Exculpating Injustice: Coroner Constructions of White Innocence in the Postbellum South

Sarah Gaby1, David Cunningham2, Hedwig Lee2, Geoff Ward2, and Ashley N. Jackson2

Abstract
Research notes the broad complicity of white public officials in historical racial violence and repression. These discussions emphasize the role of criminal justice actors in perpetrating and enabling this repression. Extending this assessment, the authors examine coroners’ facilitation of white racial dominance through administrative performances constructing white innocence. Using cases from post-Emancipation South Carolina, the authors document race-related patterns of exculpatory effort, through the omission and curation of evidence amid the post-Reconstruction rise of white supremacist redemption. The authors theorize that these exculpatory efforts helped sustain an ideology of white innocence and institutional legitimacy by constructing a white “law-abiding” public. The authors argue that such coroner misconduct not only degrades the rule of law but has broader implications, including its corruption of the corpus of mortality and crime data. Finally, the authors suggest that these administrative performances persist in present-day coroner reporting, including in the exculpation of racist police violence.

Keywords
race, mortality, coroners, medical racism, white supremacy, violence

1Following an altercation with other sailors, McIntosh was arrested for obstructing law enforcement and was transported to jail, where he stabbed and killed one officer and injured another before fleeing custody but was later recaptured by a mob that took McIntosh back to jail (Gourevitch 2016).

In 1838, Abraham Lincoln—then a 28-year-old lawyer more than two decades from his ascension to the U.S. presidency—delivered one of his earliest influential public speeches. In what has become known as the Lyceum Address, the now famous speech focused on what he termed “the perpetuation of our political institutions,” centered on a defense of the rule of law in the face of “lawless” mob action (Lincoln 1838). As a crucial example of the latter, he invoked the specter of racial violence, referencing specifically the lynching of Francis McIntosh, who had been burned to death in front of a crowd of hundreds two years prior in St. Louis, Missouri. The willingness to resort to such acts of civil mob violence, Lincoln argued, would condemn “the innocent, those who have ever set their faces against violations of law in every shape, alike with the guilty.” Left unchecked, he felt that such actions would not only threaten individual citizens’ freedoms but degrade the rule of law and legitimacy of the state (Lincoln 1838).

Lincoln’s view, however, ignores the fact that “lawless” violence involves and mobilizes agents of the law as well. The grand jury investigation into the McIntosh lynching, for instance, failed to bring charges against the perpetrators after the fittingly named Judge Luke Lawless instructed jurors to take into account the mob’s “mysterious, metaphysical, and almost electric phrenzy” (Waldrep 2006: 55) and its invocation of white supremacy—a principle, the judge emphasized, “of even higher import to the community” than the...
Constitution (Johnson 2020: 78). “Although mob murder was purportedly illegal criminal activity,” Sherrilyn Ifill (2003:301) observed, “lynching effectively became a legal crime in many communities” through actions and inaction by coroners, prosecutors, legislators, and other institutional actors.

Exculpatory processes expose the false dichotomy of lawful and lawless acts (Johnson 2020; McMullen 1989; Ward 2014). Intersections between the two are plainly evident when, as in the McIntosh trial, legal tools and actors are mobilized to rationalize sensational acts of collective violence such as racial terror lynchings. Less understood is how sociolegal dynamics of “law in action” operate in more quotidian cases. Toward that end, we emphasize how routinized practices among myriad agents of the state have operated systematically to obfuscate and excuse lawlessness as a matter of legal process.

The stakes associated with such an agenda are considerable. Historian Monica Muñoz Martinez (2018) noted that one key consequence of institutional negligence is that “law enforcement agents, and county judicial systems have erased countless deaths from historical records” (p. 79). Even when deaths have been known, these and other state actors have conspired to erase or distort the evidentiary basis upon which legal recourse would depend. A wide range of civil and state actors comprise the power structure that enables and perpetuates such violence as well as its obfuscation. Although such systems develop in distinct local configurations (Cunningham, Ward, and Owens 2019), surfacing and elaborating the roles of particular actors offers a more precise lens into the social organization and legitimation of racial dominance.

Whereas the organization of legal decision making is relatively well understood in the contexts of policing and courts (Eisenstein and Jacob 1977), less attention has been paid to the more diffuse network of officials that undergirds and often enables these legal processes. Surfacing these less visible levers provides greater insight into the workings of power structures. We examine the role played by a particular and typically unexamined agent of the state, the coroner, in directly and indirectly facilitating the perpetuation of white racial dominance. As just one of many bureaucratic and seemingly neutral agents of the state, coroners and the jurors they recruit officially designate causes of death. Coroners can construct, introduce, or omit evidence in these efforts, which in turn shapes possibilities of legal (in)action. In an era when death certificates were rarely if ever in use, coroners’ inquisitions generated the only legally authoritative accounts of deaths in the nineteenth and early twentieth centuries. Scrutiny of these reporting data elucidates the social construction of mortality and inequalities in those constructions.

Our analysis combines an extended case study of the constructed account of the death of Willis Jackson, an African American lynched in Anderson County, South Carolina, in 1911, with a qualitative analysis of inquests associated with less sensational deaths occurring proximate to the Jackson lynching. Coroner reports and public reporting on Jackson’s death demonstrate both the role of the coroner in constructing narratives of dying and social implications of these reports. Although there has been little engagement with, or interrogation of, deaths recorded by coroners during this period (Saunt and Berry 2014), this study aligns with broader research on “medical racism and the rhetoric of exculpation” (Hoberman 2007; Kolsky 2010). Through comparative case studies and descriptions of cause of death claims in coroner inquests, we draw on historical methodological approaches to understand the role of coroners in adjudicating the sociolegal legitimacy of black death.

Supplementing the attention typically paid to police, court, and legislative actors in racist violence and repression, we highlight how coroners’ exculpatory efforts have helped sustain a broader ideology of white innocence and institutional legitimacy. A component of a broader enforcement network, whereby racial violence maintains prevailing systems of power and stratification (Bailey and Tolnay 2015; Brundage 1993; Cunningham et al. 2019; Ifill 2003), coroners enacted what we refer to as administrative performances, through which white publics could be exculpated in the face of criminal acts that often functioned themselves to maintain racial dominance.

Our study addresses processes and impacts of these exculpatory performances. We examine relational mechanisms through which coroners determined whether to generate inquests and subsequently produced official accounts of specific deaths in the face of manipulatable evidence. Furthermore, we argue that coroner constructions have both immediate and long-term implications, literally coloring mortality data and derivative race-linked understandings and expectations of death and dying. As we address below, in choosing not to identify perpetrators despite substantial evidence and instead advance the claim that victims died at “the hands of persons unknown,” coroners could intentionally relieve whites of responsibility for murders committed, aided, and abetted.

More generally, coroner misconduct has distorted the corpus of historical data on death and dying, coloring these “grim statistics” (Greenberg 1990) in ways that pathologize black bodies and contribute to the pervasive sense of an “intractable” racial health gap (Hoberman 2007). These distortions can become integrated in diagnostic routines. As Noymer, Penner, and Saperstein (2011: 2) noted, as certain causes of death are significantly less likely to be attributed when decedents are black, “stereotypes about who is likely to die a particular kind of death may color our official vital statistics.” Ultimately, this history of white construction of black death relates to a broader “epistemological dimension” of white supremacist, described by political philosopher Charles Mills (1997:18) as “an agreement to misinterpret the world,” with cultivated misrepresentation being vital to rationalizing racial injustice. Structures we identify persist, as coroners remain active in racial enforcement networks. Yet these practices are also contested. Past and present acts
of coroner misconduct are sites of antiracist commemorative intervention, including efforts to correct wrongful death records through truth telling, as a measure of a restorative justice (CRRJ 2019).

**Methods**

**Data Collection**

In this study, we begin with an in-depth analysis of the lynching of Willis Jackson and then build outward both spatially and temporally, focusing on two South Carolina counties (Anderson and Edgefield) to interrogate the process and impact of coroners’ work. South Carolina is an important and likely place to identify the institutional determinants of racial disparities in death and dying, particularly given the prominence of enslavement within its borders, even relative to neighboring states including Alabama, Florida, Georgia, and North Carolina (Ruef and Fletcher 2003). Fifty-seven percent of South Carolina’s population was enslaved in 1860, exceeding the proportions in every other state. Within the two counties considered in more detail below, enslaved persons accounted for a third of the population in Anderson and more than half in Edgefield in 1860, and both had large numbers of lynchings compared with surrounding counties (U.S. Census Bureau 1860). Exploring the role of coroners in mortality determination in South Carolina is also particularly salient because of the state’s unique reputation of relying more on the court of public opinion and its elevation of women’s voices within an “honor culture” than on more formalized legal processes (Dale 2003).

In this article we draw on a range of primary and secondary sources associated with coroners’ determinations of death. The core data for the analysis come from coroners’ inquest reports, collected in the South Carolina Department of Archives and History (SCDAH) in Columbia. These primary documents officially detail the who, what, when, where, and how of death and dying. They include information on dates, methods, locations, and types of deaths, as well as coroners’ identifying information and narrative accounts.

We begin by analyzing the 1911 inquest from SCDAH produced around the lynching of Willis Jackson, alongside reports on the same incident from local newspapers (the *Anderson Daily Mail*, *Newberry Weekly Herald*, *Pickens Sentinel*, and *Keowee Courier*) and existing secondary sources (Brutzman 2011; “Along the Color Line” 1911; Megginson 2006; West 2008). We then expand from this case temporally to examine cases in the same county (Anderson) that fell within the jurisdiction of the same coroner, ranging from June 1910 to November 1912 and constituting an additional 22 cases. To assess the distinctiveness of these Anderson cases, we also incorporate inquests from Edgefield County, located 75 miles to the southeast of Anderson, the closest county for which contemporaneous inquests were available from SCDAH. We drew upon all Edgefield coroner reports available within the one-year period surrounding the Jackson lynching, which added 7 cases to the 23 we examined from Anderson.

Through content analysis of these data, we identify and demonstrate how, as with the case of Willis Jackson, specific features of the inquest process directly or indirectly enabled the perpetuation of the prevailing racial order. Although our aim to identify the processes through which coroner constructions serve these exculpatory functions would surely be bolstered by analysis of a greater number of cases, our bounding decisions reflected difficulties inherent in archival analyses (Benzecry, Deener, and Lara-Millán 2020). The SCDAH archive of coroners’ papers is quite scattered, with the presence or absence of coroner reports varying over time and across counties. As such, data-bounding decisions entail trade-offs, as decisions to incorporate additional reports also introduce other sources of unexplained variation, including heterogeneous county compositions and cultures when scaffolding outward geographically and the tenures of multiple coroners when expanding temporally. We chose here to focus conservatively around both dimensions, confining our analysis to all cases over the 2.5-year period that encompassed a single coroner officeholder in our core county (i.e., Coroner Beasley in Anderson County), along with a tighter temporal bounding around the Jackson lynching for our cognate county (Edgefield). The latter choice is consistent with literature on lynching demonstrating the bounded diffusion effects associated with any given act of racial violence (see, e.g., Stovel 2001).

**Constructing White Innocence**

**White Coroners and Black Deaths in South Carolina**

The earliest known origin of the coroner system can be found in England, developed in 1194 under the Articles of Eyre (Houck and Siegel 2010), but the history of coroners in the United State is diffuse. Houck and Siegel (2010) found that the first coroner in the American colonies was appointed in 1637 in Maryland (2010). In 1706, the king of England appointed South Carolina’s first coroner (Charleston County 2020). Coroners were initially appointed for indefinite terms by the legislature, but in 1839, “An Act Concerning the Office, Duties and Liabilities of the Coroner” expanded the role of the coroner, while also establishing a four-year term limit and appointment by both the House and Senate. Coroners were directed to “take inquests of felonies and other violent and casual deaths committed or happening within his precincts”:

> By 1839, then, the coroner had become a key figure not merely in the state’s system of death investigation but in law enforcement and the judicial process more broadly. His functions were not merely clerical—the convening of an inquest and the filing of a
result—but judicial—levying fines, compelling witnesses, making arrests, and building the state’s initial case against the accused. He functioned, in a sense, as a sheriff of the dead, with primary control over potential criminal cases in which, by accident or malice aforethought, someone had been killed. (Saunt and Berry 2014)²

This act stipulated that coroners were to summon juries whenever they “shall be informed of, or shall see the dead body of any person, supposed to have come to a violent and untimely death, found lying in his district” (South Carolina Act 1839:75). When a death was identified as suspicious, coroners were to issue a warrant directing the district’s constables or sheriff to summon a jury of 14 free white men to a location the coroner specified. The jury was charged with enquiring and declaring upon oath, “whether the deceased came to [their] death by mischance or accident, or by felony . . . whether by the act of God, or of man . . . and whether [they] were killed in the same place or elsewhere . . . and of all other circumstances” (South Carolina Act 1839:76–77).

Save for the brief interlude of Reconstruction, when the words “free and white” were formally struck from the 1839 act (South Carolina Act 1870:324), more and less professionally authoritative subsets of white men have dominated official assessments of South Carolina deaths.³ Only “free white men of the age of twenty-one years” were legally eligible to serve on coroners juries from 1839 to 1870, and white men resumed de facto control with the end of Reconstruction (South Carolina Act 1877). South Carolina and southern states more generally are unique in their handling of coroner inquests during this time. Specifically, the antebellum south relied less on formal legal mechanisms compared with the rest of the country and instead prioritized more informal social control technologies in the context of coroner inquests (Dale 2003). Post-Reconstruction, “Southern lawmakers . . . stopped passing explicitly discriminatory jury service laws,” civil rights lawyers note, “but continued empaneling all-white juries during the late 19th and early 20th centuries using highly discretionary practices controlled by white officials” (Taylor 2015). The 1875 Civil Rights Act outlawed race-based discrimination in jury service, but in South Carolina this was circumvented by linking juror qualification to the eligibility to vote (in 1895). A 1900 law forbade “any Coroner or Magistrate to hold an inquest over any dead body, except upon the written request of two reputable citizens of residing in the neighborhood of where the dead body is found” (South Carolina Act 1900:456).

The evolution of the coroner’s office provides further evidence of the unscientific and limited methods through which those officials determined cause of death. In the late 1800s the coroner role expanded to incorporate medical examiners (Hanzlick 2007; Hanzlick and Combs 1998; Houck and Siegel 2010). Whereas coroners are elected and do not need medical training, medical examiners are appointed and required to be physicians, often with training around forensic pathology, which maps historical segregation of the medical profession onto the professionalization of coroners (Hanzlick 2007; Smedley, Stith, and Nelson 2003:103–108). It was not until 1955, however, that coroners were required by law to request autopsies to medically determine cause of death (South Carolina Statute § 17-7-10, 1955). During the period of study, there was no requirement for medical evaluation by a trained professional to be included in an inquest, leaving the coroner without formal medical training to determine cause of death.

Considering the extensive record of racial terror alongside the near absence of resulting indictments (see U.S. Congress 1872; Equal Justice Initiative 2020), Ida B. Wells’s (1892) observation in “Lynch Law in All Its Phases” that “those who commit the murders write the reports” is especially relevant to the networks of white authority that shaped coroners’ inquests. Although other state actors have appeared in the broader mortality literature, the work of coroners has been neglected in this research. Timmermans (2005) examined the role of medical examiners in constructing determinations of suicide and other contested deaths but did not address their relation to coroners.

Despite this lack of scholarship examining the work of coroners, they figure prominently in accounts of lynching. Both historiographic and empirical studies (e.g., Finnegan 2013; Ifill 2003; Raper 1933) have conceived events involving “mob” violence within which a significant proportion of the white population was complicit as dramaturgical. The investigations of these lynchings were often public and constructed to appear to determine blame and define justice while avoiding the assignment of responsibility and upholding the status quo. Official determinations of such deaths served to obscure individual involvement and demonstrate that coroners have been key actors within a broader power structure centered on the preservation of the racial status quo, including (and especially) in instances of violent enforcement of both formal and informal white supremacist strictures. In a review of 21 reported lynchings in 1930, for example, Arthur Raper (1933:16) found that grand jury indictments were returned in only 6 cases (naming a total of 49 defendants). In the remaining 15 cases, nearly three quarters⁴ of the lynchings that year, coroners reported that

²We use the CSI: Dixie database and description of coroner’s as a useful guide for understanding and interpreting deaths in South Carolina. The database stands as a unique and excellent resource for understanding coroners (Saunt and Berry 2014).

³Richland County (home to Columbia) elected its first black and first female coroner in 2020, and she notably pledged to make the office more transparent (Scarlett 2020).

⁴This high rate of coroner exculpation in 1930 is noteworthy considering the growing federal and state pressure to end lynching, including the Dyer Anti-Lynching Bill, introduced in 1918 and passed by the U.S. House of Representatives in 1922, citing “insistent nationwide demand.” The bill was then held up in the Senate, following a filibuster by segregationist southern Democrats.
the lynched persons came to their deaths “at the hands of persons unknown [and] grand juries in turn failed to fix responsibility” (Raper 1933:16).

Contemporaneous media accounts of lynchings demonstrate the workings of this broad network. Such portrayals are suffused with administrative performances by officials, such as police who stressed that they were powerless to preserve order in the face of an overwhelming mob, mayors who reported fruitless calls on state officials to send reinforcements or ensure a speedy judicial process that might quell vigilantist action, and reporters who noted the grim determination of the ostensibly faceless and leaderless mob. Although these officials were able to enact a performance that removed their implication in the murder, the coroner ultimately determined the cause of death and identified responsible parties. In practice, the de facto function of coroner inquisitions was both to reinforce other officials’ efforts to absolve individual perpetrators, and to submit evidence that squared with, and thus legitimated, other, often fictive, accounts of the act advanced by other actors within the overall “enforcement network” (Cunningham et al. 2019; Dray 2002; Saunt and Berry 2014).

Coroner Inquests and the Lynching of Willis Jackson

The exculpatory work of this enforcement network of coroners, police, elected officials, reporters, and others is plainly evident in the case of Willis Jackson, who was lynched on October 11, 1911, on the accusation that he raped the young daughter of a white merchant in the small town of Honea Path, in Anderson County, South Carolina. When news of the crime spread, stores were closed in town to allow business owners and workers to help locate the alleged perpetrator. Two other men were arrested but not positively identified by the victim, who later affirmed her view that a third suspect—Jackson, a 17-year old “delivery boy” for a local meat market—was in fact the perpetrator. Immediately following his arrest, the local newspaper described Jackson as the “brute” associated with the “dastardly” crime. Soon thereafter, a large “mob” was rapidly mobilized, initially composed of local citizens (The Anderson Daily Mail 1911a, 1911b, 1911c). In an effort to avoid the mob’s attempt to “assault the jail” that was holding Jackson and “make short work of him,” a local doctor and two deputies were dispatched to secretly remove Jackson from Anderson County to the nearby county of Greenville or Spartanburg.

The vigilantes quickly learned of this effort to “spirit away” Jackson and departed in a pursuing caravan half an hour later. The caravan overtook Jackson’s party seven miles outside Greenville, returned him to the scene of the alleged rape, had the victim again identify him as the assailant, forced a confession, and hung him from a telephone pole half a mile away. The crowd surrounding Jackson at that point reportedly numbered 5,000. Most were armed, and the local newspaper reported that, following an initial, likely fatal shotgun blast, Jackson’s body was hung from a tree and “riddled with bullets” from the estimated 400 shots fired (“Lynched at Honea Path” 1911; “Lynching of Jackson” 1911). Jackson was officially determined to have died at the hands of “persons unknown” (Anderson County, November 28, 1911), despite abundant evidence to the contrary. The coroner’s inquest, jury selection and determination, official statements, and media coverage of the case demonstrate both the role of the coroner in constructing official narratives of mob violence and how white officials and perpetrators used these efforts to insulate themselves from culpability.

The following day, 200 or 300 white citizens milling about the scene, viewing Jackson’s body, which hung in place until taken down by Sheriff W. B. King and Coroner J. E. Beasley late in the morning. A newspaper report noted that the inquest determined that several fingers and sections of hanging rope had been taken as souvenirs during the night, though no report of this evidence consistent with mob violence appears in the official inquest record. The record did show that the assembled jury procured the following testimony from four individuals:

- E. R. Domald, a local doctor who determined that Jackson “came to his death by numerous gunshot wounds.”
- P. M. Sullivan, the local mayor, who (1) identified the body as that of Willis Jackson, on the basis of his familiarity with his prior employment at the local meat market; (2) noted his own efforts to appeal to the crowd to allow the law to run its course; and (3) underscored his absence from the scene during the commission of the lynching itself.
- L. O. Harper, a local white resident who had initially informed the mayor of the murderous crowd headed with Jackson back to Honea Path. Although he too “anticipated a lynching,” like the mayor he claimed to have returned home and thus did not witness or participate in the extrajudicial killing.
- G. E. Moore, another local white resident who stated that he had seen Jackson alive in the county jail the previous morning. His testimony was only partially documented in the inquest report and then crossed out of the record for unknown reasons.

On the basis of this testimony, the coroner concluded that Willis Jackson died “from gunshot wounds inflicted by persons unknown to the jurors” (Anderson County, October 12, 1911).

The coroner verdict protected the thousands in the assembled crowd who had fired shots or committed other acts of violence to Willis Jackson’s body and contradicted other evidence advanced publicly outside of the formal inquest. Victor Cheshire, editor of the local newspaper the Intelligencer, published a contemporaneous account of the lynching acknowledging that he
had gone to Honea Path “to see the fun and with not the least objection to being a party to help lynch the brute” (quoted in "Along the Color Line" 1911:56; see also Tolnay and Beck 1995:26).

Other perpetrators would also have been known in a town with a population of fewer than 2,000 residents in 1910, less than the number of bullets that riddled Willis Jackson’s lifeless body. Witnesses clearly recognized “Citizen” Josh Ashley, the Anderson County state legislative representative and “Pitchfork” Ben Tillman protege who was widely reported to have led the local mob, likely accompanied by his son (Meggison 2006:390). News accounts placed “Josh Ashley at [the] Head of the Crowd” (“Negro Assaults White Girl” 1911) and reported that Jackson’s police escorts moved him to Representative Ashley’s vehicle. The record of the Ashleys’ involvement led the local *Anderson Daily Mail* to issue a clarification that neither “Citizen Josh” nor his son Joe Ashley had in fact participated in the lynching. Subsequently, Joe Ashley was elected Anderson County sheriff in 1912 (Brutzman 2011).

The body of evidence assembled through selective testimony and reporting within the coroner’s inquest reinforced, and in important ways enabled, the exculpatory account common to these collective acts of racial terror (Dray 2002). Most important, the inquest created a formal record of a killing that, officially at least, had no known perpetrators. By institutionalizing the narrative that “it was impossible to learn the names of any who had witnessed the execution or had part in it,” the inquest ensured that absolution was the only available verdict “in accordance to the facts” (*The Anderson Daily Mail* 1911a, 1911b, 1911c; Brutzman 2011). Referencing this curated official record, Greenville solicitor P. A. Bonham doubted that any legal action would be brought against members of the mob, stating,

> If such were done . . . under conditions in the south, the outcome could easily be predicted. With these conditions existing, there can be no steps taken looking to the arrest of anyone in any way connected with the negro’s death. There is absolutely no evidence in the hands of the officers [italics added] that would warrant a move of this kind. And so the matter rests. (*The Anderson Daily Mail* 1911c)

This inquest ruling also did nothing to counter or otherwise threaten the validity of parallel efforts to absolve elected officials. The mayor claimed to have announced to the crowd an intention to call a special “term of court,” ensuring a speedy trial, as part of a pleading with the mob that the law should “be allowed to take its course” (*The Anderson Daily Mail* 1911a, 1911b, 1911c). He invoked Governor Cole Blease as a party to that plea, though the governor had merely requested a report the next morning from the sheriff. In fact, Governor Blease was implicated as an accessory to the murder, having advocated lynching in a speech he gave at an Ashley family reunion a month before Jackson was killed (West 2008:181–83). Speaking at the Ashley plantation in September 1911, Blease advised that “When a negro touches the person of a white woman the sooner the negro is swung to a limb of a tree the better” (West 2008:181). In a speech after the Jackson lynching the governor claimed to have encouraged the lynching in a telegram to the Anderson County Sheriff: “It was exactly what I expected,” he declared, adding that were the lynching not to have transpired, “I would have been greatly disappointed . . . resigned the office and come to Honea Path and led the mob” (“Along the Color Line” 1911:57).

In the mayor’s exculpating account, he used “every effort to prevent a lynching,” and those efforts were “to no avail.” Similarly, a deputy guarding Jackson when Ashley’s mob seized him—who was given a ride back to town by Representative Ashley and his mob before Jackson was killed (Brutzman 2011)—claimed he had “done all he could; the mob had surrounded and overpowered him, and had carried away the negro.”

The empty verdict and superficial inquisition created a blank canvas on which these officials, journalists, and other white civic leaders could close ranks and officially register their varying but cumulative accounts of white innocence. Indeed, another newspaper article on the inquest itself sought to use the coroner’s work to correct seeming inconsistencies with prior reports, including the question of Jackson’s innocence. An earlier news account had noted that the escorting deputy doubted Jackson’s guilt. But to counter doubt about whether the mob had in fact captured the “right negro,” the reporter used the fact that Jackson’s body had been barefoot during the inquest to advance the preposterous idea that his shoes had been removed by members of the mob, who somehow were able to determine that his shoe print “tallied exactly with the track on the grounds” where the alleged rape had occurred. Foreshadowing misuses of forensic evidence in cases since, and the pseudoscientific bulwarks of many miscarriages of justice (Cole and Thompson 2013), the invocation of shoe-print evidence was another contribution to an elaborate, collaborative scaffolding for a master narrative of white innocence. Such forensics never appeared as part of the inquisition nor in any existing police report, but in the curated evidentiary void, they could be advanced as “facts” that, ironically, could then become the basis for combatting competing accounts. In that vein, on the day following Jackson’s killing, a local journalist invoked this fallaciously constructed account of Jackson’s killing to counter criticism of the lynching as “based on rumors” that place the white community “in a false light” (*The Anderson Daily Mail* 1911a, 1911b, 1911c).

The Willis Jackson case, like many others, highlights the coroner as an instrumental figure in the history and legacy of racial violence (Raper 1933). Ifill (2003) wrote, “millions of whites in communities across the country are implicated in the crime of lynching . . . [as] active participants . . . passive observers . . . or active facilitators” (pp. 267–68) Given
the long history of white dominance in virtually every social sphere, these include a wide array of state and nonstate actors who have played “unique and key role[s] in . . . the tacit approval or passive acceptance of lynching . . . permitting [it] to flourish.” Working in tandem with the actions and inaction of police, prosecutors, elected officials, journalists, and others, the processes and products of coroner inquests have operated to absolve perpetrators, other accessories, and the broader white power structure in the face of plain evidence of state sanctioned racial terror, enabling it to endure.

**Relational Mechanisms and Racial Distinctions in Coroner Inquests**

Our discussion of the Willis Jackson killing and the subsequent official determination of his death highlighted the importance of the coroner in constructing white innocence. First, the coroner’s key official product (i.e., the inquest itself) advanced the claim that Jackson died “from gunshot wounds inflicted by persons unknown,” a finding that legally absolved any perpetrator of blame. Second, the coroner himself did extensive work alongside jurors and witnesses to construct Jackson as a criminal, confirming in multiple venues his identification by the victim. Third, the inquest process entailed the construction of evidence, often unscientific and unconfirmed, in an effort to both perpetuate the sense of Jackson’s guilt and that of white innocence for a “justifiable” crime. These elements not only worked to legally exculpate whites immediately involved in the violent act but contributed more broadly to the epistemological justification of white racial domination, by constructing whites as law abiding citizens and, through the coroner’s administrative performance, simulating white commitment to due process.

Using extreme overt acts of racist violence to illuminate the process of coroners in constructing narratives of death provides a baseline for us to identify their workings in more quotidian contexts. As numerous scholars note (e.g., Campney 2019; Wood 2011), lynching as technically defined was a relatively rare event compared with other forms of lethal and nonlethal racial violence. Yet we suggest that in cases of black death by other means, utilitarian constructions of white innocence through narrative interjections and omissions, and officials’ resulting determinations, are likely to remain apparent.

Our content analysis of inquests demonstrates two pathways through which coroner reports construct white innocence. The first is via an absence of evidence. As with the Jackson case, a forensic void can provide a means for determining that suspicious incidents were in fact accidents or that perpetrators’ culpability could not be established. This absence of evidence is characteristic of, and often deemed sufficient in, cases involving black decedents.

Coroners and their juries play key roles in shaping an evidentiary void. For instance, no witness interviews or adjoining forensic reports were required to conclude that the death of Sammie Rhodes, a black resident of Edgefield County, occurred “by his own hand,” after he fell into a local creek and drowned in April 1911 (Edgefield County, April 18, 1911). Two weeks earlier in Edgefield, Lizzie Pickens also died in a body of water. The inquest, which included no statements, interviews, or investigative reports, concluded that she “came to her death by falling into a branch while fishing, and being drowned while one of her fitty spells were on her” (Edgefield County, April 6, 1911). In a third case filed two months later, the word of white residents Gus and Laura McKelvin was taken at face value, with no medical investigation undertaken, after they reported that Sallie Tillman had “put on her clothes and went to the door [in the McKelvins’ house], and when she got to the door she fell on her face and . . . was dead in a few minutes.” Emma Oliphant was the only other individual interviewed, and she offered nothing more than a baseline description of the scene: “When I got to where [Tillman] was she had fallen and was dead.” The determination of death did not include a cause, instead noting only that Tillman had “dropped dead in the home of Gus McKelvin,” but the de facto absolution of any potential suspicion was underscored by the coroner’s notation in the official record that “all parties concerned are satisfied as regards the above” (Edgefield County, June 24, 1911).

As with the Tillman case, investigations deemed not to require an accompanying inquisition were confined predominantly to cases involving either African Americans or working-class whites. Three separate cases, ranging from supposed suicides to sudden deaths during the workday, involved cotton farming. Although race was not explicitly named (unusual for coroner’s reports during this period), the decedents were harvesting cotton for overseers in each case. Other cases of this sort were clearly coded as involving African Americans. Without calling in a doctor or seemingly any other witnesses or family members, Coroner Beasley “found an inquest unnecessary” in the case of Lula Bradley (designated as “Col.”—i.e., “colored”—in his report) on the basis of his viewing of the dead body (Anderson County, June 12, 1910a). The death of Dessie Williams, a black infant, did merit a number of interviews by the coroner given the baby’s sudden passing soon after being fed. After hearing reports from a doctor and several family members, however, Coroner Beasley found an inquest unnecessary to inform his unilateral determination that “the aforesaid Dessie Williams came to her death from Natural Causes and at the hand of god” (Anderson County, June 12, 1910b).

In contrast, white deaths merited deeper investigation when seemingly any ambiguity existed around proximate causes. Even a straightforward case such as Anderson County resident Van Cherry being “smothered” after dirt walls caved in on him in a well he was digging merited an extended interview with the only witness and a “fully corroborating” account from that witness’s brother to reach the determination that Cherry “came to his death from an act of god and that no living person or persons are to blame for the aforesaid Van Cherry’s death” (Anderson County, October 17, 1911).
Similarly, W. W. Cleveland’s death was deemed a suicide only after lengthy interviews with family members, coworkers, potential witnesses, and a local doctor (Anderson County, October 11, 1912). Although such due diligence was common for cases involving interpersonal violence, the exception was when such conflict was interracial and involved black victims. A black Edgefield County resident named Logan was determined to have “c[o]me to his death by a gunshot wound in his abdomen, same being done by accident by one Mose Burton,” who was white (Edgefield County, May 10, 1911). This “accidental” conclusion was reached without any statements from Burton or other witnesses, and without a medical report.

A second pathway by which these inquisitions could serve broader interests involved the introduction of inconclusive evidence as a basis to offer official determinations in suspicious cases. Especially in cases with white decedents, this evidence appears primarily as an effort to incorporate investigative due diligence. When, for instance, John Sharpton was found dead above an Edgefield County store, Coroner Holmes collected extended statements from three witnesses. Despite a lack of consistency or conclusiveness in their accounts, the presence as witnesses allowed the jury to conclude that Sharpton “came to his death through exposure to cold and rain” (Edgefield County, March 16, 1912). Similarly, Coroner Beasley deemed the November 1912 fatal shooting of Jayson Johnson as an accident not requiring an inquest, after declining to interview four of the six people on the scene, including the purported shooter (Anderson County, November 15, 1912). A purely descriptive doctor’s report that only described the internal damage wrought by a gunshot wound was deemed sufficient for the coroner, without soliciting any other evidence, to conclude that the victim’s death was “inflicted by his own hand” (Anderson County, November 7, 1912).

When particularly suspicious deaths involved black decedents and white perpetrators, inconclusive evidence could be deployed to resolve cases. In January 1912, Willie Tillmon was found dead in a pasture on the land of W. C. Eubanks. The inquest itself was held at the house of Charlie Eubanks, another member of the (white) family, and a third member, A. A. Eubanks, served as the jury foreman for the inquisition. W. C. Eubanks’s statement was short on details, noting mainly that Tillmon was found by family friend Henry Quarles, and long on pronouncements, with Eubanks himself concluding that he was “satisfied that there were [sic] no foul play. [Tillmon] had all the appearance [sic] that he went there and laid down.” The only other statement came from Tillmon’s wife Suzannah, who reported that Willie did not want to come to bed around midnight and was then missing when she next awoke.” After she then “made an alarm at Mr. Eubanks” as a result, Tillmon was found in the pasture. The statement concludes with the non sequitur that Willie “had been sick for some time he had lost his mind.” Despite these murky details, and without any follow-up detail solicited on the nature of the illness or a doctor called in for an accompanying medical investigation, the coroner’s report bases its “natural causes” determination on the fact that “all parties concerned are satisfied that there was no foul play exercised” (Edgefield County, January 7, 1912).

This racialized logic offers a window into the broader manner in which coroners, like other nodes in the prevailing power structure, engaged in administrative performance as a means to certify and reproduce elite interests. As such, alongside the processes we note coroners used to exculpate individuals, we also note a number of instances in which coroners additionally operated directly to distance and “exonerate” corporate entities from suspicious deaths and serve the interest of employers. Such mechanisms parallel and, in some cases, draw directly upon the mechanisms that govern the racialized distinctions we have surfaced around the process and patterning of coroner investigations and inquisitions. As such, they provide a parallel window into the workings of enforcement networks that operate, by design, to reproduce elite advantage.

Such corporate alignments occurred in a number of ways. The most evident were in instances in which ostensibly state-run coroner investigations were in fact produced under the letterheads of private companies. In one such instance, Coroner Beasley certified for the Greenville, Spartanburg & Anderson Railway Company that employee P. C. Moore’s death in April 1911 was accidental, occurring through electrocution “while trying to connect headlight on Interurban Car #202 which he was connector.” Although the investigation determination was printed on a county administrative form per usual, the remainder of the documentation, including two statements taken from the sole witness—Moore’s coworker Wayne Clement, whose statement primarily centered on his absence from the scene and his sense that Moore’s “duty” was to help with the headlight connection that in fact was Clement’s main job—was printed on the railway company’s stationary. On the basis of that statement and the sense that no “other marks of violence” were found beyond burned hands from the electrocution, Beasley declared an inquest unnecessary (Anderson County, April 8, 1911).

The prior month, another case involving the railway had been overseen by magistrate and acting coroner C. P. Kay. In this instance, the decedent was not an employee but rather an individual who was struck by the train after she ran onto the tracks. Kay proceeded to interview a doctor, who officially determined the evident point that her death was caused by the impact of the train, as well as three other individuals who found and sought to help the victim. The sole witness interviewed was the train engineer, who testified that he blew the whistle twice and engaged the emergency brake in an effort to avoid striking the victim. On the basis of this evidence, the inquest concludes that the death occurred “by mischance or accident,” and then goes a step further to explicitly exonerate “the employees [sic] of the said Rail Road from all blame” (Anderson County, March 2, 1911).
Similarly, the July 1911 death of Victor Smith from a dynamite blast in a quarry where he was performing blasting work produced an inquest that included testimony from a doctor, three coworkers on the scene, and employer J. C. Duke. Coworkers offered contradictory accounts of whether Smith was in fact aware that one of the dynamite blasts they had set had failed to go off. Duke admitted to witnessing Smith’s return to the area of the unexploded dynamite. He failed to intervene, he said, because he had “been told that [Smith] had worked in mines and knew all about this kind of work.” The inquest determined that Smith’s death was accidental, due to his own “carelessness.” The jury again explicitly concluded by “exonerate[ing] all persons connected with the [quarry] with any blame for the accident” (Anderson County, July 7, 1911).

In a less corporate version of this dynamic, coroner investigations of tenants were clearly dictated and orchestrated by the landowners on whose property the suspicious deaths occurred. Our discussion above of multiple tenant farmers harvesting cotton offers clear examples of this phenomenon. Another was when, less than a month following the Willis Jackson killing, a newborn baby had been found dead under murky circumstances on the property of Jule Anderson. It appeared that most members of the family were unaware of the pregnancy, and so the baby’s aunt and uncle sought to inform the father, who had been away at work, and were waiting for the grandfather to return home “so as to tell him about it.” Before that could happen, “Mr. Anderson came and told us to bring the child to house.” They did so, and Anderson called in the coroner. The inquest determined that the decedent’s mother and aunt were “to blame for aforesaid infant’s death.” In this way, the landowner and coroner worked in tandem to quickly resolve difficult or otherwise potentially embarrassing situations for the landowner, by adjudicating cause of death with or without all relevant parties present. Coroner reports in our sample always served the interests of employers and, as we have seen in several cases here, were often carried out under the imprimatur of their companies.

**Discussion and Conclusion**

We have focused here on a specific (1) class of action (i.e., the treatment of prima facie illegal racial violence) and (2) agent of the state (i.e., the county coroner) to demonstrate how state process can function as an *administrative performance* serving to exculpate white publics in the face of collective acts that function to maintain and reproduce racial dominance. Drawing on the extended case study of the Willis Jackson lynching and analysis of inquests proximate to that lynching, we detail coroner administrative performances intended to uphold white innocence and elite interests through generating official documentation on black deaths with an absence of evidence or through the introduction of inconclusive evidence. Our comparative-historical account exposes and clarifies not only such practices pursued by specific state agents, but also the generalized processes associated with broad networks of state and civil actors engaged in the enforcement of the racial status quo. Beyond protecting the immediate interests of individual whites implicated in lethal violence, we suggest further that these exculpatory efforts served to sustain a broader ideology of white innocence and institutional legitimacy amid the rise of American Apartheid, by bounding culpability in a manner that reinforced sociolegal constructions of a white “law-abiding” public.

White coroner rationalizations of black death are not merely protective of white publics and power structures, but they adversely affect subsequent generations of African Americans and others subject to their distortions. In essence, these administrative performances both draw upon and reinforce historical notions of racial inferiority, carrying racist tropes of the past into the present and future. As Elizabeth Kolsky (2020) observed in a recent comparison of the use of medical racism by the nineteenth-century British colonial state in India and legal officials in contemporary Minnesota, “the autopsy uses the idea of the inwardly weak, the unknowingly frail, the invisible ‘underlying health conditions’ to exonerate white murderers who kill out of disregard for black lives.” As subtle but consequential reenactments of notions of white physiological superiority, foundational to white supremacist ideology and the structures it creates, the distortions reify a racist caricature of people of color as always already sick, uniquely susceptible to death, and thus relatively incapable of an untimely or suspicious demise.

In this sense, coroner misconduct must be understood as a component of a larger problem of medical racism, and the related racial health gap, and normalization of black morbidity. Research on the racial health gap has noted desensitization to this long-standing and supposedly “intractable” problem (Hoberman 2007:506). An article titled “Black Health: Grim Statistics” surmised, “The poor ranking of America’s black population in the indices of poor health is a scandal of such long standing that it has lost the power to shock” (Greenberg 1990:780).

Dissections of coroners and medical examiners have played an important if neglected role in shaping these “grim” figures and the stories and silences therein. The inquests we have examined form part of the “corrosive sociocultural, health and biomedical system legacies of 2000 years of being portrayed as . . . biologically and intellectually inferior” (Smedley et al. 2003:476), and their legacies live on. Coroners have corrupted the historical corpus of death records, in which some unknown but considerable share of black deaths are misclassified as natural or accidental in nature and often rooted in black pathology (e.g., morbidity and carelessness), padding the “grim statistics.” Meanwhile, the underreporting and policing of white criminal violence rooted in these exculpatory accounts withholds evidence of the importance of equal protection under law to black health and wellness (Martinez 2018; Ward 2014). We encourage
scholars focused on racial health gap and its social determinants to probe these historical and contemporary dynamics further.

The dynamics we detail in this study continue to be reproduced in contemporary incidents of racial violence, in which administrative performances of coroners continue to exculpate this injustice. This persistence is likely attributable in part to vagaries in criminal procedures defining the coroner role. As in the case of less serious criminal offending and greater sentencing disparity (Kutateladze et al. 2014), this discretion creates openings for bias and discrimination. Coroners remain capable of making summary judgements that exculpate injustice. Current South Carolina criminal procedures assert,

Whenever a body is found dead and an investigation or inquest is deemed advisable the coroner. . .[should] decide for himself [sic] whether there ought to be a trial or whether blame probably attaches to any living person for the death. . . . But if there be, in his judgment, no apparent or probable blame against living persons as to the death he shall issue a burial permit and all further inquiry or formal inquest shall be dispensed with. (South Carolina Statute § 17-7-20, 2018)

Indeed, there are many ways in which the recent death, reporting, and documentation of cause of death for George Floyd, an African American man who died in Minnesota after an officer arresting him pressed his knee onto his neck for nearly nine minutes, align with the processes we have identified in our case studies. Both Willis and Floyd are exemplars of the ways in which agents of racial violence skirt culpability through an absence of evidence and an introduction of inconclusive evidence. Similar to the case of Willis Jackson, officials tasked with exploring the details of Floyd’s case reported questionable evidence and interpretations drawn from inappropriate sources. More specifically and as painfully detailed in the work of Crawford-Roberts et al. (2020), autopsy reports of Floyd introduced misleading medical information surrounding his death and were absent of key evidence as it “failed to acknowledge the stark reality that but for the defendant’s knee on George Floyd’s neck, he would not be dead today.”

The reports from an independent autopsy and the medical examiner’s office differed significantly: the former indicated death by mechanical asphyxiation and the latter that Floyd died of “cardiopulmonary arrest complicating law enforcement subdual, restraint and neck compression” and noted that “is not a legal determination of culpability or intent” (Donaghue 2020). As Crawford-Roberts et al. (2020) suggested,

By inaccurately portraying the medical findings from the autopsy of George Floyd, the legal system and media emboldened white supremacy, all under the cloak of authoritative scientific rhetoric. They took standard components of a preliminary autopsy report to cast doubt, to sow uncertainty; to gaslight America into thinking we didn’t see what we know we saw.

In parallel to this contemporary case, the historical incidents we consider in this analysis provide evidence of coroners’ engaging in both passive and active administrative performance in protecting white innocence (Kolsky 2020). To be sure, there is also “evidence that law enforcement agencies pressure medical examiners to minimize culpability when investigating deaths in custody, even to the point of withholding evidence” (Feldman 2020). These patterns can reproduce large-scale and historically long-standing population patterns of missing data on violent deaths such as those at the hands of police. Large proportions of death become “undetermined” (i.e., deaths by the hands of persons unknown), literally connecting the figurative association between historic lynching and contemporary state violence. Recent work using the National Vital Statistics System and crowdsourced data generated from the Guardian showed that fewer than half of law enforcement–related deaths were reported (Feldman et al. 2017). Moreover, police actions were essentially erased and misclassified by the misuse of diagnostic codes that erroneously labeled the cause of death as “undetermined” or “accidental” rather than related to police intervention (Feldman et al. 2017). As a result of these and related inaccuracies in enumerating deaths, the details of black deaths become minimized and concealed, and white and elite culpability remain obscured.

Although the coroner inquests we draw on for this study provide a useful window into structural dynamics of racial violence, several limitations to these and other analyses of coroner inquests remain. The value of the present analysis resides primarily in our qualitative surfacing of the processes through which exculpatory action occurs. Drawing on a larger database of cases, and controlling for other associated variation across coroner tenures and municipal jurisdictions, would enable analysts to build on the findings here to assess the broader patterning of the factors that we assert reinforce white innocence and black culpability (i.e., the decision to pursue an inquest, along with determinations on the basis of absent or inconclusive evidence), demonstrating the degree to which sustained variation occurs across racialized classifications of decedents and suspects. However, as discussed earlier, historical records for coroner inquests are as a matter of practice incomplete, and the pattern of missing cases is poorly understood but undoubtedly skewed. In some instances, particular coroners retained their inquest books, keeping them out of the hands of researchers; in other cases, libraries or historical buildings lost records to damage, mishandling, or fire. Another challenge is that these handwritten records are not validated, which we uncovered when trying to match decedents found in the data set to census and other records. In any case, the presence and absence of records, and contents therein, are biased by power relations.
A second set of limitations remains around developing a contextualized understanding of these data. Specifically, we do not yet know the coroners’ perspectives on the experience of documenting and determining black deaths, which requires archival examination of their journals or other materials. Although case study approaches to exploring the construction of death provides rich context, this approach highlights limited incidents and draws only on the final coroner report and media coverage, not capturing the process of recording the death or the deliberations and related notes generated during the process. To develop an understanding of the prevalence of how death is constructed, conducting case studies on specific coroner families and their connections to other coroners and to jurors might provide more useful contextual background such as key players within the enforcement network (e.g., jurors) and their positionality.

As the George Floyd case suggests, understanding the construction of death and dying is valuable not only from an academic standpoint but also as a means to address these injustices and their legacies today. Indeed, among the contemporary commemorative measures to acknowledge and repair these legacies are efforts to amend the death certificates of people who were victims of political violence, often implicating police, but fraudulently characterized as dying of accidental causes (CRRJ 2019). Addressing historical and ongoing misrepresentation of black death is vital to countering the many harms of this epistemic violence and dismantling the racist structure it defends.

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ORCID iDs

Sarah Gaby https://orcid.org/0000-0002-7661-3319

David Cunningham https://orcid.org/0000-0002-3497-0705

Hedwig Lee https://orcid.org/0000-0001-7376-5694

Ashley N. Jackson https://orcid.org/0000-0002-5908-4806

5For example, the Civil Rights and Restorative Justice Project (CRRJ) at Northeastern University School of Law, recently helped in amending the death certificate of 16-year-old John Earl Reese, who was shot and killed by white supremacists in Gregg County, Texas, in 1955. CRRJ represented Joyce Faye Crockett Nelson, a survivor of this racist attack, in a multifaceted restorative justice initiative. At 67 years old, Ms. Nelson shared her story with local officials. CRRJ also worked to amend Reese’s death certificate, changing the stated cause of death from accident to homicide, and helped organize the placement of civil rights markers, a new gravestone, and the renaming of a local street as John Earl Reese Road (CRRJ 2019).
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**Author Biographies**

**Sarah Gaby** is an assistant professor in the Department of Sociology and Criminology at the University of North Carolina, Wilmington. Her research focuses social movements, organizations, education, and inequality, with a particular focus on youth civic engagement.

**David Cunningham** is a professor and chair of sociology at Washington University in St. Louis. His research examines the causes and consequences of racial conflict, with an emphasis on the historical and contemporary mobilization of white supremacist action.

**Hedwig Lee** is a professor of sociology at Washington University in St. Louis (WUSTL). She also holds a courtesy joint appointment at the George Warren Brown School of Social Work at WUSTL and is an affiliate professor in the University of Washington Department of Sociology in Seattle. She is broadly interested in the social determinants and consequences of population health and health disparities. She currently serves on the research advisory board for the Vera Institute of Justice and the board for the Interdisciplinary Association for Population Health Science. She is also a member of the National Academies of Sciences, Engineering, and Medicine, Division of Behavioral and Social Sciences and Education, Committee on Population. Her recent work examines the impact of structurally rooted chronic stressors, such as mass incarceration, on health and health disparities.

**Geoff Ward** is a professor of African and African American studies at Washington University in St. Louis. His scholarship focuses of the racial politics of social control and the pursuit of racial justice, historically and today. He is the author of *The Black Child-Savers: Racial Democracy and Juvenile Justice* (University of Chicago Press, 2012), an award-winning book on the rise, fall, and haunting remnants of Jim Crow juvenile justice. Other articles and essays explore related aspects of race and youth justice, the structure of justice-related labor, and racial violence. Current projects engage histories of racist violence, their legacies, and implications for redress. As a component of this effort, he uses creative projects (digital and museum) to access the public sphere. He is also a member of the Reparative Justice Coalition of St. Louis working to commemorate histories of racial violence and to address their legacies in this region.

**Ashley N. Jackson** is a Fulbright scholar and doctoral student in the Brown School of Social Work at Washington University in St. Louis. She has a BS in criminal justice from George Mason University and an MSW from the University of Chicago School of Social Service Administration. Her current research focuses on historical and contemporary patterns of police violence, the effects of police contact on psychological well-being, and racial socialization in communities of color.