**South Carolina General Assembly**

118th Session, 2009-2010

**S. 35**

**STATUS INFORMATION**

Joint Resolution

Sponsors: Senator Ford

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Companion/Similar bill(s): 3521

Introduced in the Senate on January 13, 2009

Currently residing in the Senate Committee on **Judiciary**

Summary: Orangeburg Massacre

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/10/2008 Senate Prefiled

12/10/2008 Senate Referred to Committee on **Judiciary**

1/13/2009 Senate Introduced and read first time [SJ](file:///h:\SJ%20Archive\2009\01-13-09.docx)‑88

1/13/2009 Senate Referred to Committee on **Judiciary** [SJ](file:///h:\SJ%20Archive\2009\01-13-09.docx)‑88

**VERSIONS OF THIS BILL**

[12/10/2008](file:///p:\pprever\2009-10\35_20081210.docx)

**A** **JOINT RESOLUTION**

TO ACKNOWLEDGE THE FUNDAMENTAL INJUSTICES, CRUELTY, AND INHUMANITY INFLECTED UPON THE VICTIMS OF THE “ORANGEBURG MASSACRE” IN LIGHT OF GOVERNOR MARK SANFORD’S RECENT FORMAL APOLOGY FOR THE MEMBERS OF THE SOUTH CAROLINA HIGHWAY PATROL WHO GUNNED DOWN THREE STUDENTS AND INJURED TWENTY‑SEVEN OTHER STUDENTS DURING THIS INCIDENT, AND TO CREATE A COMMISSION TO MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY TO COMPENSATE THE VICTIMS AND FAMILIES OF THE VICTIMS OF THIS TRAGEDY.

Whereas, the “Orangeburg Massacre” was a unique tragedy in the State of South Carolina’s history; and

Whereas, on February 8, 1968, the lives of Henry Smith, Samuel Hammond, both South Carolina State University students, and Delano Middleton, a local high school student, were tragically ended, and twenty‑seven other students were wounded when members of the South Carolina Highway Patrol opened fire on a group of unarmed civil rights demonstrators on the South Carolina State University campus in the city of Orangeburg; and

Whereas, in 2001 former Governor Jim Hodges expressed deep regret while in 2003, current Governor Mark Sanford has formally apologized for the fundamental injustice, cruelty, and inhumanity inflicted upon the victims of the “Orangeburg Massacre”; and

Whereas, in light of Governor Mark Sanford’s apology for the tragic events that have become known as the “Orangeburg Massacre”, it would be appropriate for the General Assembly to also acknowledge the fundamental injustice, cruelty, and inhumanity of this incident and create a commission with the duty to recommend to the General Assembly appropriate compensation to be made to the victims of this tragedy and their families. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The members of the General Assembly of the State of South Carolina, by this resolution, join Governor Mark Sanford in acknowledging the fundamental injustice, cruelty, and inhumanity inflicted upon the victims of the “Orangeburg Massacre” in which members of the South Carolina Highway Patrol gunned down three students and wounded twenty‑seven other students on February 8, 1968 on the South Carolina State University campus.

SECTION 2. (A) There is hereby created a commission with the duty to recommend to the General Assembly appropriate compensation to be made to the victims and families of the victims of this tragedy.

(B) The commission shall report its findings and recommendations to the General Assembly by January 1, 2010.

(C) The commission shall be composed of one member appointed by the Governor, one member appointed by the Speaker Pro Tempore of the Senate, and one member appointed by the Speaker of the House of Representatives.

(D) Members of the General Assembly may not serve on the commission.

(E) Commission members are not entitled to receive subsistence, mileage, and per diem otherwise provided by law for members of state boards, committees, and commissions.

(F) The commission dissolves on January 1, 2010.

SECTION 3. This joint resolution takes effect upon approval by the Governor.

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