

Title: Norris v. Alabama 294 U.S. 587 (1935)

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Clarence Norris, one of the Scottsboro boys (see POWELL V. ALABAMA), on retrial moved to quash the INDICTMENT and trial venire (pool of potential jurors) on the ground that qualified black citizens were systematically excluded from jury service solely on the basis of race. On denial of his motion by the trial judge, Norris was retried and again found guilty. The state supreme court affirmed the JUDGMENT of the trial court that no JURY DISCRIMINATION existed. The Supreme Court, voting 8–0, reversed the judgment after reviewing the evidence for itself for the first time in such a case. The evidence showed that for a generation or more no black person had been called for jury service in the county and that a substantial number of black persons qualified under state law. In an opinion by Chief Justice CHARLES EVANS HUGHES, the Court ruled that the evidence of black exclusion made a *prima facie* case of denial of the EQUAL PROTECTION guaranteed by the FOURTEENTH AMENDMENT. *Norris* began a line of cases that led to the virtual extinction of RACIAL DISCRIMINATION in the composition of juries.

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(1986)

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