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PRESS RELEASE

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Challenging Twenty Years of Pervasive Racial Inequality in Criminal Justice Since *McCleskey v. Kemp*

*Legal Scholars and Activists Mark 20th Anniversary of McCleskey Decision
with Strategy Discussion for Pursuing Racial Fairness in the Administration of Justice*

(New York, NY) The NAACP Legal Defense Fund (LDF) and Columbia Law School will mark the 20th anniversary of the U.S. Supreme Court decision in *McCleskey v. Kemp* (1987) with a symposium that brings together leading scholars, activists and practitioners in the fields of race, crime and law. The Symposium, "Pursuing Racial Fairness in Criminal Justice: Twenty Years After *McCleskey v. Kemp*," will explore the effect of the *McCleskey* decision on increasing racial disproportionality within the criminal justice system and will seek to develop strategies for reversing these trends. The event will be held on Friday, March 2 and Saturday, March 3, 2007, at Columbia Law School, Jerome Greene Hall, 435 W. 116th Street, New York, NY. **All panels are free.**

The Symposium will feature panels exploring topics ranging from the future of litigation in race and criminal justice reform, to *McCleskey's* impact on policing policies, to strategies in civil and human rights advocacy. Presenters will include: **David Baldus**, author of the study presented to the Supreme Court in *McCleskey*; **Charles Ogletree**, Harvard Law School professor and author; **John Charles Boger**, Counsel of Record for Warren McCleskey; **Anthony Amsterdam**, New York University School of Law; **Dorothy E. Roberts**, Northwestern University School of Law; and **Bryan Stevenson**, Director of the Equal Justice Initiative of Alabama.

The featured keynote speakers are *New York Times* columnist **Bob Herbert** on March 2 and **Ted Shaw**, LDF Director-Counsel and President on March 3.

"Race continues to influence the decision between who lives and who dies, and who goes to prison and who goes free at the hands of the criminal justice system in this country," said Shaw. "With laws and policies such as the 'War on Drugs' exacerbating racial disparity in jails and prisons by mandating harsher sentences for drug convictions, the civil rights legal community must aggressively explore new strategies for stemming and, ultimately, reversing the impact of *McCleskey*."

"The 20th anniversary of *McCleskey* presents a unique opportunity for scholars and advocates to examine the dynamics of racial disparity throughout the criminal justice system," said Jeffrey Fagan, Professor of Law and Public Health at Columbia Law School. "We know, for example, that one in three African-American men will go to prison at some point in their lifetime, a rate that simply cannot be explained by crime rates alone. This is the right time to show how and why these disparities have worsened since *McCleskey*."

McCLESKEY PODCASTS

Podcasts of the history and impact of the *McCleskey* decision and selected presentations from the symposium will be available on LDF's website at www.naacpldf.org. The first podcasts will be available for download on Friday, February 23rd. Panels and keynote addresses will be available the following week.

ABOUT McCLESKEY V. KEMP

In *McCleskey*, LDF presented the Supreme Court with compelling statistical evidence demonstrating the pivotal role of race in the Georgia capital sentencing system. Specifically, LDF's evidence -- the landmark "Baldus Study" -- showed that blacks were treated differently than similarly situated whites in capital cases. Although this evidence gave the Court the opportunity to acknowledge and repudiate the arbitrary influence of race in capital cases, the Court found that there was no constitutional error in a system that treated blacks and whites unequally.

As a result of the *McCleskey* decision, criminal justice laws and policies have been insulated from racial disparate impact challenges. Thus, within a decade of *McCleskey*, the number of minorities in prison exceeded the total number of persons incarcerated in the U.S. in the year preceding the decision. Today, race plays a critical role in every aspect of the criminal justice process, with African Americans and other minorities ticketed, searched, arrested, convicted and sentenced at significantly disproportionate rates.

For more information about the Symposium, including the program schedule and a complete list of panelists, please visit our website at www.naacpldf.org.

About LDF

The NAACP Legal Defense and Educational Fund is America's legal counsel on issues of race. LDF was founded in 1940 by Thurgood Marshall, who led the legal team that won the landmark *Brown v. Board of Education* decision that ended legally-sanctioned public school segregation. Today, through advocacy and litigation, LDF focuses on issues of education, voter protection, economic justice and criminal justice. We encourage students to embark on careers in the public interest through scholarship and internship programs. LDF pursues racial justice to move our nation toward a society that fulfills the promise of equality for all Americans.

Please RSVP by phone or email:

Zephyr Johnson, 212-965-2270
zjohnson@naacpldf.org or www.naacpldf.org

Press Inquiries:

Kay Shaw, 212-965-2271
kshaw@naacpldf.org