

State v. Brandon Hill

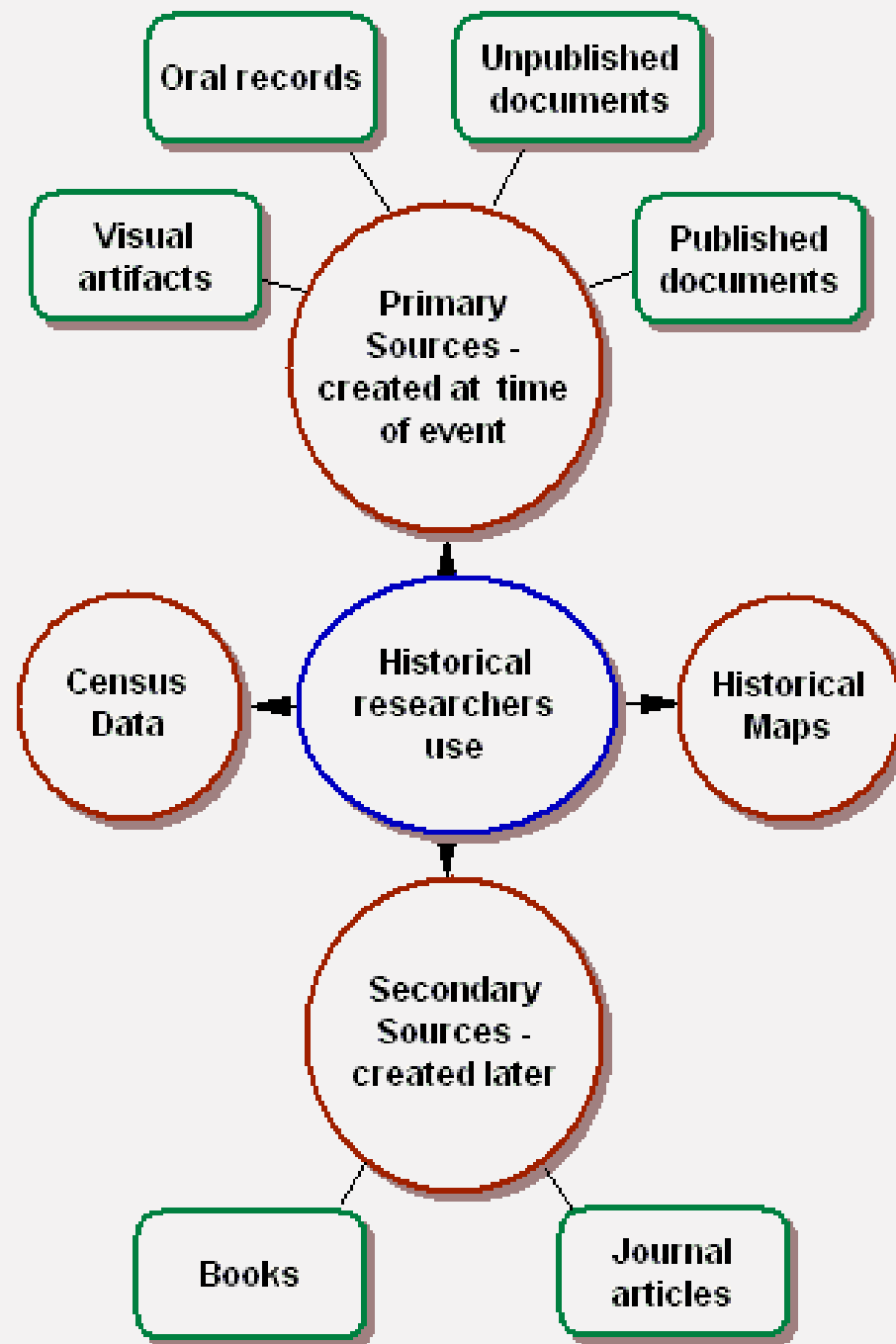
Hearing on Motion to Bar Death Disqualification

Racial Violence in North Carolina

Professor Seth Kotch

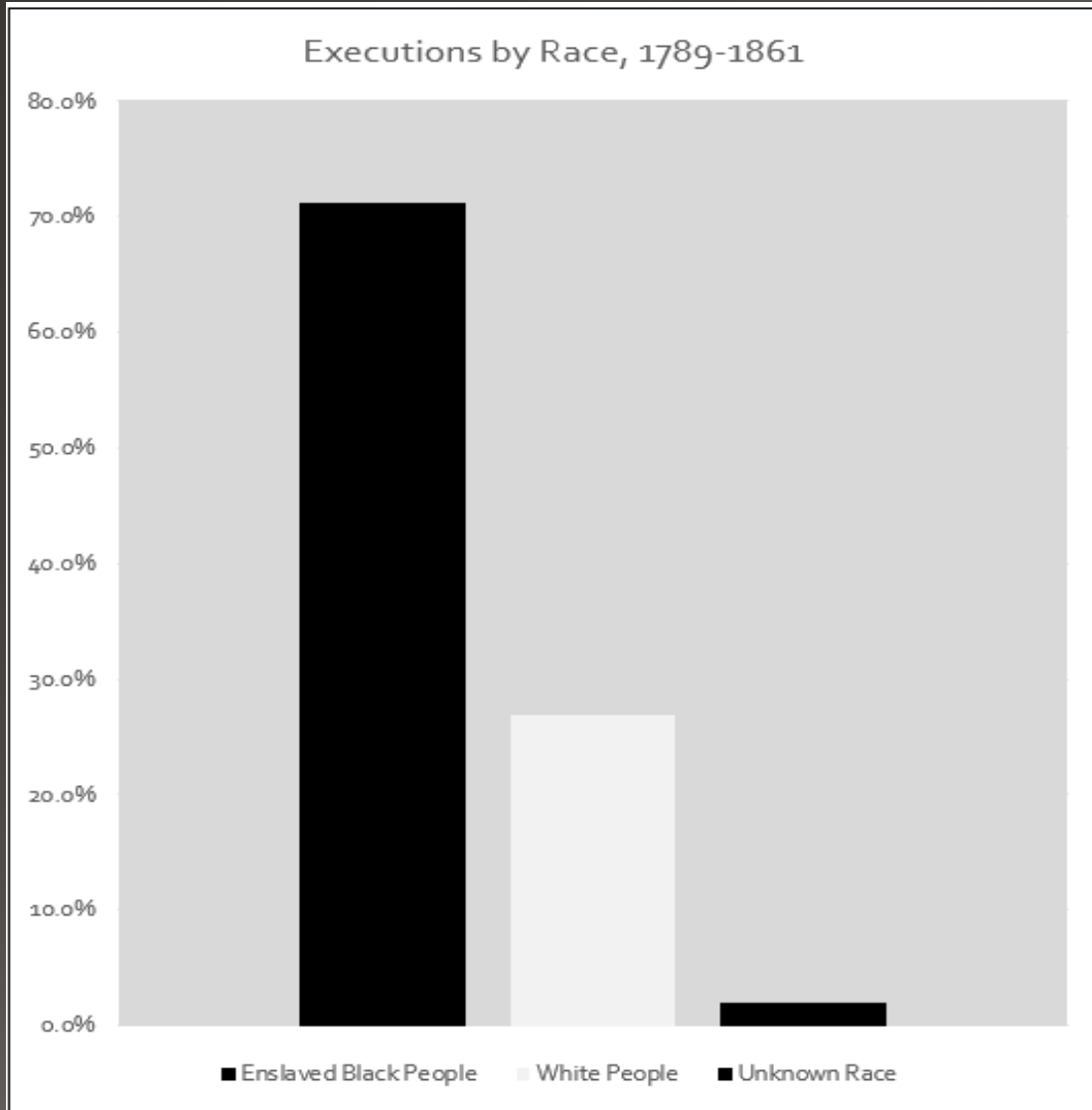
Testimony Roadmap

- Racial Violence from Statehood through the Civil War (1789-1865)
- Lynchings and Mob Violence (1865-1946)
- Formation of North Carolina's Modern Execution System (1865-1961)
- The Modern Era of Capital Punishment (1961-Present)



Historical Research Methodology

Racial Violence from Statehood through the Civil War (1789—1865)

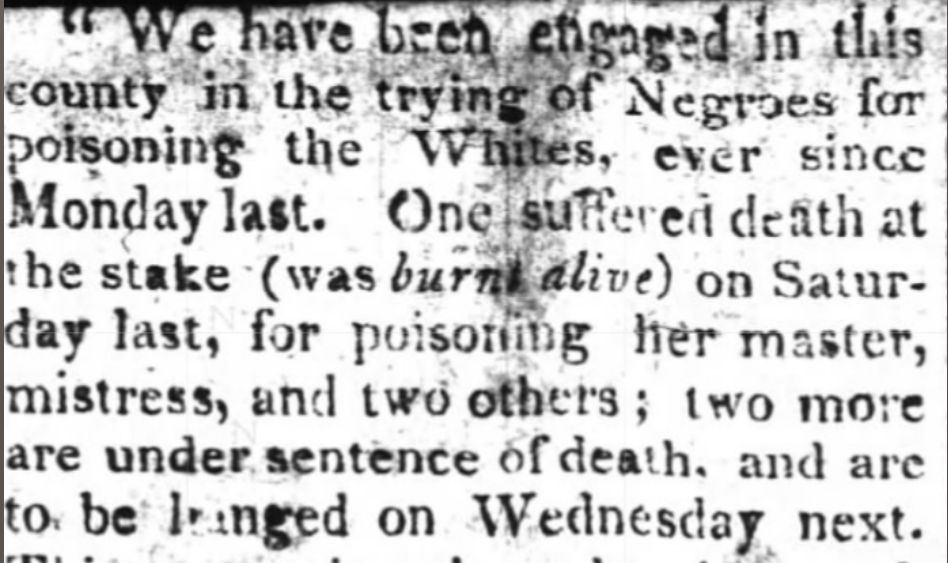


From 1789 to 1865, North Carolina hanged or burned at least 109 enslaved Black people for crimes such as murder or rape.

Over this same period, 44 white people were executed by the state during this period.

Racial Violence from Statehood through the Civil War (1789—1865)

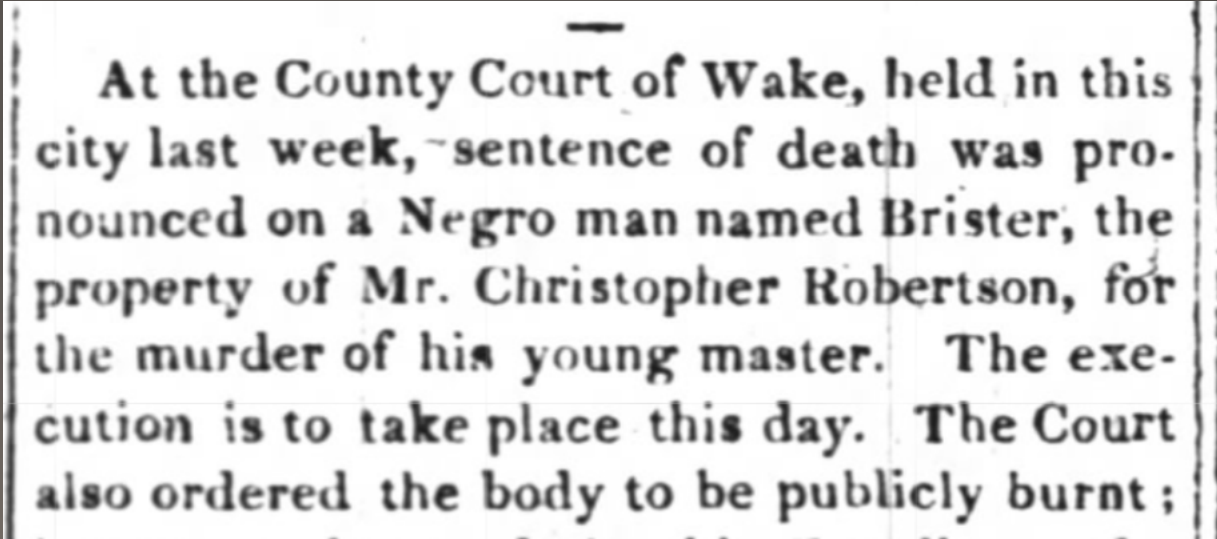
In 1805, a Black woman was burnt alive in Wayne County.



"We have been engaged in this county in the trying of Negroes for poisoning the Whites, ever since Monday last. One suffered death at the stake (was burnt alive) on Saturday last, for poisoning her master, mistress, and two others; two more are under sentence of death, and are to be hanged on Wednesday next.

Raleigh Register, July 22, 1805.

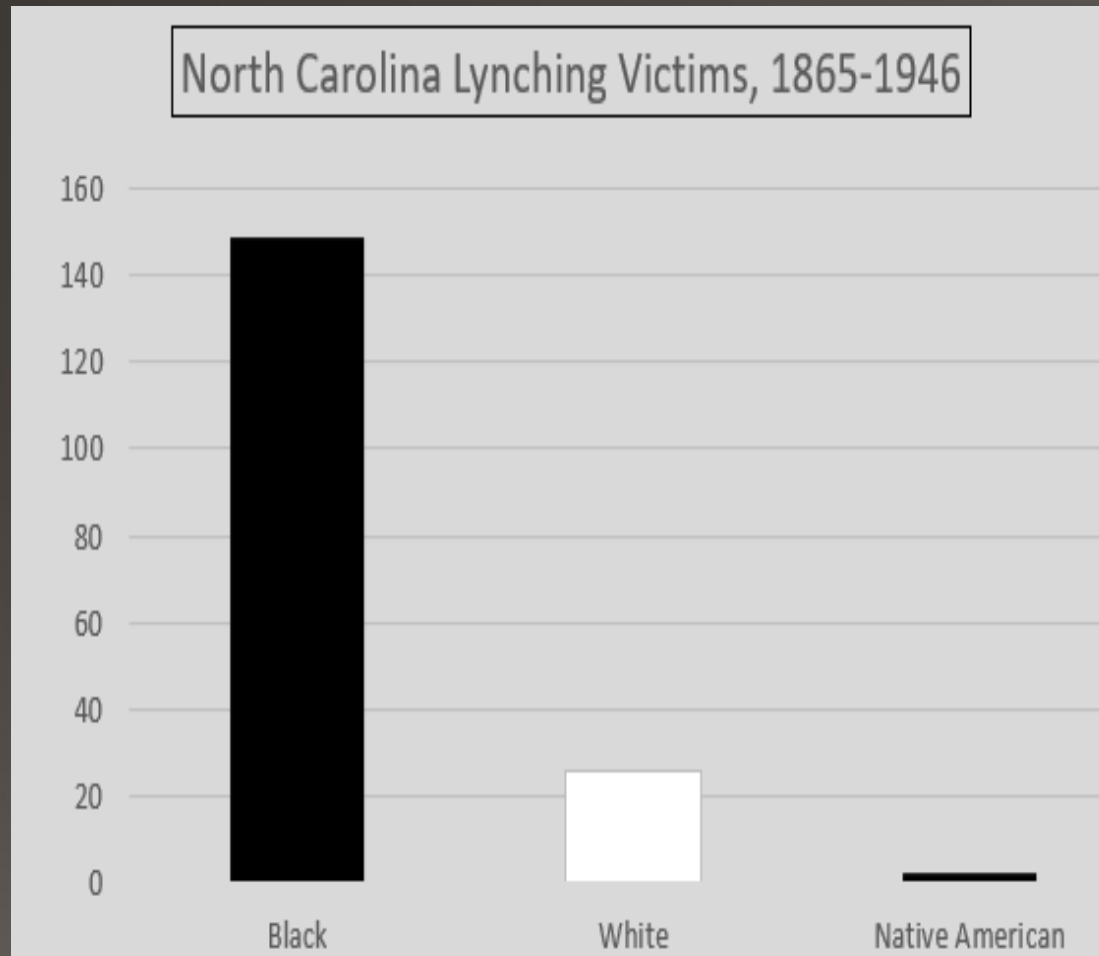
In 1812, a Wake County Judge ordered that a Black man be executed and that his body be publicly burnt.



At the County Court of Wake, held in this city last week, sentence of death was pronounced on a Negro man named Brister, the property of Mr. Christopher Robertson, for the murder of his young master. The execution is to take place this day. The Court also ordered the body to be publicly burnt;

Raleigh Register, Feb. 28, 1812.

Lynchings and Mob Violence in North Carolina (1865-1946)



There were 177 documented lynchings in North Carolina history from 1865 to 1946.

Of those lynched, 26 were white and 2 were Native American. The remaining 149 were Black.

NEGRO LYNCHED BY CROWD IN WAKE CO.

George Taylor Strung Up By
Feet and Body Filled
With Bullets

SOLICITOR NORRIS
STARTS INVESTIGATION

Negro Identified By Mrs.
Rogers as One Who Assaulted
Her About Week Ago

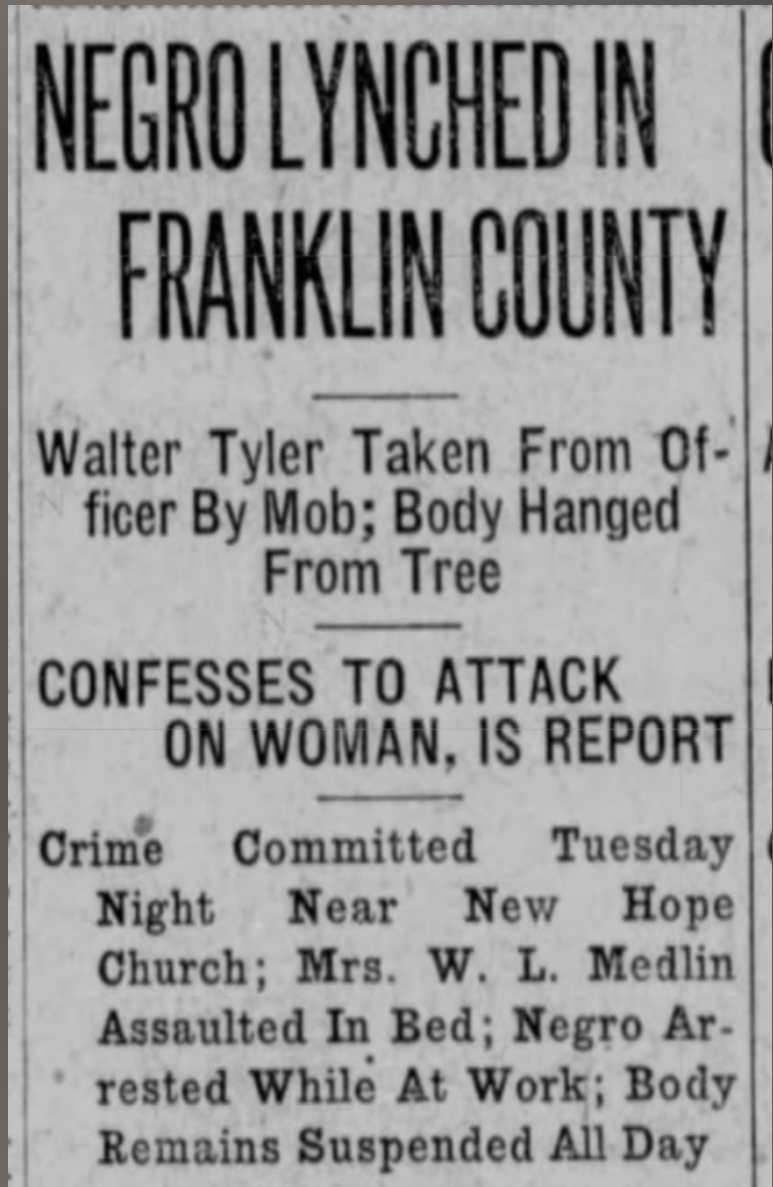
Lynchings as Public Spectacle

The Lynching of George Taylor,
Wake County, N.C. (1918)

The News and Observer, Nov. 7, 1918

Lynchings as Public Spectacle

The Lynching of Walter Tyler, Franklin County, N.C. (1919)



News and Observer, Aug. 22, 1919

**NEGRO KILLED WHITE
MAN AFTER FORMER WAS
ARRESTED BY OFFICER**

Victim of Mob Followed Mr. Brown From Theatre and Altercation Occurred In Middle of Street; Chief of Police Winston Tried To Prevent Bodily Harm But Green Was Too Quick For Them; Immense Crowd Attends Funeral of Dead White Man From Pope's Chapel; Other Crowds Throng Thicket Where Green Was Hung Up

Lynchings as Public Spectacle

The Lynching of Powell Green Franklin County, N.C. (1919)

The News and Observer, Dec. 29, 1919

Law Enforcement Complicity in Mob Violence

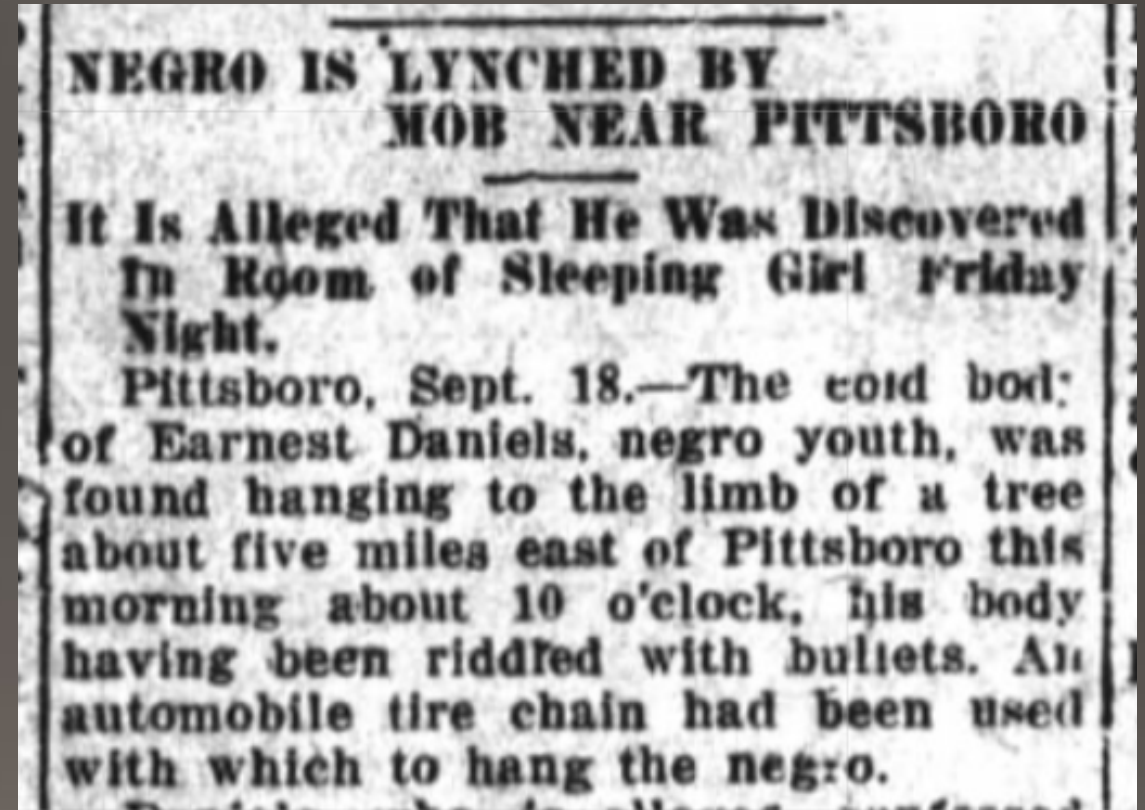
The Lynchings of Charles Smith
and Henry Davis,
Johnston County, N.C. (1884)

But it came to be known Friday that the men had been taken from the guards by not less than fifty men; that they had been placed on horses and taken to the Neuse river, some three miles from Clayton. Both Davis and Smith were handcuffed. It is said that trace-chains were wrapped around them, and that thus manacled and weighted they were thrown over the bridge railing into the river, there quite deep. It is said further that

News and Observer, Dec. 28, 1884

Law Enforcement Complicity in Mob Violence

The Lynching of 16-year-old
Eugene Daniel,
Chattham County, N.C. (1921)



The Concord Daily Tribune, Sept. 19, 1921

The Rise of the Ku Klux Klan in North Carolina (1867-1898)

In noticing this damnable crime against humanity and civilization, the editor of the *Weakly Spread Eagle*, after stating that the man Blue was said to have a bad character, &c., says: "There are times when Lynch law ought to be adopted. Very often in the present condition of Southern society nothing but Lynch law will do. But let Lynch

The Lynching of
Daniel Blue
Moore County, N.C.
(1869)

The Daily Standard, Mar. 11, 1869



The Rise of the Ku Klux Klan in North Carolina (1867-1898)

The Lynching of Wyatt Outlaw,
Alamance County, N.C. (1870)

The Wilmington Massacre (1898)



Lynchings and the Courts (1869-1927)

Lynch Mob Attacks Larry
Newsome in Court
Wayne County, N.C. (1927)

**JUDGE GRADY, PISTOL IN
HAND, FOILS ATTEMPT TO
LYNCH NEGRO MURDERER**

WITH DRAWN REVOLVER PUTS STOP
TO ATTACK ON PRISONER IN COURT

Warns Angry Crowd In
Wayne Courthouse That
They Must Not Lay
Hands On Negro

News and Observer, Dec. 12, 1927

Lynchings and the Courts (1869-1927)

ALVIN MANSEL SENTENCED TO DIE IN THE ELECTRIC CHAIR

The Asheville Citizen, Nov. 6, 1925

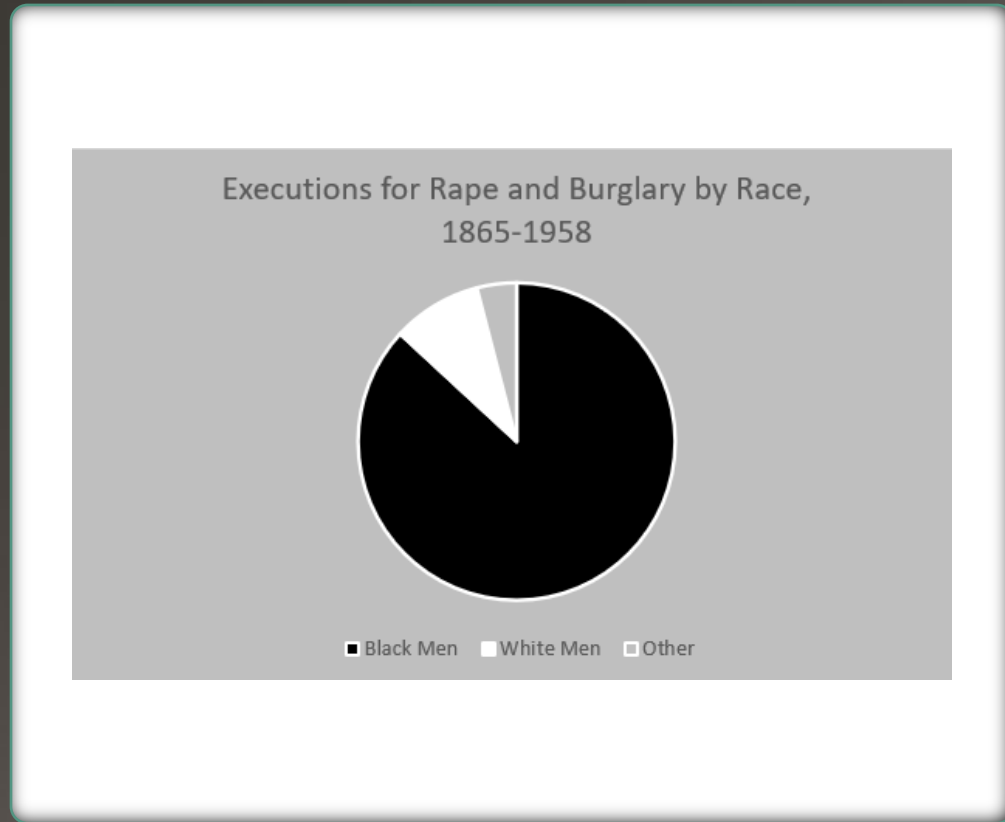
CASE H



Prisoner: Negro. b. Pickens, S. C., July 10, 1909
Charge: Rape
Sentence: Death

The Trial of Alvin
Mansel
Buncombe County,
N.C. (1925)

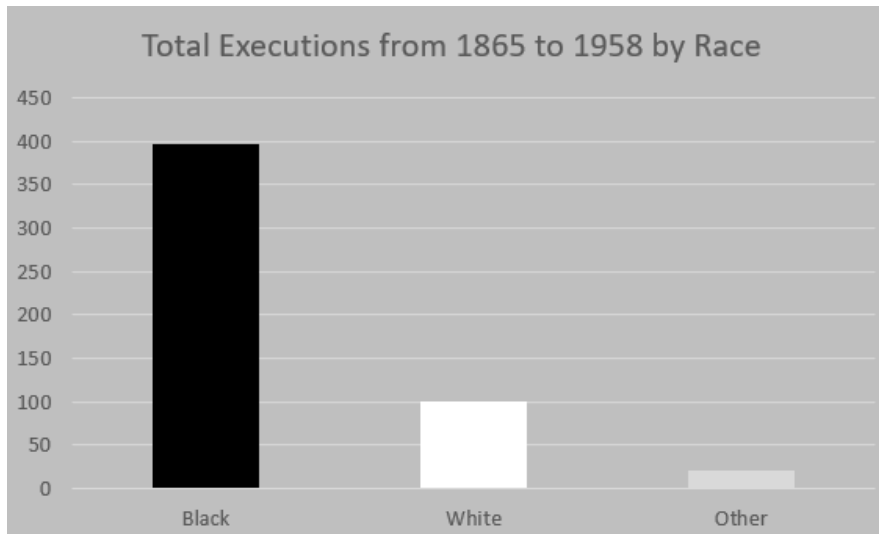
Executions for Rape and Burglary (1865-1958)



There were 99 executions for Rape and Burglary in North Carolina from 1865-1958.

All of those executed for Burglary during this period were Black men. 86% of those executed for Rape during this period were Black men.

Total Executions in North Carolina (1865-1958)



There were 519 total executions in North Carolina from 1865 to 1958.

396 (or 76%) of those executed during this period were Black.

From County- to State-Administered Executions (1865-1910)

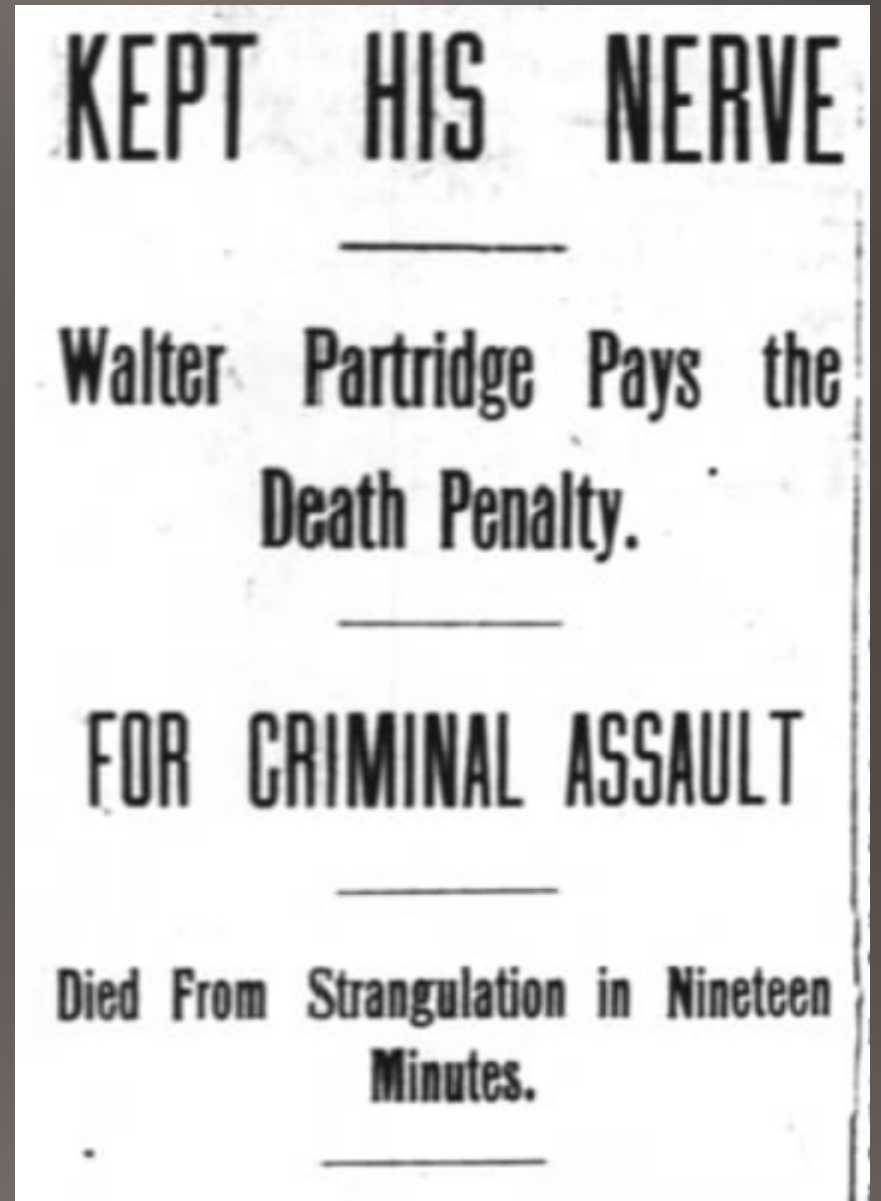
Botched Execution of
Louis Council,
Wilmington, N.C. (1901)



The Farmer and Mechanic, Nov. 5, 1901

From County- to State-Administered Executions (1865-1910)

16-year-old Walter Partridge hung with fishing twine
Fayetteville, N.C. (1905)

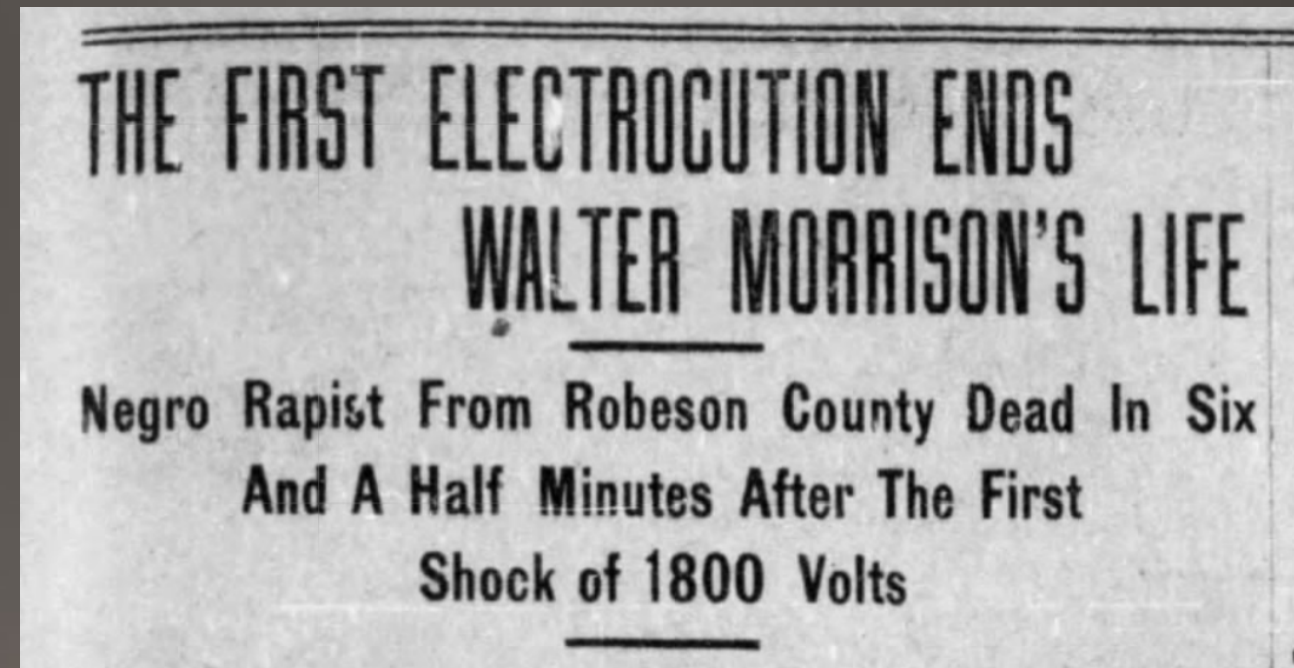


The Wilmington Messenger, April 7, 1905

The Electric Chair and the Gas Chamber (1910-1961)

The Execution of Walter Morrison

Wake County, N.C. (1910)

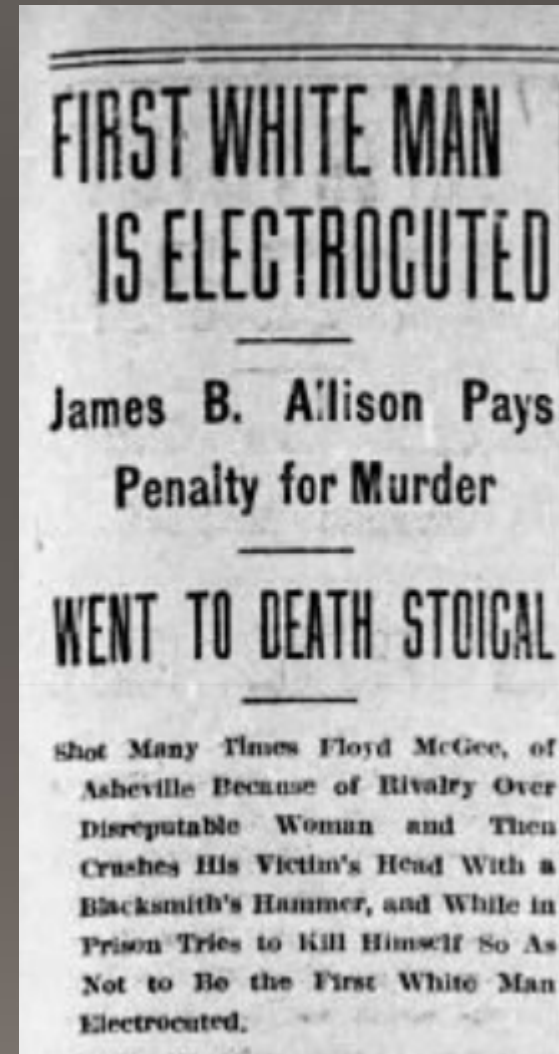


News and Observer, March 19, 1910.

The Electric Chair & Gas Chamber

The Execution of James Allison
Wake County, N.C. (1911)

James Allison was a white man.
He tried but failed to avoid the
punishment reserved for Black
people, by suicide.



The Electric Chair and the Gas Chamber (1910-1961)

The Execution of Will Frazier
Wake County, N.C. (1921)



News and Observer, May 28, 1921

The Electric Chair and the Gas Chamber (1910-1961)

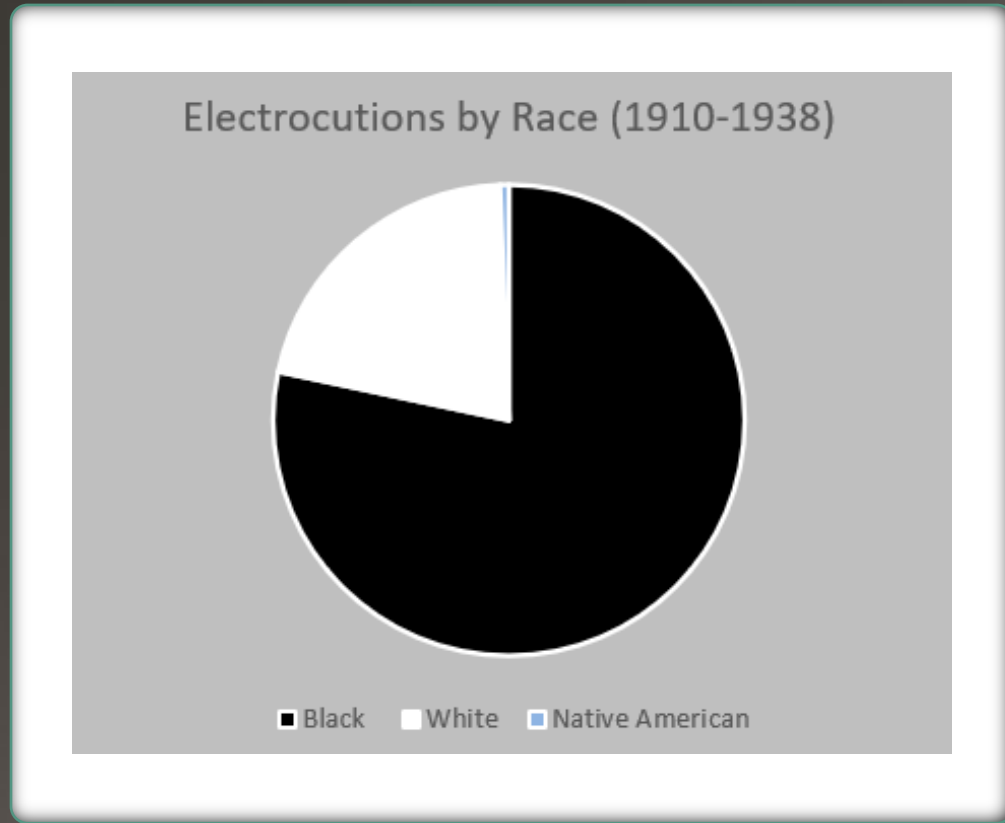
The Executions of J.W. Ballard
and Bernice Matthews

Wake County, N.C. (1931)

**Negroes Who Assaulted White
Woman Pay Penalty Of Death**

News and Observer, Sept. 16, 1922

Executions by Electrocution (1910 to 1938)



There were 166 people executed by electrocution from 1910 to 1938.

130 (or 78%) of those executed were Black.

The Electric Chair and the Gas Chamber (1910-1961)



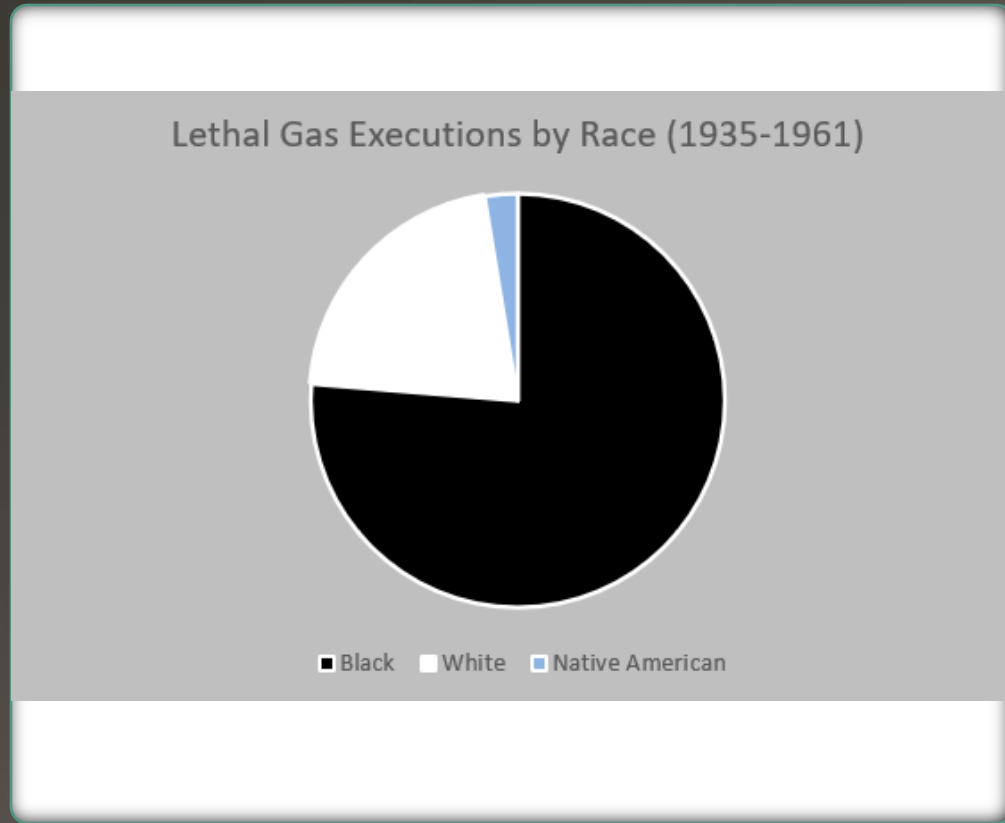
First Lethal Gas Victim Dies In Torture as Witnesses Quail

Execution of Negro, Taking
11 Minutes, Described as
'Horrible'

News and Observer, Jan. 25, 1936

The Execution of Allen Foster
Wake County, N.C. (1936)

Executions by Lethal Gas (1935-1961)



There were 194 people executed by electrocution from 1935-1961.

148 (or 76%) of those executed were Black.

Capital Punishment in the Modern Era (1961-Present)

“In the aftermath of *Strauder*, the exclusion of black jurors became more covert and less overt—often accomplished through peremptory challenges in individual courtrooms rather than by blanket operation of law.”

- Justice Brett Kavanaugh, *Flowers v. Mississippi*, 139 S. Ct. 2228 (2019)

Capital Punishment in the Modern Era (1961-Present)

“The same racially oppressive beliefs that fueled segregation manifested themselves through public lynchings, the disproportionate application of the death penalty against African-American defendants, and the exclusion of African-Americans from juries.”

- *State v. Robinson*, 375 N.C. 173, at 178 (2020)