

UNHEALED WOUNDS

The People Still Imprisoned Due to Jim Crow Jury Verdicts

Jim Crow Juries

For more than 120 years, Louisiana was an outlier among states in allowing people to be convicted of serious offenses – and even spend their lives in prison – without the unanimous consent of a jury. Louisiana’s split-jury rule was devised by white supremacists at an 1898 Constitutional Convention whose express purpose was “to establish the supremacy of the white race in the state.”

Jim Crow juries were a shameful relic of white supremacy that condemned thousands of

people to life in prison, even if some jurors disagreed, helping make Louisiana the world’s leading incarcerator and resulting in countless wrongful convictions. Louisiana leads the Deep South in wrongful convictions per capita.

Despite being rejected by Louisiana voters and ruled unconstitutional by the United States Supreme Court, more than 1,500 people remain imprisoned on the basis of Jim Crow jury convictions, most of whom are serving life sentences without the possibility of parole.

About The Jim Crow Juries Project

On April 20, 2020 the Supreme Court ruled in *Ramos v. Louisiana*, that the Sixth Amendment right to a unanimous jury applies in both federal and state courts. But Louisiana continues to resist application of this constitutional promise to individuals whose convictions are final, forcing people who have served the longest sentences due to non-unanimous verdicts – including life without possibility of parole – to remain in prison.

The Promise of Justice Initiative’s Jim Crow Juries Project is a campaign to heal the wounds inflicted by Jim Crow juries and restore the promise of justice to the more than 1,500 Louisianans who are still in prison due to

non-unanimous jury convictions. The Jim Crow Juries Project is working in partnership with more than 40 pro bono law firms and more than 150 lawyers across the country.

The Promise of Justice Initiative has reached out to 1,934 people over the last year in 40 different prisons, analyzing their cases and filing petitions seeking new trials. PJI’s analysis of their cases underscores the continuing and racially disparate impact of Jim Crow juries.



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The People Left Behind

80% of people still imprisoned due to non-unanimous jury verdict cases are Black, compared to the 67.5% of Louisiana's overall prison population that is Black.



of people still imprisoned due to Jim Crow jury verdicts *are Black*

- Almost 40% of people incarcerated with non-unanimous jury verdicts are over the age of 50.
- 73% of the cases where people are still in prison with final convictions for non-unanimous jury verdicts come from trials in the last 20 years. Conversely 27% have been in prison for more than 20 years.

- In 84% of cases, more than an hour of deliberation could not resolve the reasonable doubts of the dissenting jurors.
- Only 3% are women, which is less than the 4.7% of the prison population which are women.

62% of people with non-unanimous jury verdicts are serving life sentences, compared to just 16.3% of Louisiana's overall adult correctional population.

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Separated Families, Devastated Lives

The people still imprisoned by this unconstitutional law are mothers and fathers, brothers and sisters, sons and daughters. All of them were denied a fair trial and most of them are serving life sentences without the possibility of parole. Here are some of their stories:



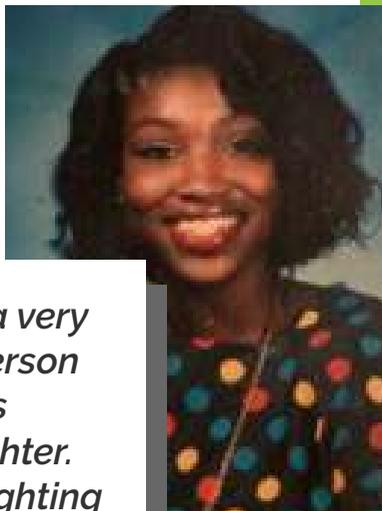
VICTORY

Edna Gibson

Edna Gibson, a victim of domestic violence, was sentenced to life imprisonment by a non-unanimous jury for killing her husband more than three decades ago. In October 2020, the 59-year-old grandmother was finally granted parole and released from prison to be reunited with her family.

Andre Johnson

A decorated war veteran, Mr. Johnson served in Operation Desert Storm. The jury in his case deliberated for an entire day, and returned to the courtroom twice with questions. These doubts as to his guilt were likely based on the questionable evidence in his case. Ty Jones, Andre's military brother, best friend, and biggest advocate, said: "I've known Andre since we were young. We served in Operation Desert Storm together. He's my brother, I miss him very much and I want to get him home as soon as possible. He's a very honest, diligent, thorough individual. A decorated soldier who served his country. It's a travesty for him to be locked up for a quarter of a century. He's in prison wrongfully because he got shafted by the system."



My mom is a very nurturing person and she was always a fighter. Even now, fighting through COVID

Rhonda Jordan

Ms. Jordan is one of hundreds of women held by the Department of Corrections (DOC) in the Louisiana Correctional Institute for Women to have tested positive for COVID-19. At trial, Rhonda Jordan presented substantial evidence that her family was under attack in their home and she did what she had to do to keep them safe. When jurors found her self-defense arguments credible, Louisiana still convicted her and sentenced her to 20 years at hard labor. "My mom is a very nurturing person and she was always a fighter. Even now, fighting through COVID," said Ms. Jordan's daughter, Miranda.

David Banks

Mr. Banks is a 53-year-old man who was sentenced to life imprisonment for cocaine possession under Louisiana's extreme habitual offender statute, which sentences people to lengthy sentences for minor offenses. Originally sentenced to twenty years, Banks was charged

as a habitual offender, and resentenced to life without parole. Mr. Bank's non-unanimous conviction rested entirely on the testimony of the two arresting officers, who did not find any cocaine on Mr. Banks and instead claimed he threw it out while running from them.

Ricky Davis

Mr. Davis ran to a parking lot to get the license plate of an alleged rapist, and fired his weapon only when the driver attempted to run him and another bystander over. Mr. Davis received a life sentence for trying to do the right thing. "Ricky was a family friend who introduced me to his son. Now, his son and I have been married



I was in the courtroom when the verdict came out. The two people who voted not guilty, their voices didn't matter. So my children suffer because those jurors didn't have a voice.

going on 12 years," his daughter-in-law, Jeanique Angelain, said. "I was in the courtroom when the verdict came out. The two people who voted not guilty, their voices didn't matter. So my children suffer because those jurors didn't have a voice."

Eddie Lane

Mr. Lane was convicted 15 years ago by a non-unanimous jury for armed robbery, where he was accused of stealing \$15. Not everyone on his jury was convinced he was guilty. He was sentenced to life without the possibility of parole.



Donald Javon Ross

Mr. Ross is a 34-year-old father of three who was convicted by a non-unanimous jury verdict and sentenced to 25 years in prison. The suspect in the case was wearing a ski mask, and the only witness was uncertain of the perpetrator's identity. Ross graduated high school with a 3.5 GPA and attended some college at the University of Louisiana Lafayette before he began working offshore. He has written to us that: "I'd really love the opportunity to show you the man I am."





Jeanie Hano

Ms. Hano is in prison serving life without any possibility of parole. When a minor overdosed on prescription medicine, her prescription pills were presented as a possible culprit. She was convicted of second-degree murder in a 10-2 verdict. She is believed to be the only woman in prison for second-degree murder relating to an overdose.

Willie Gipson

Mr. Gipson was convicted of second-degree murder at the age of 17 on the basis of a single eyewitness's identification from a photographic lineup. That witness had initially told the police "[i]t would be kind of like hard" to identify the shooter and "I really didn't look, you know, really see him that well." His entire trial took less than a day, during a proceeding where he was represented by a lawyer who was under public reprimand from the Louisiana Bar for misconduct, and would subsequently be disbarred.



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