

Conservatives Oppose the Death Penalty for Individuals with Severe Mental Illness

November 16, 2017

As conservatives and libertarians, we strongly believe that our government should not impose the death penalty on defendants with severe mental illness. The frequent intersection of mental illness and capital punishment is a moral and fiscal issue that ought to concern all Virginians who care about the sanctity of life, individual rights, and freedom from government tyranny.

We support legislation in Virginia that would exclude people with severe mental illness present at the time of their offense from the death penalty. Under such legislation, offenders with severe mental illness could be prosecuted, convicted, and if found guilty sentenced to life in prison without the chance of release — but could not be executed.

For this narrow exemption to apply, defendants would be required to provide documented evidence of a mental illness that is so severe that it prevented them from fully understanding reality or their actions' consequences.

The US Supreme Court has already declared that it is unconstitutional to execute those with an intellectual disability (i.e., mental retardation) because these individuals cannot fully comprehend their actions, grasp their crimes' consequences, or understand the complex legal processes that they face. Yet, many of those suffering from severe mental illnesses share these same limitations.

Many pro-life conservatives believe that society's most vulnerable ought to be protected, not discarded. People with mental illnesses suffer from diagnosable psychological disorders. Their illnesses are not the result of their choices or their lack of personal responsibility.

While some death penalty proponents purport that executions deter murders, there is absolutely no credible evidence to suggest that executions deter those who do not understand their actions' consequences. Thus, capital punishment is unquestionably rendered completely useless as a general deterrent to those stricken with severe mental illnesses.

Seeking the death penalty for those with severe mentally illness is costly and ineffective, and it violates many core conservative beliefs. Capital proceedings are expensive boondoggles that are far costlier than the alternatives.

If we exempt those with severe mental illnesses, the state of Virginia would save significant sums of taxpayer dollars that could instead be used to invest in effective programs. The use of capital punishment against the severely mentally ill is both fiscally inefficient and fundamentally unjust.

Our values of fiscal responsibility and the dignity of life compel us to support legislation to exempt defendants with severe mental illnesses from the death penalty. This exclusion will ensure that defendants with severe mental illness — while punished to the extent that justice requires — are treated with dignity and mercy.