### Introducing the Ill

The issue of the death penalty on its own has been debated for a countless number of years. When the issue regarding the intellectually disabled was also taken into account, the debate began to more closely focus on personal inalienable rights, as specified by the Eighth Amendment, and overall competency of the individual. Sentencing people who are mentally ill to the death penalty, especially by means of medicating and justifying competency, goes against their Eighth Amendment right that protects them from cruel and unusual punishment.

#### “I Plead the Eighth!”

- The Eighth Amendment states, “Excessive bail should not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.”
- According to Cohen (2014), “The United States Supreme Court held that it violated the Eighth Amendment to impose the death penalty on an [intellectually disabled] defendant.”
- Execution of the mentally ill is a violation of the Eighth Amendment because the Amendment forbids the execution of those who are unable to understand the severity and suffering of their punishment.
- Saks and Litt (2009) stated, “The seriously mentally ill also have significant deficits that make them less blameworthy than other criminals and less able to protect their interests in the criminal justice context” (4).

### Competent for Capital Crimes

- The “Magic Words” test determines competency if the convicted offender clearly states, “The state says it will execute me because I was convicted of murder.”
- Saks and Litt (2009) stated, “A true application of retributive principles requires executing only a person who has... comprehension of why he has been... stripped of his fundamental right to life” (7).
- The concept of “Patently False Belief” evaluates how “good” one’s belief about the crime, punishment, and connection between the two is.
- According to Saks and Litt (2009), “One [must] understand, within broad limits, that one has actually committed a capital crime as a result of which one deserves to be executed” (2).
- As stated by Saks and Litt (2009), “If the subject does not understand why he is being executed, the state’s action is not being received as punishment, but rather as random – and awful – ‘pain’” (7).
- The accuracy in these tests and concepts in actually determining competency is unclear, but they are still common methods.

### Medication for the Mind

- In order for prisoners to receive medication by force, they must have a serious mental illness, be a danger to either themselves or others, and the treatment must be in the prisoners’ medical interests.
- However, Latzer (2003) stated, “Forcible medication of an inmate in order to carry out his execution was cruel and unusual punishment under the state constitution” (7).
- There are three policy options regarding mentally ill, capital-sentenced inmates:
  - Medicate & Execute
  - Don’t Medicate, Don’t Execute
  - Medicate & Don’t Execute
- There are pros and cons to each of these policies, so it is still undetermined as to which should be used.
- According to Latzer (2003), “The combination of forcible treatment and execution makes for disproportionate punishment... the compulsory treatment is itself punitive, and when added to death sentence, it makes the total quantum of punishment excessive and disproportionate” (8).

### Concluding Controversy

As citizens, we have our unalienable rights – the right to life, liberty, and the pursuit of happiness. We are all able to enforce our Eighth Amendment right to protect us from cruel and unusual punishment. This especially pertains to the mentally ill. In these cases, people with a mental illness cannot always be held fully accountable for their actions. Competency is a matter of the mind, not of medication and justification. In order to be rendered competent, a person must be fully aware of his actions and the consequences. Medicating an individual to be rendered competent also can’t be justified simply because it doesn’t change his understanding at the time the crime was committed.

Ultimately, the act of capital punishment on an individual who is rendered incompetent or mentally ill can’t be justified. Although there are pros and cons to each side, there is supportive evidence that proves that it can’t be justified.

### Sources

The introduction should be short with no or very few citations. Reference to scientific papers should either be shortening down to those which are important to understand in which context the research has been made or be avoided. Remember to make it clear what the purpose of the research and/or the poster is.

- To keep a good readable text for about 1 meters distance the font size must be 22 to 26 points at least.
- A good readable font could be Arial, Helvetica, Verdana, Calibri or Sans Serif.