

Racial Justice Act

Recent studies performed by universities, government agencies, and non-profits indicate that race is a factor in capital (death penalty) cases in some parts of the United States. For example, a study in Georgia showed that prosecutors sought the death penalty in 70% of cases involving black defendants and white victims, but in only 15% of cases with white defendants and black victims. A 2001 study in North Carolina looked at five years of murder cases and determined that an offender was three times more likely to receive the death penalty if the victim was white instead of a member of a racial minority.

In 2009, the North Carolina legislature and governor passed the Racial Justice Act. The law allowed those convicted and sentenced to death to present evidence of racial bias in their cases to have their sentences reduced to "life without the possibility of parole."

In July 2012, a new legislature overturned key aspects of the RJA, saying in part that it is too difficult to prove racial bias in individual cases – that overall patterns are not indicative of racial bias in any one case. Approximately 150 people are currently on North Carolina's death row.

STUDY QUESTIONS

1. Is it right to cite statistics to try to prove potential racial bias in individual cases?