

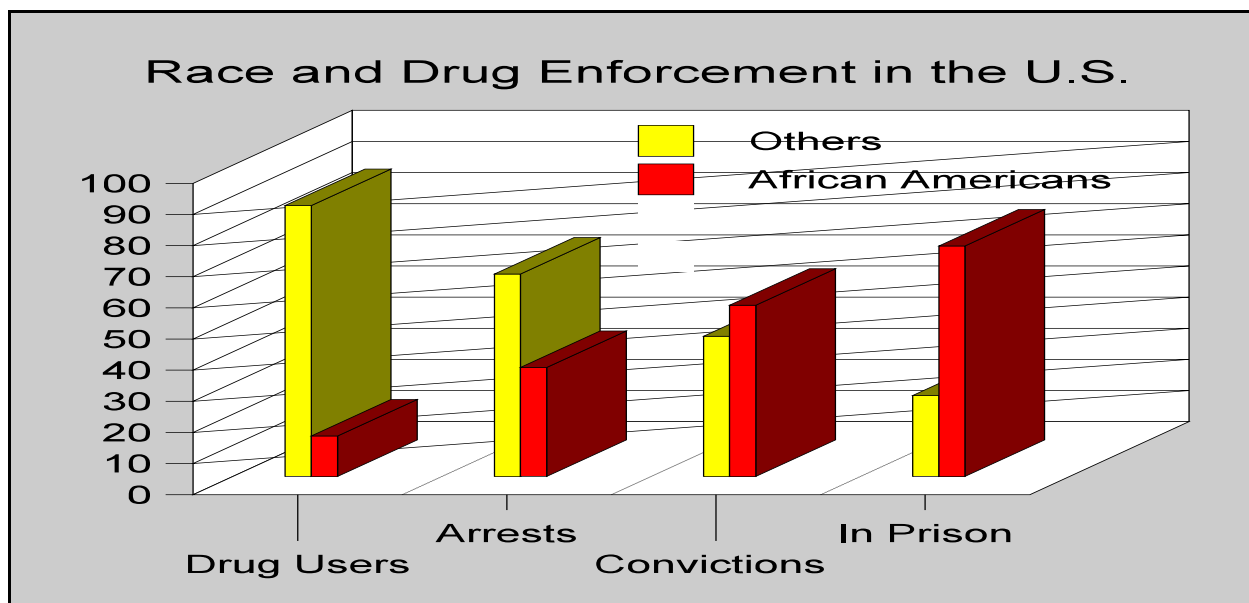
Race and the Criminal Justice System

Racial discrimination remains a dominant feature of the criminal justice system in the United States and in the state of Alabama. Although African Americans account for only 12% of the general U.S. population, 50% of the prison population is comprised of African Americans. In Alabama, 65% of the state prison population is black. Nationwide, nearly one out of three black men between the ages of 20-29 is in prison or jail, on probation or parole on any given day. Furthermore, black people are four times more likely to be arrested on a drug charge than a white person. Even though black people constitute about 13% of estimated monthly drug abusers, they make up 35% of those arrested for drug possession, 55% of those

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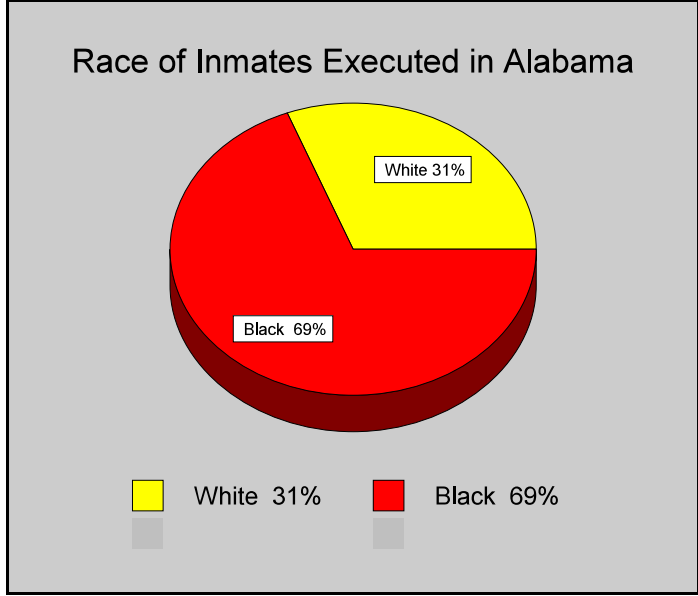
convicted, and 74% of those imprisoned. Although black and brown people constitute only 18% of the estimated monthly drug abusers in the U.S., African Americans and Hispanics constitute almost 90% of offenders sentenced to state prison for drug possession. Equally important, the number of black women incarcerated for drug offenses has grown eight-fold or 828% between 1986-1991.

In 1988, the Anti-Drug Abuse Act authorized the death penalty for murders committed by those involved in middle to large drug activities. Around 75% of those convicted of participating in a drug enterprise under this statute have been white and only



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24% of the defendants have been black. However, among those defendants selected for death penalty prosecution under this Act, 78% have been black and only 11% have been white. Many studies across the U.S. have similarly indicated that a victim's race plays an important role



in determining the defendant's likelihood of being charged with capital murder and/or being sentenced to death. Individuals who kill white people are substantially more likely to receive the death penalty than those who kill black people. Although generally less than 6% of all murders in Alabama involve black defendants with white victims, 60% of Alabama's black death

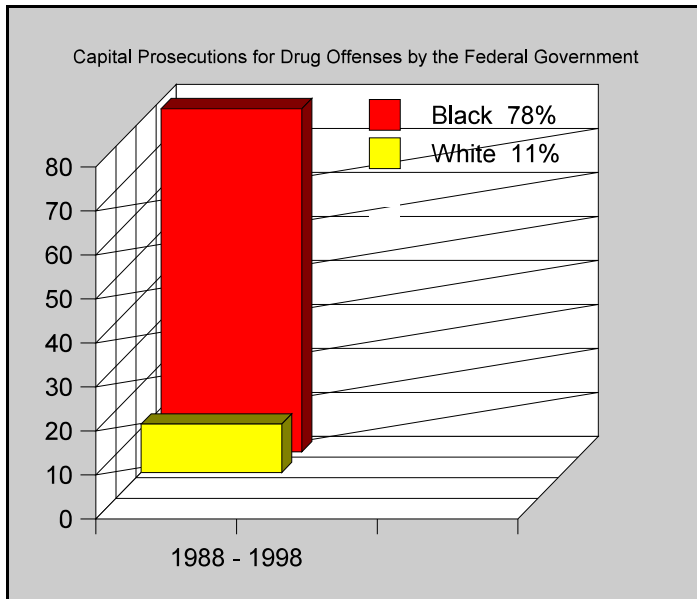
row prisoners have been sentenced to death for killing someone white. Each year in Alabama, around 67% of all homicide victims are black, yet less than 23% of death row cases involve black victims.

Twenty-two death penalty cases in Alabama have been reversed after it was proved that prosecutors illegally excluded black people from jury service.

In Alabama, there have been 17 executions since the resumption of the death penalty in 1975. Sixty-nine percent of those executed have been black.

In 15 out of the 17 cases,

black people were significantly underrepresented in the juries that convicted and condemned the accused to death. In 10 of the cases, the jury was either all-white or had only one black juror although the counties where these cases were tried were between 33% to 47% black. There have also been 22 death penalty cases in Alabama that were reversed in the past nine years after it was proved that prosecutors illegally excluded black people from serving on juries in these cases.



**Equal Justice Initiative of Alabama
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