Severe Mental Illness and the Death Penalty

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Introduction
• In the United States, the death penalty remains as a hotly contested punishment for serious crimes.
• Over time, use of the death penalty on certain populations has been ruled unconstitutional.
• Still, the death penalty remains in use for individuals with severe mental illness, whom many argue should be exempted from the death penalty as a result of their condition.

Objective of Internship
Track changes and continuities in the exercise of the death penalty on individuals with severe mental illness across the United States.

Work Profile
• The Death Penalty Due Process Review Project conducts research on death penalty practices across the country, issuing evidence-based recommendations.
• This summer, my role was to research developments in the exercise of the death penalty in states, specifically with regards to individuals suffering from severe mental illness.

Reflection
• This summer, I analyzed Supreme Court rulings, engaged with scholars on the merits of the death penalty, and created reports regarding the exercise of the death penalty on individuals with severe mental illness.
• In addition, I had the opportunity to explore law as a career pathway, particularly with professionals who specialize in public health.

Case Study: Tennessee
• In Tennessee, the death penalty is legal and there is no categorical exemption for individuals suffering from severe mental illness. Moreover, this takes place against a backdrop of execution delays following concerns regarding the safety of lethal injections.
• The current legal framework of competency to stand trial, insanity defense, mitigating factors, and competency to be executed do not adequately protect individuals with severe mental illnesses from the death penalty, nor do categorical exemptions against minors and individuals with mental disabilities.

Looking Ahead
• Following this summer, I have strongly reinforced my interest in the intersection between health, policy, and law.
• I have also developed an interest in understanding diagnoses of severe mental illness and the social ramifications thereof.

Questions
How can litigation, policy advocacy, and medical advice organize to achieve desired results?

Conclusion
• Medical diagnoses are not always sufficient for persuading an audience, particularly in the court of public opinion.
• There is a great distance to go before individuals with severe mental illness are categorically exempted from the death penalty.
• Public health issues are irrefutably multidisciplinary in nature.

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For more information on the Death Penalty Due Process Review Project, please visit the Project’s website: https://www.americanbar.org/groups/crsj/projects/death_penalty_due_process_review_project.