

**YORK COLLEGE
CRIMINOLOGY AND
CRIMINAL JUSTICE
FORUM**

**A Platform to Connect Students with New
and Innovative Research and Case Law,
Beyond the Classroom Setting**

York College Criminology and Criminal Justice Forum Posting

The current York College Criminology and Criminal Justice Forum posting comes from Dr. Pete Leasure and highlights recent cases in the U.S. Supreme Court. The first case is *KAHLER v. KANSAS*. The opinion can be accessed with this link https://www.supremecourt.gov/opinions/19pdf/18-6135_j4ek.pdf. In this case, Kahler argued that Due Process required Kansas to provide an insanity defense that analyzes a defendant's ability to distinguish right from wrong. The Court found that Due Process does not require states to adopt an insanity defense that turns on a defendant's ability to recognize that their crime was morally wrong. While Kansas does not allow evidence of a defendant's ability to distinguish right from wrong, evidence of mental illness can still be introduced to show that a defendant was incapable of forming the requisite criminal intent.

The second case is *RAMOS v. LOUISIANA*. The opinion can be accessed with this link https://www.supremecourt.gov/opinions/19pdf/18-5924_n6io.pdf. In this case, the Court was asked to revisit law surrounding unanimous jury verdicts. In previous cases, the U.S. Supreme Court held that Oregon and Louisiana's laws allowing convictions from non-unanimous verdicts (10-2 and 9-3) for noncapital cases did not violate Due Process. However, in *Ramos*, the Court found that Due Process required unanimous verdicts to convict defendants of serious crimes. The ruling likely means that Oregon and Louisiana will face multiple appeals from defendants who were convicted by non-unanimous verdicts.

For questions or comments about this post, Dr. Leasure can be reached at pleasure@ycp.edu.