The Court Archive:
Juvenile Justice and Capital Punishment in Illinois: Russell McWilliams

Samuel Wheeler, Ph.D.
© Illinois Supreme Court Historic Preservation Commission
August 2024

An Illinois court sentenced 17-year-old Russell Robert McWilliams to death in 1931. Outraged that the state planned to take the life of a minor, reformers launched a nationwide campaign that attracted the attention of famed attorney Clarence Darrow, who vowed to take the case on appeal. After three sentencing hearings and two appearances before the Illinois Supreme Court, McWilliams narrowly escaped becoming the only minor executed in Illinois.

At about 11:15 pm on August 29, 1931, an intoxicated McWilliams boarded a streetcar in Rockford, Illinois. He pulled a gun and demanded money from passengers. As he was exiting the car, he fatally shot 66-year-old streetcar conductor William Sayles. When he was arrested a few hours later, McWilliams readily confessed to the murder, as well as a series of armed robberies in the weeks prior. Newspapers dubbed him the "Shiek Slayer" and "Jazz Bandit," fueling public outrage.

McWilliams pleaded guilty. After a brief sentencing hearing, Judge Arthur Fisher condemned the youth to die in the electric chair. The case ignited a nationwide debate over the ethics of executing juvenile offenders. Prominent reformers Julia Lathrop, Jane Addams, and Jessie Binford argued that the sentence was inhumane and threatened to undo the progress they had made in reforming the juvenile justice system in Illinois. They recruited Clarence Darrow, an outspoken opponent of capital punishment, to take the case on appeal.

When Illinois Governor Louis Emerson refused to intervene, Darrow appealed the case to the Illinois Supreme Court. In *People v. McWilliams*, 348 Ill. 333 (1932), the Court remanded the case back to Winnebago County for a more substantive sentencing hearing that would consider both aggravating and mitigating factors.

McWilliams's defense team requested a change of venue, citing judicial bias, but Judge Fisher denied the request. The second sentencing hearing again resulted in a death sentence. Darrow appealed the decision, and the Illinois Supreme Court again agreed with him, ruling that the change of venue should have been granted. In *People v. McWilliams*, 350 Ill. 628 (1932), the sentence was reversed, and the case was remanded to the circuit court with instructions to grant the request for a new judge.

The third sentencing hearing lasted several days. Darrow presented evidence of McWilliams's difficult childhood, lack of educational opportunities, extreme youth, and the influence of alcohol as mitigating factors. Despite Darrow's efforts, the new judge sentenced McWilliams to death once more.

Darrow met directly with newly elected Illinois Governor Henry Horner to plead for clemency and on April 18, 1933, Darrow's 76th birthday, Governor Horner commuted McWilliams's death sentence to 99-years in prison.
Progressive reformers never stopped advocating for McWilliams's release, arguing that his youth, clean prison record, and productive work in the prison greenhouse justified another chance at freedom. Their requests were repeatedly denied until 1950, when Governor Adlai Stevenson cut 42 years off the sentence, making McWilliams immediately eligible for parole.

Released in early 1951 after serving 19 of his 36 years behind bars, McWilliams married a social worker who had befriended him while he was incarcerated, moved to Massachusetts, and worked as an orchid grower, florist, and operated his own landscaping business. He lived a crime-free life until his death in 1997, at the age of 82. McWilliams's case remains a significant example of the complexities and challenges of juvenile justice and capital punishment in Illinois.