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New project finds a modern death penalty deeply entangled with N.C.'s history of racism

In "Racist Roots," many voices reveal the legacy of a punishment that began in slavery

Today, the Center for Death Penalty Litigation, in collaboration with scholars, advocates, artists, historians, poets and people directly affected by the death penalty, launched a new online project, [Racist Roots: Origins of North Carolina's Death Penalty](#). The project features an essay by Fair and Just Prosecution Executive Director Miriam Krinsky and Director of Strategic Initiatives Liz Komar.

This important endeavor collects and lifts up essays, poetry, artwork, commentary and historical documents that place the state's death penalty in the context of 400 years of history – and expose its deep entanglement with slavery, lynching, Jim Crow and modern systemic racism. The death penalty, as the project puts it, is "another Confederate monument that North Carolina must tear down."

"Today, the death penalty remains an egregious example of how the American criminal legal systems fails to respect human dignity – especially Black lives," said **FJP Executive Director Miriam Krinsky**. "Our nation is the only Western democracy that continues to embrace capital punishment, and the moment to revisit this inhumane and racist practice is long overdue."

"The clear message of this project is: Any meaningful conversation about race and criminal justice in North Carolina must include the death penalty," said **CDPL Executive Director Gretchen Engel**. "In light of all that this project reveals, we call on the North Carolina Task Force for Racial Equity in Criminal Justice to undertake serious study of the North Carolina death penalty and to recommend its repeal."

Racist Roots shows that in every incarnation, from slavery to post-Civil War Reconstruction, to Jim Crow and to the modern criminal punishment system, those wielding the death penalty have imposed it disproportionately on Black people, valued the lives of white victims above all others and systematically excluded people of color from capital juries. So, while the precise influence of racism in the death penalty has changed from era to era, its essential nature has not.

Today, people of color make up less than 30 percent of North Carolina's population but 60 percent of its death row. Black defendants are far more likely to be wrongly convicted; eight out of ten of North Carolina's death row exonerees are Black and a ninth is Latino. Nearly half of the people on death row had an all-white jury or a jury with only a single person of color. Qualified Black jurors are 2.5 times more likely than whites to be struck from capital juries. Defendants are twice as likely to be sentenced to death if they're accused of killing a white person, rather than a person of color.

The project details the cases of some of North Carolina's nearly 140 current death row prisoners to expose racism's continuing influence. For example, Andrew Ramseur was sentenced to death in 2010 amid a racist public outcry comparing him to a "monkey" and demanding he be hung "from the nearest traffic light as a warning to the rest." Rather than condemning bigotry, the prosecutor promised – and successfully sought – a quick death sentence.

The project includes an original poem by nationally-lauded poet and writer **Clint Smith** and artwork by Durham artist **Kimberley Pierce Cartwright**. Other contributors include:

Henderson Hill, an attorney, leader of the national death penalty repeal movement and member of the Task Force for Racial Equity in Criminal Justice, who says: "[A]s we begin a long-overdue conversation about the future of police and prisons, we must confront the punishment that sits at the top of that system, condoning all its other cruelties – the death penalty."

Sherrilyn Ifill, president of the NAACP Legal Defense and Educational Fund, who speaks to the ways in which North Carolina could become a national leader in addressing racism in its courts. Based on recent N.C. Supreme Court decisions on the Racial Justice Act, she says, "this southern state might serve as an example for the rest of the nation to follow." The piece is co-authored by LDF senior attorney **Jin Hee Lee**.

African American death row prisoner **Paul Brown**, who recounts the experience of being sentenced to death by an all-white jury: "I saw [the prosecutor's] shoulders relax as each prospective juror of color left the courtroom."

Emancipate NC Executive Director **Dawn Blagrove**, who writes that Black women have always been the heart of movements for racial justice, including the fight to end the death penalty. "Harriet Tubman led us to freedom. Ida B. Wells exposed the barbarism of lynching. Fannie Lou Hamer led us to political power. Not because of esoteric principle or moral dilemma, but out of necessity."

Andre Smith, whose son was murdered in Raleigh, calls the death penalty another way that society throws away Black lives. He calls for compassion and mentoring for those who have committed crimes. "This is how we change the world. Not by taking someone's life. When we do that, we stay stuck."

Author and historian **Tim Tyson**, who writes: "White skin has always been a badge of authority to destroy Black bodies. In North Carolina, white people have exerted that authority not just through police brutality, but through mob violence, lynching and the death penalty."

UNC historian **Seth Kotch**, whose book *Lethal State* details the history of the N.C. death penalty, says the death penalty and lynching were not opposing forces, but two ways of achieving the same aim. "The reality of history is that both answered the same demands and reacted to the same fears."

Racist Roots is the result of more than a year of research, writing and collaboration. It relies on scholarly writings, as well as historical documents and newspaper accounts, and CDPL's deep knowledge of North Carolina death penalty cases.

"When we started this project, we knew that the death penalty was racist. We've seen how it produces disparate outcomes, how it's used to threaten vulnerable people into confessing to crimes, how it's carried out in courtrooms where every person wielding power is white," Engel said. "But we didn't realize until we undertook deep research just how closely tied the modern death penalty is to our state's history of violent white supremacy. The death penalty is a tool of the lynch mob and, no matter how much tinkering we do, it cannot be fixed. The only solution is to end it."

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***The Center for Death Penalty Litigation** is a nonprofit law firm based in Durham that represents people on death row and works to end the death penalty.*

***Fair and Just Prosecution** is a national network of elected prosecutors working towards common-sense, compassionate criminal justice reforms. To learn more about FJP's work, visit www.fairandjustprosecution.org or follow us on [Facebook](#) and [Twitter](#).*