

AMNESTY INTERNATIONAL PRESS RELEASE

AI Index: AMR 51/018/2006 (Public)
News Service No: 022

Embargo Date: 31 January 2006 00:01 GMT

USA: Too slow to help, too eager to kill Systemic failure and the execution of severely mentally ill offenders

Published

Hundreds of severely mentally ill offenders in the US, are mired within a healthcare system that is too slow to help and a justice system that is too quick to pass death sentences, said Amnesty International today as it launched a major report on the use of the death penalty against mentally ill offenders in the US.

The report focuses on the systemic problems confronting the mentally ill and chronicles the cases of 100 severely mentally ill offenders who have been executed since 1977 -- 1 in 10 of the total number of executions carried out since then.

Citing pervasive systemic failures in both the healthcare and criminal justice systems, the report also highlights the grim situation of the mentally ill currently on death row, which according to the US National Association of Mental Health is 5 to 10 per cent of the US's total death row population of approximately 3,400.

"The execution of those suffering from severe mental illnesses is a cruel and inhumane practice, which has been overlooked for far too long. Prejudice and ignorance give rise to fear and for many people it is easier to sentence a mentally ill offender to death rather than to find genuine treatment solutions," said Susan Lee, Amnesty International Americas Programme Director.

An illustrative case is Scott Panetti, who was sentenced to death in Texas in 1995 for killing his parents-in-law in 1992. He has a long-documented history of hospitalization for his mental illness, including schizophrenia – which caused him visual and auditory hallucinations.

During his trial, Scott – who acted as his own lawyer dressed as a cowboy – said that demons had been laughing at him as he left the scene of the crime.

One of the doctors who was at the trial said: "... Scott was completely unaware of the effect of his words and actions. Members of the jury had hostile stares and looked at Scott in disbelief while he rambled and made no sense..."

Scott is still on death row.

In June 2002 the US Supreme Court outlawed the death penalty for people with mental retardation (the term mental retardation, rather than learning disability, is used in the USA) on the ground that mental retardation diminishes personal culpability and because of the difficulty to justify the deterrent argument.

“Mental retardation and mental illness are not the same but the symptoms can have similar consequences -- a mentally ill person’s delusional beliefs may cause them to engage in illogical reasoning and to act on impulse. There is a profound inconsistency in exempting people with mental retardation from the death penalty while those with serious mental illness remain exposed to it,” said Susan Lee.

“Capital punishment is a highly politicized punishment. For far too long, politicians have generally failed to offer the electorate any measurable evidence that judicial killing, let alone of offenders with mental illness, offers a constructive solution to violent crime.”

According to Amnesty International’s report, the case of Scott Panetti is representative of the circumstances in which people with severe mental illnesses are given death sentences and executed.

In many cases, those with severe mental illness don’t understand the charges against them or the seriousness of the crime they committed. In others, the defendant is heavily medicated for the trial, and perceived by the jury as remorseless. Lack of remorse is a highly aggravating factor that weighs heavily in a jury’s decision to impose the death penalty.

Some defendants have even been forcibly medicated in order to make them “competent” to be executed.

Amnesty International calls on all US authorities to immediately ban the use of the death penalty against mentally ill offenders and to put an end to the broken capital punishment system once and for all. Additionally, public officials at all levels must ensure that pleas for help by those suffering from mental illness do not go unanswered and that adequate medical treatment is given to those who need it the most.

For a copy of the 189-page report: “USA: The execution of mentally ill offenders”, please see: <http://web.amnesty.org/library/indexAMR510032006>

For a copy of the 43-page summary report: “USA: The execution of mentally ill offenders”, please see: <http://web.amnesty.org/library/indexAMR510022006>

For more information and updates on AI’s campaign against the death penalty, please see: <http://web.amnesty.org/pages/deathpenalty-index-eng>

Public Document

For more information please call Amnesty International's press office in London, UK, on +44 20 7413 5566
Amnesty International, 1 Easton St., London WC1X 0DW. web: <http://www.amnesty.org>

For latest human rights news view <http://news.amnesty.org>

