

# Position Statement on Capital Punishment

Approved by the Board of Trustees, July 2025

Approved by the Assembly, May 2025

© Copyright 2025, American Psychiatric Association. All rights, including for text and data mining (TDM), Artificial Intelligence (AI) training, and similar technologies, are reserved.

“Policy documents are approved by the APA Assembly and Board of Trustees. . . These are . . . position statements that define APA official policy on specific subjects. . .” – *APA Operations Manual*

### Issue:

Capital punishment is a complex and controversial topic, with debates across social, political, and legal arenas. There are serious concerns about fairness in the imposition of capital punishment. Furthermore, the U.S. Supreme Court has held that it is unconstitutional to execute the “mentally insane” and that petitioners on death row are entitled to competency evaluations and evidentiary hearings.

An individual’s opinion on capital punishment is the personal moral decision of that individual. However, psychiatric physicians are bound by additional medical ethical considerations that relate to capital punishment due to their professional duty to improve health and alleviate suffering.

### APA Position:

1. **If capital punishment is authorized in a jurisdiction, it should be administered fairly and impartially in accord with the basic requirements of due process.**
2. **Because it is antithetical to medical and psychiatric ethics, psychiatrists should not participate in a legally authorized execution.**
3. **Competence to be executed is a legal decision and should not be determined solely on the basis of a psychiatrist’s medical opinion.**
4. **Physicians should not treat a prisoner solely for the purpose of restoring competence to be executed.**
5. **No physician should be compelled to participate in any aspect of capital punishment.**
6. **It is unethical for competency evaluations for capital punishment to be completed by a patient’s treating physician.**

**Authors:** Council on Psychiatry and Law, Ethics Committee