Man Injured, Girl Killed in Blaze, SUN NEWS (Myrtle Beach, S.C.), Nov. 26, 1998,
APPENDIX M
DOMESTIC—OTHER RELATIONSHIPS

1. January 17; Lancaster County


2. January 25; Charleston County


3. March 7; Horry County

Offender shot victim three times in the back and once in the head; victim’s brother and offender originally claimed they were victims of a burglary. Surviving brother was deemed an accessory after the fact to a domestic confrontation killing. Isaac J. Bailey, Surfside Beach Man Shot to Death—Killing Appears To Be Part of Burglary Try, SUN NEWS (Myrtle Beach, S.C.), Mar. 8, 1998, at 1C; Elaine Gaston, Man Charged In Death, SUN NEWS (Myrtle Beach, S.C.), Apr. 1, 1998, at 6C; Elaine Gaston, Police Charge MB Man in Deerfield Slaying—Attach Appears Domestic-Related, SUN NEWS (Myrtle Beach, S.C.), Mar. 28, 1998, at 6C; Tonya Root, Man Enters Guilty Plea in Slaying, SUN NEWS (Myrtle Beach, S.C.), Nov. 9, 2000, at C2; Tonya Root, Police Stayed Busy in 1998; Domestic Violence Led to Homicides, SUN NEWS (Myrtle Beach, S.C.), Jan. 1, 1999, at A1.

4. April 12; Spartanburg County


5. August 21; Aiken County

6. September 12; Dillon County


7. November 10; Horry County


8. November 22; Anderson County


9. November 30; Union County

10. December 11; York County

ACQUAINTANCE DISPUTES

1. January 11; Horry County


2. February 14; Charleston County

Offender was angry with victim because the victim had kicked in offender’s bedroom door, drank his liquor, and had sex in his bed the night before. Offender shot the victim in the chest. *Judge Denies Bail in Shotgun Slaying*, POST & COURIER (Charleston, S.C.), Feb. 16, 1998, at B3; Rochell Killingbeck, *Dispute Ends in Slaying*, POST & COURIER (Charleston, S.C.), Feb. 15, 1998, at B1.

3. February 16; Chester County

Offender and victim, a friend, were arguing. Offender hit victim on the head with a full bottle of beer. *Beer-bottle Attack Kills Chester Man*, THE HERALD (Rock Hill, S.C.), Feb. 21, 1998, at 1B.

4. March 27; Charleston County

5. March 29; Horry County


6. April 2; Charleston County


7. April 17; Richland County

Offender and another person were fighting in the parking lot of a nightclub. Offender pulled a gun and hit the other person on the head with it. The gun discharged, killing the victim who was a bystander. Kimathi Lewis, Man Charged in Cousin’s Fatal Shooting: Investigators Make Arrest in Second Case, THE STATE (Columbia, S.C.), Apr. 24, 1998, at B3.

8. April 28; Richland County

9. June 6; Lexington County


10. June 19; Richland County


11. July 18; Horry County


12. July 24; Laurens County


13. July 24; Richland County

14. July 25; Cherokee County


15. July 25; Richland County


16. August 23; Horry County

Offender and victim were brothers-in-law. They argued outside an apartment building, then went inside where offender shot victim twice. Lauren Leach, *Police Investigate Conway Shootings*, SUN NEWS (Myrtle Beach, S.C.), Aug. 25, 1998, at C1.

17. August 27; Charleston County


18. August 28; Richland County

19. September 1; Richland County


20. September 3; Williamsburg County

Following an argument at a card game, offenders shot two men from the game; the victim died, and the other man survived. *Two Migrant Workers Arrested in Shooting*, POST & COURIER (Charleston, S.C.), Sept. 6, 1998, at B3; *Two Migrant Workers Held in Slaying*, THE STATE (Columbia, S.C.), Sept. 6, 1998, at B2.

21. September 18; Chester County


22. October 11; Spartanburg County


23. October 17; Spartanburg County

24. October 28; Horry County


25. December 16; York County


26. December 27; Richland County


27. December 28; Charleston County


28. December 28; Kershaw County


29. December 29; Berkeley County

Four offenders had an ongoing dispute with victim's friend. The four offenders waited outside an apartment and fired guns when the
APPENDIX O

STRANGER DISPUTES—ARISING IN A BAR/NIGHTCLUB

1. January 1; Orangeburg County


2. January 24; Charleston County


3. April 30; Berkeley County


4. July 12; Florence County

Two groups of men left a nightclub to fight in the parking lot; many of them went to their cars to get guns. Victim was shot by an unidentified offender. Timmonsville Man Killed in Weekend Shooting, THE STATE (Columbia, S.C.), July, 14, 1998, at B2.

5. August 15; Sumter County

APPENDICES

6. September 5; Richland County


7, 8. September 18; Orangeburg County


9. September 20; Richland County

APPENDIX P
STRANGER DISPUTES—OTHERS

1. January 30; Richland County


2. May 16; Charleston County


3. June 17; Charleston County


4. October 7; Richland County

A friend of victim’s argued with three or four men. As the victim and friend walked away, one of the men shot the victim. Man Killed, Another Injured in Back-to-Back Shootings, THE STATE (Columbia, S.C.), Oct. 9, 1998, at B3.
1. February 15; Lexington County

Victim was apparently an innocent bystander killed in a gun battle where three offenders were trying to rob another offender of drugs and money. Chuck Crumbo, Woman Shot in Robbery; Police Say 20-Year-Old’s Friends Sought Drugs; Money of Teen, The STATE (Columbia, S.C.), Feb. 20, 1998, at B1; Neil White & Chuck Crumbo, Woman Shot, Killed After Argument at Residence, The STATE (Columbia, S.C.), Feb. 16, 1998, at B3.

2, 3, 4. March 2; Lancaster County

5. March 3; Richland County


6. April 10; Aiken County


7, 8, 9. April 11; Marion County


10. August 3; Richland County

Victim was asked by men in a car if he had drugs to sell; he said he did and directed them where to meet him. As victim approached the

---

377. *See infra* Appendix R at no.17.

11. August 28; Charleston County


12. September 3; Sumter County


13. December 4; Darlington County


14. Approximately December 15; Orangeburg County

APPENDIX R
DURING ANOTHER FELONY

1. January 3; Kershaw County


2. January 5; Oconee County


3. January 6; Charleston County


4. January 10; Charleston County

Male offender and female victim had been drinking together. Offender raped victim, beat her beyond recognition, and strangled her. Victoria Agnew, Officials Tentatively Identify Woman Found Dead at Plaza, POST & COURIER (Charleston, S.C.), Jan. 13, 1998, at B3; Richard Green, Jr., Killer Gets 30 Years for Rape, Death of Woman, POST & COURIER (Charleston, S.C.), Mar. 19, 1999, at A1; Richard

5. January 13; Orangeburg County


6. January 24; Greenville County


7. January 26; Colleton County


8. January 26; Richland County

9, 10. February 6; Richland County


11. February 23; Berkeley County

12. February 23; Horry County


13. March 7; Greenville County


14. April 23; Horry County

Four offenders were involved in this double homicide. One offender attempted to hire a hit man to kill the first victim; he declined. Then, the first offender hired another man to perform the hit, which he did, committing kidnapping and rape in the process. There were two other offenders marginally involved. Then, the first offender and the hit man killed the man who had declined to perform the hit.


17. June 6; Orangeburg County


18. June 21; Aiken County

*I followed up further in time than the others because the offenders were captured significantly after the murder, and the news articles continued longer.

Three offenders robbed a Sam’s Club store by forcing the victim employee to open the safe, then the offenders closed the victim in a car’s trunk and burned the vehicle. Abduction Suspect Surrenders, THE STATE (Columbia, S.C.), Jan. 30, 2001, at B3; John Allard, Cayce Man Burned to Death in Car Trunk; Sam’s Manager Believed Abducted at Augusta Store, THE STATE (Columbia, S.C.), June 23, 1998, at B5.

378. See supra Appendix Q at no.6.
19. July 6; Charleston County


20. July 11; Charleston County


21. July 23; York County


22. August 1; Dillon County


23. August 7; Bamberg County

Offender son burglarized his victim mother’s house, stole her money and car keys, and hit her in the head two or three times with a hammer. Man Charged with Killing His Mother with a Hammer, THE STATE (Columbia, S.C.), Aug. 12, 1998, at B2.

24. August 22; Charleston County


25. August 25; York County


26. August 29; Cherokee County


27. September 28; Georgetown County


28. October 21; Richland County


29. November 15; Jasper County

Offender robbed and raped victim in her home, then, drowned her in her bathtub. Hardeeville Murder Trial Continues Today, BEAUFORT GAZETTE (S.C.), Nov. 29, 2000, at 1; Jury: Orr Guilty of Murder, BEAUFORT GAZETTE (S.C.), Nov. 30, 2000, at 1; Letter to the Editor, BEAUFORT GAZETTE (S.C.), Dec. 16, 2000; Jim Newman, Jasper Deals with Horrific Homicide Year in Review, BEAUFORT GAZETTE
30. November 21; Berkeley County

APPENDICES

APPENDIX S

INSUFFICIENT INFORMATION TO CATEGORIZE

1. January 7; Laurens County

Victim’s body found shot several times beside his truck. No offender information was given. Laurens Man Found Shot to Death at Hunting Lodge, THE STATE (Columbia, S.C.), Jan. 10, 1998, at B2.

2. January 8; Richland County


3. Approximately January 29; Berkeley County


4. March 13; Horry County

5. March 25; York County


6. May 18; Sumter County


7. May 23; Greenville County


8. August 15; Lee County


9. September 4; Aiken County

10. September 12; Horry County


11. September 23; Georgetown County


12. December 4; Greenville County

Victim died from multiple blows to the head. There was no offender information. *First Female Cadet’s Grandfather Murdered*, POST & COURIER (Charleston, S.C.), Dec. 6, 1998, at B3.

13, 14. December 15; Jasper County

Victims, husband and wife, were shotgunned to death in their home. There were signs of forced entry. No offender information was given. *Jasper County Pair Killed*, THE STATE (Columbia, S.C.), Dec. 17, 1998, at B2; *Jasper County Pair Killed with Shotgun*, POST & COURIER (Charleston, S.C.), Dec. 17, 1998, at B3.

15. December 21; Dorchester County

Victim was strangled and her body left in the woods. No offender information was given. Mark Hyler, *Investigator Sure Someone Has*
16. December 28; Florence County