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LDF Media

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LDF Files Amicus Brief Urging Supreme Court to Hear Case of Black Man Sentenced to Death

Trial tainted with risk of racial prejudice and stereotyping, LDF argues

The Legal Defense Fund (LDF) has filed an [amicus brief](#) to the Supreme Court urging it to hear *Wells v. Guerrero*, the case of Amos Wells, a Black man sentenced to death in 2016 following a trial that was tainted with the risk of racial prejudice and stereotypes. During his trial, Wells' own defense attorney introduced expert testimony claiming he was genetically predisposed to violence – testimony that risked invoking racist stereotypes about Black criminality rather than aiding his defense.

LDF's brief argues that the Supreme Court must grant certiorari to address this continuing harm caused by the false stereotype that Black men are inherently violent. During the trial's 2016 sentencing phase, Wells' defense attorney presented an "expert" who testified that because Wells had a Monoamine Oxidase A (MAOA) gene variant and experienced childhood abuse, he was 4.5 times more likely to commit violence than the average person, despite such genetic evidence being discredited by many scientists. His own defense attorney also called him a "defect" and a "gangster."

"Amos Wells' death sentence is an injustice," **Devin McCowan, an attorney at the Legal Defense Fund, said.** "No one should be imprisoned or sent to death based on discredited pseudoscience, which risks invoking the pernicious stereotype that Black men are inherently violent. The Supreme Court must hear Mr. Wells' case to ensure that he is not executed based on harmful racial stereotypes."

The brief draws direct parallels to LDF's landmark case *Buck v. Davis*, in which the Supreme Court found that the introduction of expert testimony purportedly linking a defendant's race to future dangerousness was unconstitutional.

Read the full brief [here](#).

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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.