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Statement at Senate campaign meeting about pardon racket

Strom Thurmond
Law and order is the very basis of our free society. Any public official who by his conduct in office breaks down law enforcement and jeopardizes the function of the courts in administering equal justice under the law, proves himself unworthy of public trust.

Just prior to the opening of this campaign, my opponent issued a public statement in which he said he looked forward to these campaign meetings in order that he could compare his record as Governor with mine. At the opening campaign meeting in Lexington, I accepted his challenge. In the various campaign meetings, I have pointed with pride to what I consider one of the outstanding accomplishments of my administration as Governor, and that was bringing to an end the pardon racket in South Carolina. I have briefly referred to my opponent's pardon record and called on him to explain it to the people if he could.

My opponent has failed to live up to his promise to compare his record as Governor with mine. He has ignored the charges I have made against him on one of the most vital issues which has confronted the people of South Carolina in several generations.

Today I am going to discuss in more detail the shameful record of my opponent in the granting of pardons, paroles, and leaves of absence. If in citing this record I make one mistake I call on my opponent to challenge it. If he can prove that any statement I make is incorrect, I will, of course, withdraw it.
The facts and figures I cite are based on the records as I have found them in the Governor's office and at the penitentiary, as well as the reports of legislative committees which have investigated the abuse of the pardoning power in this state.

When my opponent was sworn in as Governor for his first term, he made this pledge to the people in his inaugural address:

"I stand squarely for law and order.... There will be no pardon racket in conjunction with the operation of my office."

I charge here today and I challenge my opponent to deny it that he violated this pledge to the people of South Carolina and during his terms as Governor a pardon racket flourished in this state.

After our sheriffs and peace officers, solicitors, judges, and jurymen had devoted weeks and months to arresting and convicting murderers, rapists, and other criminals, my opponent recklessly and promiscuously turned them out of the penitentiary after they had served only brief periods of their terms.

What made this situation so repulsive was the fact that any prisoner in the penitentiary knew that if he could raise money and acquire political pull he could, through the Governor's office, secure his freedom. This destroyed all incentive for good behavior and moral rehabilitation on the part of the prisoners.

This pardon racket which was carried on while my opponent was Governor had a devastating effect on law and order in this state. Why should a sheriff risk his life to arrest a hardened criminal when he was made to feel that if this criminal could
acquire the necessary political pull with the Governor, he would never serve his term? Why should the solicitor spend days and nights acquiring evidence and building up a case against a criminal when he knew all his work could be set aside by the stroke of a Governor's pen if the prisoner at the bar could raise sufficient money to get a pardon?

Starting in April 1937, and going on as long as he was Governor, my opponent went on an unconstitutional, unbridled and unbelievable pardon and parole spree. Prisoners were turned loose by parole, by pardon, by leaves of absence, by letter, by telegram and sometimes by mistake. It was easier to get out of the penitentiary than it was to get in it.

A pardon, in effect, wipes a man's crime off the books. If pardoned while serving his term, he is set free and his citizenship is restored. A parole releases a man from prison but does not restore his citizenship. A leave of absence is an unconstitutional device used by my opponent in permitting prisoners to leave the penitentiary for varying periods of time. A pardon or parole must be registered with the Secretary of State, but a leave of absence, commonly called a back door pardon, was merely a letter or a telephone call from my opponent to his superintendent of the penitentiary or to a chain gang captain.

Now here is the record, and I call on my opponent to deny it or stand convicted at the bar of public opinion of betraying the trust of people who elected him and perverting the office of Governor for his own selfish and political ambitions.

My opponent issued 630 pardons and paroles.
My opponent issued 2,591 leaves of absence or back door pardons of which we have been able to find a record. How many he issued by telephone or without a written record, I have been unable to determine.

"While my opponent was Governor, he sprung the penitentiary doors and turned back on the communities of this state 3,221 criminals. In his first term alone, my opponent released 93 murderers who had been sentenced to life. And of these 93 murderers my opponent turned back on the law abiding people of this state, 40 of them had served less than ten years, fourteen of them less than five years. One murderer, sentenced to life by our courts for the deliberate and cold-blooded murder of a young soldier, was released by my opponent after serving a little over a year.

When Senator Burnet R. Maybank defeated my opponent for the Senate in 1941, the pardon racket was an issue in that campaign. I want to quote to you today a few paragraphs from Senator Maybank's speech closing his successful campaign for the Senate in 1941 in which he defeated my opponent. Here is what Senator Maybank said:

"During the first campaign, I took pride in every speech in reminding the people there had not been a racket in pardons, paroles and leaves of absence since I had been Governor and my opponent (Governor Johnston) remained silent as the tomb. It was not until after the first primary, and there was no more face to face speaking engagements, that my opponent decided to defend his pardon record by making false accusations against mine. He dares not compare our records on pardons or paroles."
I want the people of South Carolina to remember what Senator Maybank said. My opponent, whose first term preceded Senator Maybank when he was Governor, acted then just as he is acting now. He would not defend his record until the joint campaign meetings were over. Senator Maybank said my opponent had then engaged in false accusations against him. Of course, my opponent was also then conducting what he chooses to call a "Christian campaign."

Senator Maybank in his speech went on to say:

"His (Governor Johnston's) pardons and paroles run into hundreds and he made free men out of 97 murderers.......

Those who are interested in refreshing their minds as to conditions of law and order in South Carolina before I took office need only to refer to the report of the joint legislative committee to investigate law enforcement..... It required 18 pages to print in small type the list of leaves of absences granted by my predecessor."

During Senator Maybank's administration as Governor, a pardon and paroles board was established to investigate, and recommend or reject, requests for clemency.

However, when my opponent returned to the Governor's office following the Maybank term, the pardon racket was resumed. He by-passed the pardon and parole boards established during the Maybank administration. My opponent set up his own private pardon board in order to confuse the people and make it appear that in granting pardons and paroles he was carrying out the recommendations of a pardon board. During the two years he served as
Governor before defeating Senator E. D. Smith, who was then in declining health and unable to wage a vigorous campaign, my opponent released 120 prisoners with no recommendations from the regularly established pardon board. Furthermore, he released from the penitentiary 38 criminals after the regular Pardon and Parole Board had rejected their requests for freedom.

I have in my possession a list of over 3,000 criminals my opponent turned out of the penitentiary. Many of these criminals were thrown back on you here in Chester County. As an example, take the case of Dave Dunham.

Dunham was convicted of murdering three persons in Chester County in 1932 and he was sentenced to life imprisonment. In January 1945, Dave Dunham was paroled by my opponent after his request for clemency had been rejected by the Pardon and Parole Board.

Dave Dunham was paroled by my opponent on the basis of what he termed good behavior, and I quote the official words of the parole— "the Governor to be the sole judge of what constitutes good behavior."

In other words, my opponent paroled this murderer after the Pardon and Parole Board had rejected the case and in so doing he assumed responsibility for any subsequent action by this criminal.

You good people of Chester know the unhappy ending of this story which so clearly demonstrates what happens when politics and money turn criminals out of the penitentiary and equal justice under the law does not prevail.

In October 1947, Dave Dunham, who was a colored man, attacked a white couple on a Chester County road. The man
was a 22 year old veteran, Clarence Wallis. He fought bravely to allow his companion to escape attack, but his life was stomped out by the murderous feet of Dave Dunham.

Dave Dunham was the instrument of death but in reality it was the pardon racket which ended the life of this young Chester County veteran.

Ladies and Gentlemen, in all sincerity, I say to you that if as Governor I had accomplished nothing more than bringing to an end this shameful pardon racket which had blighted our state, my administration would have been a success. We have seen to it that there will be no more Dave Dunhams turned back on our communities, and I know the good law abiding and Christian people are grateful for what I have done to uphold law and order in this State.

My opponent has made his record and he cannot cover it up by ignoring it and hoping the people will forget. If he can defend his record on running a pardon racket, I call on him to do so now. If he fails to do so then I call on the good people of this state to go to the polls July 11 and express their condemnation of his record by retiring him from the office which he now holds and which is the highest in the gift of the people of South Carolina.