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LDF Condemns Federal Government's Pursuit of Death Penalty for Buffalo Shooter

Today, the Department of Justice (DOJ) announced it will be seeking the death penalty in the event of a conviction of Payton Gendron, the then 18-year-old white supremacist that shot and killed 10 Black people in Buffalo, New York at the Tops supermarket.

In response, the Legal Defense Fund's (LDF) President and Director-Counsel Janai S. Nelson issued the following statement:

“The racially motivated mass shooting that occurred in Buffalo, New York was a heinous act of white supremacist violence that had a devastating impact on the Black community in Buffalo and beyond. It stands as a sordid example of the rise of anti-Black racism and hate motivated violent incidents infecting this country, and the urgent need to root out white supremacy in all its forms. We have strongly [condemned](#) the actions of the Buffalo shooter previously, and today, we remain steadfast in the condemnation of this deeply violent and racist act. We stand with the Buffalo community as it continues to reel from this painful event and continues to work to heal. We also demand that the federal government pursue an all-of-government approach to hate motivated incidents that leads with prevention of and protection from white supremacist violence.

“We do not, however, believe that the death penalty is a part of this equation. In times rife with extreme violence, we cannot resort to capital punishment as a solution. We are dismayed at the DOJ's pursuit of the death penalty, as these difficult circumstances are a critical opportunity for the Department to instead show courage, leadership, and a commitment to rooting out white supremacy through means that are not merely punitive but that are effective. Justice for the many Black people that were killed in this horrendous attack does not begin with pursuit of the death penalty, which is the very practice that has been used, and continues to be used, in a racially discriminatory fashion to execute Black people and harm Black communities.

“We roundly condemn the pursuit of the death penalty in all circumstances. There is no evidence that the death penalty will deter violence generally or hate-motivated violence specifically. To protect Black communities from white supremacist violence, the federal government must address the root causes of white supremacy and prioritize investing in the health and continued recovery of communities impacted by hate-driven violence.”

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Founded in 1940, the Legal Defense Fund (LDF) is the nation's first civil rights law organization. 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 Legal Defense Fund or LDF. Please note that LDF 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.