



**For Immediate Release**  
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## **LDF Statement on U.S. Supreme Court Declining to Review Keith Tharpe's Racially-Biased Death Sentence**

The U.S. Supreme Court announced today that it will not [re-examine](#) the Eleventh Circuit Court of Appeal's decision to deny Keith Tharpe the ability to appeal his racially-biased death sentence.

One of the jurors who sentenced Tharpe to death later signed an affidavit in which he claimed that there are two types of Black people: "good black folks" and "ni\*\*ers." The juror, Bernard Gattie, suggested that Tharpe belonged in the second category, which shaped Gattie's decision to vote in favor of a death sentence. Gattie underscored his utter dehumanization of Black people by further stating: "After studying the Bible, I have wondered if black people even have souls."

The NAACP Legal Defense and Educational Fund, Inc. (LDF) filed an [amicus brief](#) arguing that in light of this compelling evidence that Tharpe was sentenced to death, at least in part, because he is Black, he must have the opportunity to challenge his biased punishment in court.

"Just two years ago in our [challenge](#) to Duane Buck's death sentence, the Supreme Court affirmed that no person should be punished because of who they are," said [Samuel Spital](#), Litigation Director at LDF. "[Justice Sotomayor is right](#) that Tharpe's case is an 'arresting demonstration that racism can and does seep into the jury system,' and the Court's refusal to consider his case on the merits is deeply distressing. As the Court recognized in *Buck*, allowing death sentences to stand tainted by overt racial discrimination weakens public confidence in the rule of law and the administration of justice."

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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.*

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