**2019 WPTLA PRESIDENT’S SCHOLARSHIP ESSAY CONTEST**

# FACTUAL BACKGROUND:

Madison v. Alabama

Circuit Court of Alabama (January 16, 2018)

Vernon Madison was charged with killing an on-duty police officer in April 1985. He was convicted of capital murder and sentenced to death in 1997 after several re-trials. During his incarceration, Madison suffered several serious strokes which has resulted in vascular dementia, and long term memory loss. He is now blind, often disoriented, exhibits slurred speech, and suffers from impaired cognitive function. This is a result of his strokes and age. He is unable to remember committing the crime for which he is to be executed.

Madison has been found competent by the state of Alabama to be executed. Madison filed for federal habeas corpus relief. Madison contends that his execution violates the 8th Amendment Prohibition against cruel and unusual punishment when he cannot remember committing the crime with which he has been convicted. He also argues that the 8th Amendment bars his execution due to his current mental and physical state.

# TOPIC QUESTION:

Does the 8th Amendment bar the death penalty for an individual who can no longer recall his crime and does not have a rational understanding of the circumstances of his punishment.

# NOTE:

We do not want an essay on whether or not there should be a death penalty. Please confine your essay to whether or not Vernon Madison’s execution would violate the 8th Amendment prohibition against cruel and unusual punishment.

**SUPPORTING BRIEFS**

<https://www.dropbox.com/s/zgqgpxipt393zq8/essay%20support%20info%20%281%29.pdf?dl=0>

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