

The Truth About HB 615, Falsely Named “An Act to Reform the Racial Justice Act”

- HB 615 does **NOT** amend the NC Racial Justice Act, it renders it meaningless. HB615 is, in fact, a repeal of the Racial Justice Act.
- Active litigation of Racial Justice Act claims has been conducted in an efficient and cost-effective manner in front of a single Forsyth County Superior Court judge.
- The Forsyth County judge recently ruled that the Racial Justice Act is constitutional.
- The Forsyth County judge made clear in his ruling that both statistics and individual case facts can be considered in each case.
- The RJA is consistent with *McCleskey v. Kemp* and the Forsyth County judge said that it is consistent. The US Supreme Court held in *McCleskey* that this is a matter for state legislatures.
- No one will be released under the Racial Justice Act. The law requires those who prove discrimination to serve the rest of their lives in prison without possibility of parole.
- Because inmates rightfully and legally filed motions under a constitutional law, passage of the proposed amendment would end up costing the state more money in legal actions than it would to continue the Racial Justice Act litigation as it is currently proceeding.
- Major research studies recently found significant racial bias in jury selection and with regards to race of victim in North Carolina. (Michigan State University School of Law, University of Colorado at Boulder) A repeal of the Racial Justice Act would mean that North Carolina chose to ignore demonstrated racial discrimination in our criminal justice system.
- For those who are currently on death row, 33 cases had all-white juries and 40 had juries with a single person of color.
- The Racial Justice Act was enacted with support by a majority of North Carolinians: 58% of polled registered voters said defendants should not be executed if a judge finds that racial bias played a role in their trials. (Public Policy Polling, November 2010)