

## Capital Punishment

Public hangings were widespread in North Carolina till the state took control of the administration of the death sentence in 1910. The implementation of the death sentence in North Carolina extends to Colonial America. English Common Law and laws issued by NC's Colonial Assembly controlled the administration of death punishment.

In 1910, the authority to kill convicts was stripped away from the local governments and adopted by the state. On March 18th, 1910, Walter Morrison, a worker from Robeson County, was the very first individual to die in the NC's electric chair. the state implemented the death penalty on 361 individuals Between 1910 and 1961 (Bailey, 1978).

In the 1972 Furman vs. Georgia ruling, the U.S. Supreme Court found that the death sentence was unconstitutional when jurors were empowered to have unconstrained discretion in inflicting the death penalty. In wake of that ruling, the NC Supreme Court declared that the death sentence would be required for certain offenses (Kotch, 2019). The U.S. Supreme Court invalidated the state's obligatory death sentence in 1976 in the judgment of Woodson vs. North Carolina. The 120 convicts facing death had their convictions annulled, several had fresh trials, and the majority were given new sentences to life imprisonment.

The amended statute reintroduced the death sentence for 1st degree murder, which would be characterized as intentional, deliberate, and planned killing or murdering whilst perpetrating another offense. In 1983, the General Assembly offered death row convicts the opportunity to choose execution via lethal injection. In 1998, the General Assembly abolished executions by lethal gas, leaving lethal injection the NCs lone method of death (Bailey, 1978).

The state is now experiencing a halt in executions. Samuel Flippen was the final prisoner executed in the state on August 18th, 2006, for the killing of his stepdaughter who was 2-year-old (Bailey, 1978).

At the moment, the only kind of murder that may result in the death penalty in NC is first-degree murder, which also includes felony murder. In addition, the United States Supreme Court has rendered it very apparent that the only offenses that may be punished with the death penalty are those that directly result in the victim's death, like murder.

There are now 137 prisoners on death row in the state of North Carolina, 19 of whom have been added since 2006. Two of those who have been found guilty of capital offenses are female. During this period, twenty of those who were awaiting execution had passed away due to natural reasons. An additional 38 individuals have either been vindicated or had their sentences of death commuted to life in prison (Robinson, n.d).

Those who have "a serious mental condition or impairment that severely impeded his or her ability to grasp the nature, implications, or moral turpitude of his or her action" are exempt from the death penalty in North Carolina. Also, the legislation sets 17 as the bare minimum age for an execution to take place.

### References

Bailey, W. C. (1978). An analysis of the deterrent effect of the death penalty in North Carolina. *NC Cent. LJ*, 10, 29.

Black Jr, C. L. (1976). Death Penalty Now. *Tul. L. Rev.*, 51, 429.

Kotch, S. (2019). *Lethal state: A history of the death penalty in North Carolina*. UNC Press Books.10

Robinson, M. *The Death Penalty in North Carolina*, 2021.