

ACTION ALERT: ASK GOV. PERDUE TO VETO SB 9

November 29, 2011

PLEASE CALL OR EMAIL GOVERNOR PERDUE TO URGE HER TO VETO SB 9

(Contact information at <http://www.governor.state.nc.us/contact/Contact.aspx>).

On Monday, the State Senate passed **SB 9-NO DISCRIMINATORY PURPOSE IN DEATH PENALTY**-An Act to Reform the Racial Justice Act of 2009 to be Consistent with the United States Supreme Court's Ruling in *McCleskey v. Kemp* - the *repeal* of the historic Racial Justice Act of 2009. See the actual bill at <http://ncleg.net/Sessions/2011/Bills/Senate/HTML/S9v4.html>. Governor Bev Perdue signed the RJA in 2009 saying, "The Racial Justice Act ensures that when NC hands down our state's harshest punishment to our most heinous criminals – the decision is based on the facts and the law, not racial prejudice."

As of today, the bill sits on Governor Bev Perdue's desk awaiting her signature or her veto. If she takes no action by December 29, 2011 this bill will become law. NC NOW strongly opposes this bill.

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While inaccurately portrayed as a "get out of jail free card" by opponents, the Racial Justice Act allows death row inmates the opportunity to appeal their capital punishment and instead receive life in prison - if they can prove that race played a significant factor in their sentence.

A recent study by Michigan State University law school (<http://www.law.msu.edu/blindsight/introduction.html>) finds that defendants who killed a white person in North Carolina were more than twice as likely to receive the death penalty than when their victims were black. In addition, over the last 10 years, African-American potential jurors were rejected at two times the rate for white potential jurors. This rate was even higher in Wake and Cumberland Counties.

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