

## **WHY THE RACIAL JUSTICE ACT IS GOOD FOR NORTH CAROLINA**

**THE PUBLIC SUPPORTS THE RJA.** 58% of North Carolinians believe a finding of racial bias should prohibit an execution, according to a recent state-wide poll conducted by Public Policy Polling.

**THE RJA IS NOT SOFT ON CRIME.** The Racial Justice Act requires those who prove discrimination to serve the rest of their lives in prison without possibility of parole.

**THE CRIME RATE HAS NOT RISEN SINCE THE PASSAGE OF THE RJA.** The number of murders in North Carolina in 2009 was the lowest on record during the modern period of capital punishment and a 19% drop from the previous year.

**THE RJA WILL NOT RELEASE DEATH ROW INMATES FROM PRISON. NOT A SINGLE INMATE WILL BE RELEASED FROM PRISON AS A RESULT OF THIS LAW.** The law states that the defendant will not have the possibility of being released from prison, even if a court decides that race was a significant factor contributing to his death sentence, regardless of when the inmate was sentenced to death.

**THE RJA IS NOT JUST ANOTHER WAY TO ABOLISH THE DEATH PENALTY.** The RJA promotes public confidence that those persons sentenced to die and executed have not been subject to unfair trials. The use of the death penalty continues. Since the passage of the RJA, four persons have been sentenced to death by North Carolina juries.

**THE RJA HAS NOT RESULTED IN CLOGGED COURTHOUSES AND HAS NOT SHUT DOWN PROSECUTORS' OFFICES.** Since the RJA passed, capital trials have occurred as usual.

**RJA STUDIES HAVE PROVEN THAT RACE IS A FACTOR IN THE USE OF THE DEATH PENALTY IN NORTH CAROLINA.** Two major studies conducted by researchers at the Michigan State University and at the University of Colorado show that race is a significant factor in charging and sentencing in North Carolina. The Michigan State study showed that prosecutors systematically excluded qualified African-American jurors in death penalty trials across the state, resulting in 33 cases with all-white juries and 40 cases of juries with a single person of color.

**NOT ALL DISTRICT ATTORNEYS OPPOSE THE RJA.** Several District Attorneys have expressed public support for the RJA. Catawba County DA James Gaither said, "While the changes in the law mean more work for us, they also give us more confidence about our criminal convictions and less issues for appeal after an individual has been found guilty. . . I am thankful to work with law enforcement and judicial officials who do not view these changes as a burden, but welcome the opportunity to increase the integrity of the criminal justice system."