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On the 50th Anniversary of Landmark Supreme Court Decision, *Furman v. Georgia*, LDF Urges Biden Administration to Abolish Federal Death Penalty, Commute Persons on Federal Death Row

Fifty years ago today, in *Furman v. Georgia*, a case successfully litigated by the [Legal Defense Fund](#) (LDF), the Supreme Court held the death penalty as administered in the United States violated the Constitution's Eighth and Fourteenth Amendments. While the ruling was ultimately superseded four years later through a series of decisions that reestablished capital punishment on the unkept promise of adequate protections against capricious and/or discriminatory application of the death penalty, the *Furman* decision was nevertheless landmark attempt to end capital punishment. The imposition of the death penalty in the United States has consistently been shown to disproportionately impact Black communities and other communities of color.

In commemoration of this historic anniversary, LDF President and Director-Counsel Janai S. Nelson released the following statement:

“Throughout our history, LDF has firmly and unwaveringly argued that the death penalty is not only a form of cruel and unusual punishment, but also a violation of the equal protection guaranteed by the Fourteenth Amendment. We believed that in 1972, when LDF lawyers persuaded the Supreme Court, in *Furman v. Georgia*, that capital punishment was unconstitutional, and we believe that today. Fifty years after *Furman*, it is clearer than ever that the death penalty is unjustly applied, fails to deter crime, and violates fundamental human rights. A growing number of countries and U.S. states have abolished the death penalty entirely in recognition of these injustices and the immorality of the practice.

“In recognition of the 50-year anniversary of *Furman*, LDF is again calling on the Biden Administration to exercise its executive powers to address this country's profound failure of moral leadership in abolishing the death penalty by commuting the sentences of those who remain on federal death row and issuing a permanent moratorium on federal capital punishment. There is ample evidence that the same racial discrimination that has plagued states' administration of the death penalty exists at the federal level. And many of the people on federal death row, 55% of whom are people of color, are victims of inadequate legal representation.

As LDF founder, Thurgood Marshall, our country's first Black Supreme Court Justice, wrote in his concurring opinion in *Furman*, “the question before us is whether we are ready to ‘pay ourselves the highest tribute’ by ‘recognizing the humanity of our fellow beings.’ For too long, the answer to that question has been negative.” We urge the Biden Administration to respond in the affirmative by taking immediate action.”

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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.