

North Carolinians Struck From Capital Juries Because of Race Speak Out in Favor of Racial Justice Act

ACLU Video Highlights Three Jurors Who Say Racial Justice Act Needed to Prevent Discrimination

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FAYETTEVILLE, N.C. – North Carolinians who say they were wrongfully struck from juries in capital cases because of their race are speaking out today in a new video produced by the American Civil Liberties Union documenting their experiences.

The video, which features three African Americans who say they were struck from capital juries by prosecutors simply because of the color of their skin, is being released in conjunction with the first hearing under North Carolina's historic Racial Justice Act. Marcus Robinson is asking that his death sentence be commuted to life in prison without the possibility of parole. Potential African American jurors in Robinson's case were struck from his jury at a rate 3.5 times higher than other potential jurors.

"It made me feel like I was back in 1960, that racism is still very much alive," Laverne Keys, who was excluded in the 1999 case *State v. Jathiyah Al-Bayyinah*, says in the video. "It makes you wonder whether all these people are being given a fair trial or given a fair consequence so far as the death penalty."

The Racial Justice Act allows death-row prisoners like Robinson a hearing in which they can present statistics and other evidence showing that death sentences state- and county-wide were tainted by racism, and that their death sentence should be commuted to life in prison without the possibility of parole.

A recent Michigan State University study shows that state prosecutors are significantly more likely to eliminate potential African-American jurors and that defendants are more than twice as likely to be sentenced to death if the victim is white than if the victim is black.

"The stories presented in this video make clear that the death penalty system in North Carolina and across the nation is plagued by discrimination," said Denny LeBoeuf, director of the ACLU Capital Punishment Project. "The Racial Justice Act is a crucial means of ensuring that no one is wrongfully executed because of racial bias."

Cassandra Stubbs, staff attorney with the Capital Punishment Project, is part of the legal team representing Robinson.

One of 34 states to maintain the death penalty, North Carolina has the nation's sixth-largest death row population, more than half of whom is African-American. Thirty-one people on North Carolina's death row were sentenced by all-white juries.

The video highlighting the experiences of three African-Americans struck from capital juries in North Carolina is available at:

www.aclu.org/capital-punishment-racial-justice/african-americans-excluded-capital-case-juries