

Senate Bill 553

S. 553 will undermine public trust and confidence by making execution information a Government secret

Exercise of Government Power Must be Transparent

- S. 553 would make the entire process of obtaining lethal injection drugs a **state secret**, even the amount of money the Department of Corrections expends to obtain the drugs.
- If the Government is going to exercise the awesome power of taking the life of one of its citizens, it must do so with **transparency** and **accountability**. Whether someone is for or against the death penalty, the sentence is carried out on behalf of the citizens of the state of South Carolina.
- S. 553 would give special secret status to Big Pharma to manufacture and mix drugs for executions. The bill is special-interest legislation designed to shield private sector drug companies from lawful criticism and to stifle public debate.
- Nearly identical Death Drug Secrecy legislation has failed in other states.

Unchecked and Unreviewable Government Action Risks Error

- S. 553 would result in an increased potential for botched executions in South Carolina (*see* Clayton Lockett execution in Oklahoma April 29, 2014, Joseph Wood execution in Arizona July 23, 2014).
- S. 553 would shield any information regarding a botched execution from public accountability. Because of the lack of transparency created by S. 553, even the governor and the South Carolina Legislature would not have the authority to launch an investigation into the State's procurement of lethal injection drugs.

Urgency is Unnecessary

- No executions are scheduled or expected for this year in South Carolina. There is no reason for the legislature to relinquish its obligation to take a balanced approach in favor of a rush to judgment.
- If S. 553 becomes law, it would be vulnerable to being found unconstitutional by the United States Supreme Court (*see Glossip v. Gross* scheduled for oral argument before the Supreme Court on April 29, 2015).



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