

Supreme Court Rules Georgia Prosecutors Were Racist with Jury Selection



Summary: The Supreme Court ruled in favor of a death row inmate who alleged the prosecution of his trial was racist with its jury selection.

Striking a person from a jury because of race is illegal, but that doesn't stop it from happening. However, for black defendant Timothy Tyrone Foster, he actually had alleged evidence that the prosecutor wanted an all-white jury. On Monday, the Supreme Court ruled in his favor that he should be allowed a new trial.

In 1987, Foster was sentenced by an all-white jury to death row for the murder of an elderly white teacher, Queen Madge White. Twenty years after the conviction, his lawyers discovered notes from the opposing team, and in those papers, the prosecution had marked potential jurors with "B" if they were black.

Chief Justice John Roberts said that the prosecution's papers plainly showed their intention to keep black juror's away. The decision was 7-1 in favor of Foster, with Justice Clarence Thomas as the only dissenter. With the Supreme Court win, Foster's conviction is not vacated but he will be able to seek a new trial.

- **To learn more about the current state of the Supreme Court, read this article: [How Will the Death of Justice Scalia Change the Supreme Court?](#)**

This case could open the door for other inmates with similar claims that there was alleged racial bias in their trials.

Foster's lawyer said that discrimination would not have been as apparent without the prosecutor's own files.

"The practice of discriminating in striking juries continues in courtrooms across the country. Usually courts ignore patterns of race discrimination and accept false reasons for the strikes," Foster's lead attorney Stephen Bright of the Southern Center of Human Rights said.

According to CNN, Georgia argued that the prosecuting attorneys notes were just them preparing for racial bias. Beth A. Burton, Georgia's Deputy Attorney General testified they were anticipating challenges from Foster's team so they wanted to prepare race-neutral explanations for their decisions.

In his dissent, Justice Thomas said he believed the Supreme Court should show more deference to lower courts, and he believed that Georgia had race-neutral reasons for striking potential jurors. He said that this suit could cause a flood of inmates wanting to dig into their cases, trying to find similar evidence for a new trial.

Do you agree with the Supreme Court majority or with Justice Thomas? Let us know in the comments below.

Source: [CNN](#)

Photo courtesy of ACLU.