

A bill that would bar prosecutors from seeking the death penalty for those convicted of a crime and with a diagnosed serious mental illness failed in the House Judiciary Committee today (Thursday.) KUAR's Sarah Kellogg has details.

Death Penalty Bill Wrap**1:20****SOC**

According to the legislation, "serious" medical conditions that would qualify under this bill include symptoms of delusions, hallucinations, extremely disorganized thinking, and mania. The bill considers a person with a serious mental illness as someone who, "at the time of the offense, has active symptoms of a serious mental illness that substantially impaired his or her capacity to appreciate the nature, consequences, or wrongfulness of his or her conduct," among other qualifiers.

Jeff Rosenzweig, a criminal defense lawyer, who has represented many death row inmates, spoke on behalf of the bill. He says current law prohibits the death penalty as a possible punishment for youth or the mentally disabled.

Execution Bill Cut Wrap**:26****"...this person"**

"The question is, 'Do we extend this to people who have mental illnesses?' Which are not their fault, just in the same way that youth is not someone's fault or that mental retardation is not someone's fault, but who has a mental illness. Do we make a societal judgement just that we are not going to execute this person."

Rep. Vivian Flowers, the bill's sponsor said a 2018 study by the American Bar Association estimates that this type of bill would save a state over one million dollars a year.

The bill failed by a voice vote, however a roll vote was called. 11 members of the committee voted against the bill, while five members voted for it.

Sarah Kellogg, KUAR news.