

Equal Justice Initiative

Criminal Justice Issues and Prisoners' Rights

<https://eji.org/cases/brooker-v-alabama/>

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Lee Carroll Brooker was convicted of possessing less than three pounds of marijuana and was sentenced to die in prison in Alabama, in part because he had prior convictions.

Alabama law equates the possession of more than 2.2 pounds of marijuana with the most extreme violent crimes, including capital murder and terrorism.

EJI petitioned the Supreme Court for review, arguing that mandatory life-without-parole sentences for possession of marijuana for personal use violates the prohibition against cruel and unusual punishment.

Even for someone with a prior criminal history, equating marijuana possession with the most severe violent crimes is unusual and, EJI maintains, cruel. Mr. Brooker, a combat veteran, was disabled at the time of his arrest.

The Supreme Court decided not to hear the case on April 18, 2016.

Supreme Court Cert Petition

Supreme Court Amicus Brief

Editorial: Outrageous Sentences for Marijuana

Prosecutorial Discretion Run Amok

Supreme Court Refuses to Hear Challenge to Life Sentence for Pot Possession

This Man Is Sentenced to Die in Prison Over Marijuana

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