

NC Racial Justice Act

The Racial Justice Act would allow a person accused of a capital crime the opportunity of a court review of whether race played a part in the prosecutor's decision to seek the death penalty.

If a defendant has already been sentenced to death, he may present evidence, if available, that his death sentence was improperly obtained on the basis of race.

The act would allow a defendant to present statistical or other evidence to support such a claim.

If a defendant succeeded in establishing his claim that race was a basis for his death sentence, the court could impose a sentence of life without the possibility of parole.

Consider carefully the widely reported and compelling evidence of how race affects the death penalty in our state and elsewhere throughout the nation. **It is deeply troubling that a defendant charged with murdering a white person appears to be more than three times more likely to receive a death sentence in North Carolina than those with non-white victims, according to a study by researchers at the University of North Carolina.** Ponder the following examples:

- ❖ Sixty-one percent of people on death row are minority;
- ❖ African-Americans citizens are routinely excluded from juries in capital cases;
- ❖ NC prosecutors wearing lapel pins in the shape of a noose; and
- ❖ Jurors using racial epithets to argue for death sentences

The data should cause all people of faith and good will in our state to discern how we can deal with the violence on our streets and in our homes without resorting to historic or institutional biases of any kind

Therefore, we respectfully urge all citizens to demonstrate a strong commitment to fairness and justice by joining us in calling on the NC Senate to pass the Racial Justice Act as passed by the NC House in 2007. We appeal to our state district attorneys to follow their mandate as agents of justice and support this important measure. This bill will be an indispensable tool in rooting out any role race plays in the death penalty system.

The great state of North Carolina cannot afford to be impatient and imprudent when it comes to the lives of any of its citizens, even those accused of committing acts inflicting great harm. Human life is at stake. Morally, we must act with clarity and caution in the practice of the death penalty. The NC Racial Justice Act offers a prudent and morally justifiable measure to improve our criminal justice system.

Excerpted from *People of Faith Against the Death Penalty*
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