



Answering the...

HARD QUESTIONS

MENTAL ILLNESS

International law clearly outlaws the execution of persons with mental illness. Virtually every country in the world prohibits the execution of those who are considered “insane.”

On April 28, 1999, in Geneva, the UN Commission on Human Rights passed a resolution calling on all nations **“not to impose the death penalty on a person suffering from any form of mental disorder.”**

In ***Ford v Wainwright (1986)***, the US Supreme Court determined that **“inflicting the death penalty upon a prisoner who is insane”** violates the U.S. Constitution. However, it is estimated that 5-10% of death row inmates suffer from mental illness while half of the general prison population reports having experienced mental illness at some time.

In 2003, a Williamson County, **Tennessee** jury took only three hours to convict and sentence Richard Taylor to death. Taylor, who suffers from schizophrenia and borderline personality disorder, defended himself without presenting closing argument or bringing in any evidence of his mental health history for sentencing.

In 2001, in **Tennessee**, Gregory Thompson was so mentally incompetent that he was appointed a conservator to make decisions about what medications he should take. He suffers from delusional thought processes, psychosis, auditory and visual hallucinations, and is suicidal. However, the State now believes him to be sane enough to be executed.

Abu-Ali Abdur'Rahman has a history of serious mental problems. He was physically abused and tortured by his father as a young child. As part of his post-conviction appeals, six mental health experts have diagnosed Abu-Ali Abdur'Rahman as suffering from Post-Traumatic Stress Disorder and/or Borderline Personality Disorder. Abu-Ali has been on death row in **Tennessee** for 20 years.

“Over the past thirty years, the number of people with mental illness and other mental disabilities on death row has steadily increased.”

National Mental Health Association

As of October 2005 the only person **Tennessee** has executed since 1960 was severely mentally ill. Robert Coe was taking more than 20 medications to manage his multiple mental illnesses when he was killed by the state on April 19, 2001.

The **National Mental Health Association (NMHA)** believes that mental illness can influence an individual's mental state at the time he or she commits a crime, can affect how “voluntary” and reliable an individual's statements might be, can compromise a person's competence to stand trial and to waive his or her rights, and may have an effect upon a person's knowledge of the criminal justice system.

The **American Psychological Association (APA)** calls upon each jurisdiction in the United States that imposes capital punishment not to carry out the death penalty until the jurisdiction implements policies and procedures that can be shown through psychological and other social science research to ameliorate the deficiencies identified in its 2001 resolution on the death penalty.