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## **NAACP Legal Defense Fund Wins Major Victory in United States Supreme Court**

*Court Rules in Favor of New Sentencing Hearing for LDF Client Duane Buck*

Today, the United States Supreme Court unequivocally condemned the injection of racial bias into the capital sentencing hearing of NAACP Legal Defense and Educational Fund, Inc. (LDF) client, Duane Buck. In *Buck v. Davis*, the Supreme Court, by a vote of 6-2, declared that Mr. Buck's trial counsel was constitutionally ineffective for introducing the "toxin" of racial bias into Mr. Buck's capital sentencing hearing. In [an Opinion](#) authored by Chief Justice John Roberts, the majority of the Court reaffirmed the longstanding principle that "[o]ur law punishes people for what they do, not who they are" and "[d]ispensing punishment on the basis of an immutable characteristic flatly contravenes this guiding principle." As a result, the Court reversed the lower court's decision denying Mr. Buck relief. LDF represents Mr. Buck along with the Texas Defender Service and Holland & Knight, LLP.

"Today's decision sends a powerful message that no court can turn a blind eye to racial bias in the administration of criminal justice," said [Christina Swarns](#), Counsel of Record for Mr. Buck and LDF's Litigation Director. "Given the persistence of racialized fears, stereotypes, and discrimination, this decision is as important to the country as it is to Duane Buck."

In 1997, Duane Buck was sentenced to death after his own trial counsel knowingly introduced "expert" testimony that Mr. Buck was more likely to commit violent crimes in the future because he is Black. Because a Texas death sentence requires a unanimous jury finding that the defendant will be likely to commit future acts of criminal violence, this was tantamount to saying that Mr. Buck's race rendered him more deserving of a death sentence.

Although Texas conceded error based on similar testimony by Dr. Walter Quijano in six other cases, and promised to do the same in Mr. Buck's case, it reneged on its promise to Mr. Buck alone. Mr. Buck asked the U.S. Supreme Court to review the federal courts' refusal to consider his claim that his trial counsel was constitutionally ineffective for knowingly introducing Dr. Quijano's race-as-dangerousness testimony.

*Buck v. Davis* marked LDF's first return to the Supreme Court since 2013. The case was expertly argued by LDF's Director of Litigation Christina Swarns, one of only a handful of African-American women to present oral argument before the high court.

"LDF has a long and unparalleled history of advocating for racial justice in front of the Supreme Court, even in the most difficult of cases," noted [Sherrilyn Ifill](#), Director-Counsel of LDF. "*Buck v. Davis* falls squarely within that tradition, and LDF will continue to work tirelessly to continue it in the days and years to come.

## Resources

- [Buck v. Davis](#) merits brief
- [Buck v. Davis case page](#)
- [Profile of Christina Swarns](#)

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*Founded in 1940, the NAACP Legal Defense and Educational Fund, Inc. (LDF) is the nation's first civil and human rights law organization and has been completely separate from the National Association for the Advancement of Colored People (NAACP) since 1957—although LDF was originally founded by the NAACP and shares its commitment to equal rights. LDF's Thurgood Marshall Institute is a multi-disciplinary and collaborative hub within LDF that launches targeted campaigns and undertakes innovative research to shape the civil rights narrative. In media attributions, please refer to us as the NAACP Legal Defense Fund or LDF.*