

# CHALLENGE THE CHALLENGE

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**Reforming the usage of the peremptory challenge in the criminal justice system**

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# The Guiding Question

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**The question this project started with was:** How does the peremptory challenge contribute to a discriminatory and broken justice system.

In understanding this question and the basis of the project you will need to know a few things:

How jury selection works in the U.S.

What the peremptory challenge is.

Historical impacts of the peremptory challenge

# Fall Research Contributions

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The first half of this project in the fall consisted of researching the issues and how, if possible, a social action project could be created in response to the issue.

The research produced a few key pillars:

1

Judicial systems operate differently

2

Different stakeholders view reform differently

3

Constitutionality

4

International Comparisons

5

Racial Dynamics

6

Current Advocacy

# Project Importance

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All social action projects have some degree of importance, focusing on a pressing issue that needs to be addressed—occasionally issues that do not get attention. This social action project, Challenge the Challenge, is important for a few reasons.

Highlights an area with more issues

The creation of juror selection rolls

Payment given to jurors

Brings attention to an issue not focused on

Tackles criminal justice on a 'micro-level'

The harm from discriminatory jury selection extends beyond that inflicted on the defendant and the excluded juror to touch the entire community. Selection procedures that purposefully exclude black persons from juries undermine public confidence in the fairness of our system of justice.

- **Justice Thurgood Marshall**

# Current Status

## Challenges

- Organizations are currently dedicated to primary criminal justice issues
- Contacting individuals can always be a hassle
- Prosecutors are more unlikely to engage on reform. Some view it as a politically contentious issue.

## Advancements

- Created memos and policy briefs to promote the policy reform to organizations.
- Reached out to 6 potential organizations (on side)
- Working with two at the moment to advance some type of policy focus
- Looking into more

## Prospective/Current Orgs

Death Penalty Clinic (*In Discussion*)  
ACLU Maryland (*Not Interested*)  
The Sentencing Project  
Justice Policy Institute  
Due Process Institute  
Demand Justice (*In Discussion*)

*New Addition:* The Second Look Project