

SCOTUS Opinion: Eighth Amendment Bars Execution Of Defendant Without “Rational Understanding” Of The Reason For Execution

27 Feb 2019

After he was sentenced to death for killing a police officer, Vernon Madison suffered a series of strokes and was diagnosed with dementia. In a prior series of appeals by Madison, the U.S. Supreme Court held that his mere inability to remember his crime did not establish that Madison was incompetent to be executed. When his execution was rescheduled on remand, he appealed again, arguing that his dementia rendered him incompetent to be executed. The state court denied relief, stating only that Madison had failed to show a substantial showing of insanity. The Court, in an opinion by Justice Kagan (Justice Kavanaugh recused), reversed. Clarifying the Court's prior holdings, the majority stated that the Eighth Amendment requires that a defendant have a “rational understanding” of why he or she is being executed in order to qualify for the death penalty. The majority explained that a defendant's failure to remember the original crime is not relevant to the standard. However, the Court also held that dementia alone may cause a defendant to lack the requisite understanding, regardless of whether the defendant is also suffering from psychotic delusions or other indicia of insanity. Since the state court did not appear to analyze whether Madison's dementia rendered him unable to rationally understand why he was being executed, the Court remanded for further consideration. Justice Alito, joined by Justices Thomas and Gorsuch, dissented, arguing that the ruling “made a mockery of our Rules” by answering an issue that Madison never raised in his original petition for appeal. A link to the opinion in *Madison v. Alabama* is [here](#).

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