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LDF Maintains Vigorous Opposition To Federal Death Penalty

The NAACP Legal Defense and Educational Fund (LDF) is unequivocal in its belief that the death penalty is cruel and unusual punishment and its administration is rife with errors that violate the 8th and 14th Amendments of the Constitution. Though many [states](#) have reached the same conclusion, the US Department of Justice announced today that it will resume federal executions via lethal injection after a 16-year hiatus.

Whether administered by federal or state government, the death penalty is infected with fundamental flaws, including persistent racial discrimination, and human error that has resulted in [160 innocent people](#) being convicted and sentenced to death since 1973. There is no credible evidence that the death penalty deters crime.

In expressing concerns over the timing of the action, LDF Director of Policy Lisa Cylar Barrett states, “The system that determines whether someone lives or dies is broken – and innocent people have been sentenced to death. After many years of not carrying out this most egregious form of punishment, we must ask why the government is moving forward with this action now and in such a rushed manner. Taking human life cannot be about scoring political points or influencing election outcomes.”

The racial discrimination that has plagued state administration of the death penalty exists at the federal level as well. At present, [55%](#) of those on federal death row are Black, Latino, Asian, or Native American. Moreover, many on death row are themselves victims of inadequate representation in their legal proceedings.

Since its earliest days, LDF has opposed the death penalty for anyone, regardless of race. One of LDF’s seminal victories came in 1972 when the Supreme Court ruled in its favor and found the death penalty as then administered unconstitutional in *Furman v. Georgia*.

Sam Spital, LDF Director of Litigation, says, “What LDF founder, and then Supreme Court Justice, Thurgood Marshall said in his opinion in *Furman*, is also true today: we must recognize the humanity of our fellow citizens, even those who have committed unspeakable crimes, because, in ‘recognizing the humanity of our fellow beings, we pay ourselves the highest tribute. We must remain a country that clings to fundamental principles, cherishes its constitutional heritage, and rejects simple solutions that compromise the values that lie at the roots of our democratic system.’”

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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. Follow LDF on [Twitter](#), [Instagram](#) and [Facebook](#).