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LDF Media
212-965-2200 / media@naacpldf.org

LDF Files Amicus Brief with Supreme Court in Support of Overturning the Judicial Override for Capital Punishment in Alabama

Yesterday, the NAACP Legal Defense and Educational Fund, Inc. (LDF) filed an amicus brief with the United States Supreme Court supporting the overturning of the judicial override for capital punishment in Alabama. In previous capital cases, if a jury voted to sentence a defendant to life in prison, a judge in Alabama could override the jury and sentence the person to death. The amicus brief calls on the Court to declare that the Constitution forbids the execution of a person sentenced to death by judicial override.

A 2015 report found that cases in which Alabama judges overrode jury life recommendations in favor of death sentences disproportionately involved Black defendants or white victims.

“Evidence shows that judges have used the override for political reasons and that judges were more likely to override the jury and sentence a defendant to death when the defendant was Black or the victim was white,” said Daniel Harawa, Of Counsel at LDF. “The judicial override creates an unacceptable risk of the arbitrary, capricious, and racist imposition of the ultimate punishment. Its use is a clear violation of the Eighth Amendment, which prohibits the infliction of cruel and unusual punishments.”

Read the filed amicus brief [here](#).

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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. 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. 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.

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