

# Example of race-based jury nullification essay

[Law](#), [Evidence](#)



Race-based jury nullification occurs all over the United States. There are plenty of famous examples to support this claim. However, in a country that prides itself on bringing criminals to justice, there is little room for prejudice in the courtroom.

Jury nullification is when a jury considers the defendant to be guilty but, for reasons known to them, chooses to declare him not-guilty. Jury nullification happens when a jury negates to convict a defendant in spite of evidence of guilt for the reason that the jurors deem the law to be unfair or as being unfairly directed. Race-based jury nullification describes the incidence in which the nullification is founded purely upon the defendant's race.

According to Perna Lal (2010), a professor of law, Paul Butler, claims that in certain instances, the race of a black defendant is a "legally and morally appropriate factor for jurors to consider in reaching a verdict of not guilty or for an individual juror to consider in refusing to vote for conviction." Butler came to this decision during his time working for the United States Attorney's office, and told of a specific incident in his book where he confesses that he was charged and sent to trial for committing assault. He was standing in D. C. Superior Court, and a D. C. policeman took the stand and was dishonest about the crime. Luckily, the jury deemed him innocent and he was set free. Through this experience, Butler witnessed that at times, a black jury would rather free a black defendant than send him to prison, even when there was overwhelming evidence pointing towards his guilt (Lal, 2010).

Racial nullification hardly seems to endorse a sense of justice into the courtrooms. It prevents the law from being used effectively, depending on the race of the jury. Many long lasting debates on jury nullification concerning its objectivity and straight outlooks of the American Constitution. The argument is that, although some people of minority race may be victimised by the courts, race-based nullification does not correct this, and instead serves to let guilty criminals walk free.

The past is littered with examples of such nullification occurring. Famously, in 1991, OJ Simpson was put on trial and, despite overwhelming evidence that he was guilty of murder, he was cleared by a black jury. Many believe that this was a response to an unjust result of a crime against blacks around the same time. Even if it was true, there is arguably no justice in releasing one guilty black man in order to counter the release of a guilty white man; whichever way this is viewed, it is not justice.

Racial nullification essentially centres around two possibilities. Either the courts should be focused on bringing justice to the country, regardless of someone's race, and therefore everyone in the court needs to be blind to colour. Alternatively, an example needs to be made that justice should always prevail, and the crime committed and evidence displayed should by far outweigh any prejudice that lies within the people of the courtroom.

There have certainly been injustices in the past based on a defendant's race. However, to actively promote race-based jury nullification is not solving the problem. Moreover, it is adding to it.

## **References**

Lal, P. (2010). The Case for Race Based Jury Nullification. Change. org.

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