

Madison v. Alabama

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Introduction:

The Eighth Amendment, ratified in 1791, prohibits cruel and unusual punishment.¹ In 2018, *Madison v. Alabama*, a case in which Vernon Madison, a man who had been on death row for over 30 years for a murder he does not remember committing, was reviewed by the US Supreme Court to determine if his punishment was unconstitutional.

Facts:

In 1985, Vernon Madison killed a police officer during a domestic dispute. He was found guilty of capital murder by an Alabama jury and was sentenced to death. During his more than 30 years on death row, he experienced several serious strokes which caused him to forget the reason for his execution, and was diagnosed with vascular dementia.² His symptoms included slurred speech, blindness, urinary incontinence and he was left unable to walk independently. Madison, then argued that he was incompetent and did not remember committing his crime.³

Legal Background:

The state of Alabama countered his claim by arguing that even if he does not remember committing this crime, he has a rational understanding as to why he is being executed, the standard established in *Ford v. Wainwright* and *Panetti v. Quarterman*.⁴ These two landmark cases determined that sentencing a defendant who is mentally ill or insane to death violates the Eighth Amendment.⁵ The state court found Madison competent enough for execution after a competency hearing, and on federal habeas review, they reversed the Eleventh Circuit's grant of relief. They argued that under the "demanding" and "deferential standard" of the Antiterrorism and Effective Death Penalty Act of 1996 (AEDPA), neither *Ford* nor *Panetti* 'clearly established' that a prisoner is incompetent to be executed because he cannot remember his crime.⁶

The parties argued in lower courts on whether *Ford* or *Panetti* apply to prisoners who suffer from psychosis and exclude prisoners diagnosed with dementia, but the remaining question was if the Eighth Amendment prohibits execution from a prisoner who can't rationally understand the reason for his sentencing. Alabama set a 2018 execution date, and Madison went back to state court to argue that his state of health cannot permit the state to go forward with their decision. The state court eventually found him mentally competent for execution, a second time.⁷

Holding:

¹ U.S. CONST. amend. VIII

² *Madison v. Alabama*, 586 U.S. ___ (2019)

³ *Id.*

⁴ *Id.*

⁵ 551 U.S. 930 (2007)

⁶ *Madison v. Alabama*, 586 U.S. ___ (2019)

⁷ *Id.*

The Supreme Court concluded on a 5-3 opinion, authored by Justice Elena Kagan, that the Eighth Amendment does not prohibit a state from executing a prisoner that has no recollection of their crime, but it does protect prisoners who can't rationally understand the reason of their execution, due to either dementia or psychosis.⁸

Legal Analysis:

In the case of *Madison v. Alabama*, the Supreme Court made the right decision by concluding that the Eighth Amendment does not protect prisoners who can't remember committing their crimes but does protect those who can't understand the reason for their sentencing. The case of *Madison v. Alabama* falls under the standard established by *Ford v. Wainwright*. In 1974, Alvin Bernard Ford was convicted of murder, and sentenced to death.⁹ At the time of the sentencing, Ford showed no signs of incompetence or unusual behavior but subsequently, his behavior started to indicate that he had a mental disorder. After evaluations, and reports from multiple psychiatrists, his competence was assessed in conformity with Florida's procedures.¹⁰ Following these examinations, the Florida governor signed Ford's death warrant, refused to give him the benefit of a hearing, and his habeas corpus relief petition was denied by the federal District Court.¹¹ The US Supreme Court contradicted this opinion and in a 7-2 decision, they concluded that it was unconstitutional to execute an insane person. Justice Thurgood Marshall wrote that executing the insane is "savage and inhumane."¹² In *Madison v. Alabama*, Vernon Madison was still found competent by the trial court on multiple occasions and had a rational understanding as to why he was being executed even after being diagnosed with vascular dementia on death row, as established by the cases of *Ford* and *Panetti*.

⁸ *Id.*

⁹ *Ford v. Wainwright*, 477 U.S. 399 (1986)

¹⁰ *Id.*

¹¹ *Id.*

¹² *Id.*