



# Mental Illness and Death Row

## The Need For Mental Health First Aid

In the United States, it remains constitutional to execute people with severe 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.” However, our legal understanding of mental illness has not kept pace with our medical knowledge. Thus, to be deemed “mentally competent” to face execution, a person is only required to know that they are going to be executed and why.

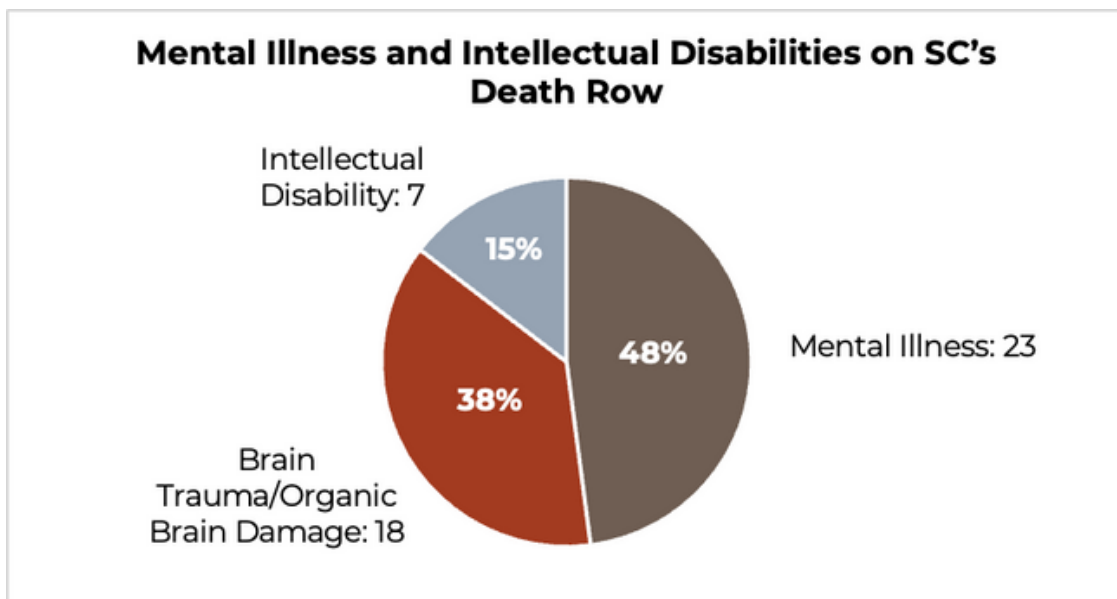
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“Over the past thirty years, the number of people with mental illness and other mental disabilities on death row has steadily increased.”  
-Mental Health America

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### **South Carolina has routinely executed people with severe mental illness.**

- Scholars agree there is no legal reason for differentiating between the intellectually disabled, juveniles, and those with severe mental illness.
- At least 100 of those executed in the U.S.A. since 1977 suffered from mental illness, representing about 10% of those put to death nationwide during this period. (Amnesty International’s Report “The Execution of Mentally Ill Offenders,”
- A recent study showed 70% of South Carolina's death row suffers from a severe mental illness (25 people). Examples of severe mental illness include schizophrenia, bipolar disorder, post-traumatic stress disorder (PTSD), etc.





## Case Study: James Wilson

James Wilson was found "guilty, but mentally ill" and sentenced to death in 1989. A judge ruled that his mental illness was so profound that he couldn't control his actions. As a child, he was bullied for his body shape and clothing style. He was also physically and emotionally abused by his father, who regularly threatened to kill him...sometimes with guns. James became aggressive, violent, and was in and out of psychiatric centers starting at age 14. When he became 19, his father's insurance stopped covering his health bills and he was discharged. He knew he needed psychiatric treatment but could not afford it. Several months later, in the middle of a psychotic episode, James went to Oakland Elementary School in Greenwood, S.C. with a gun and killed 2 school children.

## Positions of National Mental Health Organizations

**The National Alliance on Mental Illness (NAMI)** believes the death penalty is never appropriate for a defendant suffering from a serious brain disorder or for those suffering with serious mental illness.

**Mental Health America** 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.