

## Introduction to the 2025 Edition

New features and recent developments in this 2025 Edition include:

- The U.S. Supreme Court held that a Georgia jury’s verdict of “not guilty by reason of insanity” on malice-murder charge was an “acquittal” for purposes of the Double Jeopardy Clause, and thus the Double Jeopardy Clause barred retrial of defendant on that charge, even if verdict on malice-murder charge was inconsistent with verdict on felony murder charge that defendant was “guilty but mentally ill” and jury based its verdicts on specific affirmative findings of different mental states that could not exist at the same time. [See § 3:11].
- The U.S. Supreme Court held that defense counsel’s failure to present additional mitigating evidence of mental disorders, head trauma, childhood abuse, and substance abuse did not amount to ineffective assistance of counsel where sentencing court had already heard some mitigating evidence on those issues, defendant had not shown a causal connection between the additional mitigating evidence and the crime, and the weakness of the additional mitigating evidence contrasted sharply with the strength of aggravating circumstances. [See § 4:9].
- The U.S. Supreme Court remanded death penalty case for new trial, finding that prosecutor knew that witness, who was actual killer, falsely testified that he had been prescribed lithium after asking for cold medicine, and that he had never seen a psychiatrist, supporting defendant’s claim that prosecution knowingly obtained conviction through false evidence in violation of the due process clause. [See § 4:9].
- The Third Circuit held that death row prisoner had clearly established right to not be subjected to prolonged solitary confinement without penological justification. [See § 4:9].
- The Massachusetts Supreme Court held that sufficient evidence supported trial court’s finding that as a matter of brain anatomy, emerging adults, meaning adults ages 18, 19, and 20, had same core neurologi-

PSYCHOLOGICAL & SCIENTIFIC EVIDENCE

cal characteristics as juveniles with respect to impulse control, and risk-taking in pursuit of reward, supporting conclusion that under contemporary standards of decency it was unconstitutionally disproportionate to sentence offenders to life in prison without possibility of parole for offenses committed from ages 18 to 20. [See § 4:11].