Prima Facie Standard Clarified for Assertion of Mental Illness Defense

Isabel Yin, MD
Fellow in Forensic Psychiatry

Timothy Botello, MD, MPH
Emeritus Professor of Psychiatry, Emeritus Program Director, USC Institute of Psychiatry, Law, and Behavioral Science

Department of Psychiatry and the Behavioral Sciences
University of Southern California
Los Angeles, California

Asserting a Mental Illness Defense Requires a Standard of *Prima Facie*, Not Definitive Evidence

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In *State v. Hinckley*, 5 N.W.3d 680 (Minn. 2024), the Supreme Court of Minnesota considered whether a district trial court erred in denying the defendant's assertion of a mental illness defense. The denial was based on the insufficiency of evidence to establish that the defendant was cognitively impaired at the time of his offense. Tyson Joe Hinkley, the defendant, argued that he was wrongly denied the right to assert a mental illness defense despite presenting a psychologist's report that met the *prima facie* standard.

Facts of the Case

In July 2019, Mr. Hinckley was found near a garage fire and admitted to the police that he set the fire to protect himself and stole a van to escape. He claimed that he started the fire so the fire department would help him escape a Lyon County sheriff who was trying to murder him. He was charged with first-degree arson, second-degree burglary, and theft of a motor vehicle.

On August 8, 2019, Mr. Hinckley's defense counsel notified the court of his intent to assert a mental illness defense. Minnesota law allows for such a defense if there is "proof that at the time of committing the alleged criminal act, the person was laboring under such a defect of reason, from [either mental illness or cognitive impairment], as not to know the nature of the act, or that it was wrong" (Minn. Stat. § 611.026 (2013)). When this defense is validly raised, a bifurcated trial process begins. The first part addresses whether the charged offense has been proven beyond a reasonable doubt. If a guilty verdict ensues, the second stage assesses the defendant's mental state at the time of the charged offense.

Mr. Hinckley filed a motion under Minn. R. Crim. P. 20.02(1) (2018) to receive a mental evaluation. He was evaluated by a psychologist, Dr. George Komaridis, who submitted an initial report diagnosing Mr. Hinckley with posttraumatic stress disorder (PTSD), paranoid personality disorder, persistent depressive disorder, marijuana use disorder, alcohol use disorder in remission, and stimulant use disorder, amphetamine type. Dr. Komaridis clarified that Mr. Hinckley's paranoid personality disorder and PTSD were not secondary to methamphetamine use and that Mr. Hinckley's cognitive functions were impaired by paranoid delusions at the time of the alleged offense.

In response, the state moved to preclude the assertion of Mr. Hinckley's mental health defense, alleging that his mental impairment at the time of the alleged offense was because of his voluntary methamphetamine use rather than mental illness. Voluntary intoxication is not an accepted condition for a mental illness defense under the applicable Minnesota statute. On October 7, 2021, the district court granted the state's motion but allowed Mr. Hinckley to move for reconsideration with an additional expert witness report.

Dr. Komaridis provided a second psychological report, maintaining that Mr. Hinckley's mental illness preceded his drug use, as he had suffered delusions regarding law enforcement because of an earlier trauma. This trauma stemmed from his time serving on a grand jury in an arson and murder case, where he feared a police officer suspected him of murder. After that, he began to fear surveillance by the police, which continued until the time of the offense. The district court maintained the preclusion, stating that Dr. Komaridis' second psychological report failed to show that voluntary intoxication was not the reason for Mr. Hinckley's cognitive impairment.

Mr. Hinckley submitted a third and final report from Dr. Komaridis that specifically rejected voluntary intoxication as the cause of his mental impairment and stated, "There is no way to objectively establish the degree to which a mental illness or

drug abuse contributes to the person[']s defect of reasoning at any particular time" (*Hinckley*, p 684). The district court rejected this second motion to reconsider the preclusion of the mental illness defense, stating that Mr. Hinckley was still asserting voluntary intoxication, which was not acceptable for a mental illness defense. Mr. Hinckley was then found guilty on all three charges by the court and sentenced to one year and one day for motor vehicle theft, 23 months for second-degree burglary, and 58 months for first-degree arson.

Mr. Hinckley appealed, claiming the district court should not have precluded his assertion of a mental illness defense. The court of appeals affirmed the district court's ruling.

Ruling and Reasoning

The Minnesota Supreme Court ruled that the district court abused its discretion by precluding Mr. Hinckley's assertion of a mental illness defense. In its analysis, the court emphasized that, for the defendant to raise a mental illness defense, the defendant must present *prima facie* evidence. Citing *State v. Martin*, 591 N.W.2d 481 (Minn. 1999), the court recognized that *Martin* does not address what the *prima facie* standard requires, only that the defendant is not entitled to a mental illness defense with little to no support for a mental illness in the setting of voluntary intoxication. The court also referred to *City of Minneapolis v. Altimus*, 238 N.W.2d 851 (Minn. 1976), in which the court concluded that the burden on the defendant to meet the *prima facie* standard for evidence to submit a mental illness defense is not substantial, especially in the face of possible conflicting evidence.

Because of the lack of specific guidance from prior case law, the court clarified the *prima facie* standard in asserting a mental illness defense. The court started by defining *prima facie* from Black's Law Dictionary (11th ed. 2019) as "one that prevails in the absence of evidence invalidating it" (*Hinckley*, p 685). The court explained that, to assert a mental illness defense, the defense must submit evidence that is "sufficient to establish, without consideration of any contradictory evidence, that 'because of mental illness or cognitive impairment, the defendant, at the time of committing the alleged criminal act, was laboring under such a defect of reason as not to know the nature of the act or that it was wrong'" (*Hinckley*, p 686, citing Minn. R. Crim. P. 20.02). Furthermore, the court reasoned that the evidence "need not be definitive or beyond challenge" (*Hinckley*, p 686).

As a result, the court rejected the district court's weighing of contrary evidence from the state against the evidence presented by the defendant. The court acknowledged that it is still necessary to consider any contrary evidence that may show that the evidence submitted by the defense was insufficient to meet the *prima facie* standard. In consideration of Mr. Hinckley's case, the court recognized Dr. Komaridis' reports, which indicated that Mr. Hinckley was diagnosed with multiple mental illnesses that impaired his cognition during the time of the alleged offense and stated his "disturbed state of mind [was] not entirely caused by methamphetamine abuse" (*Hinckley*, p 687). The court deemed these reports sufficient to meet the *prima facie* standard. The court explained that the state's claim about the reports' lack of clarity on voluntary intoxication should be addressed in the second phase of the mental illness defense trial. Therefore, the court ruled that the district court abused its discretion by depriving Mr. Hinckley the opportunity to establish a mental illness defense at trial.

Because the court found that the district court's error was not harmless beyond a reasonable doubt, the court reversed Mr. Hinckley's convictions and remanded for further proceedings.

Discussion

The Minnesota Supreme Court's ruling in *Hinckley* clarifies that the *prima facie* standard for asserting a mental illness defense in Minnesota only requires the defendant to submit evidence that is sufficient to establish a mental illness defense without consideration of contradictory evidence. Although a "preponderance of evidence" is required to prove a mental illness defense, the threshold for submitting such a defense is significantly lower. This distinction is crucial in cases involving both mental illness and voluntary intoxication.

In cases like Mr. Hinckley's, forensic evaluators must meticulously determine whether a defendant's mental illness preceded and significantly influenced the defendant's criminal behavior, independent of any voluntary intoxication. In Mr. Hinckley's case, Dr. Komaridis' third report specifically rejected voluntary intoxication as the cause of his mental impairment at the time of the offense. This was pivotal in establishing the mental illness defense and ensuring the defendant received a fair trial. This case underscores the importance of a thorough psychiatric assessment

of a defendant's mental impairment because of a mental illness at the time of the alleged offense in an evaluation for a mental illness defense.

Eighth Amendment Rights of Homeless Individuals

Kameron Bechler, MD
Fellow in Forensic Psychiatry

Gregory B. Leong, MD
Adjunct Clinical Professor of Psychiatry (voluntary)
USC Institute of Psychiatry, Law, and Behavioral Science

Department of Psychiatry and the Behavioral Sciences
University of Southern California
Los Angeles, California

Involuntarily Homeless Individuals Not Protected Under Cruel and Unusual Punishments Clause

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In *City of Grants Pass v. Johnson,* 144 S. Ct. 2202 (2024), the U.S. Supreme Court rejected claims that enforcement of local ordinances prohibiting camping in public places, which could result in fines and incarceration, were a violation of the Eighth Amendment's Cruel and Unusual Punishments Clause.

Facts of the Case

A class action suit was filed against Grants Pass, Oregon, alleging that five local ordinances were implemented to criminalize homelessness and were unconstitutional under the Eighth and Fourteenth Amendments. The ordinances involved prohibition of sleeping and camping on public property, public park exclusion orders following specific violations, and the possibility of criminal trespassing charges. Penalties ranged from fines up to $295 to incarceration for 30 days.

The original complaint was filed six weeks after the decision was issued in *Martin v. City of Boise,* 92F.3d 584 (9th Cir. 2019). In *Martin*, the Ninth Circuit Court of Appeals held that charging a homeless individual for the crime of sleeping in a public place, when no other sleeping space is otherwise "practically available," would be a violation of the Eighth Amendment's Cruel and Unusual Punishments Clause. The holding was based on the U.S. Supreme Court's ruling in *Robinson* v. *California,* 370 U.S. 660 (1962), which stated that an individual's status alone cannot be criminalized.

Central to this case and *Martin* was the concept of "involuntary homelessness." This term was applied when the total population of homeless individuals exceeded the number of "practically available" shelter beds in a defined municipality. The specifier "practically available" was not clearly defined but determined to be afffected by "restrictions based on gender, age, income, sexuality, religious practice, curfews that conflict with employment obligations, and time limits on stays" (*City of Grants Pass*, p 2231). But a precise definition was inconsequential, as point-in-time counts of homeless individuals in Boise, Idaho and Grants Pass at the time of the initial complaints far exceeded the total number of shelter beds, regardless of practicality.

The district court in *City of Grants Pass* largely ruled in favor of the plaintiffs, citing violations of both the Eighth and Fourteenth Amendments and subsequently enjoined Grants Pass from enforcing the ordinances in question. The holding was narrow and included a provision allowing Grants Pass to limit public camping or sleeping in specific places at specified times. On appeal, the Ninth Circuit Court of Appeals held that the ordinances were a violation of the Eighth Amendment's Cruel and Unusual Punishments Clause, consistent with *Martin*. The Ninth Circuit further narrowed the injunction to ordinances banning camping on public property as applied only to "involuntarily homeless" individuals. Grants Pass filed a writ of *certiorari*.

Ruling and Reasoning

The U.S. Supreme Court granted *certiorari*. In a six to three decision, the Court reversed the Ninth Circuit's holding that the Eighth Amendment applied to the enforcement of Grants Pass ordinances banning camping in public places. The Court's legal reasoning began with a criticism of such an application of the Eighth Amendment, then proceeded to discuss the relevance of *Robinson*, and concluded by rejecting the use of *Robinson* based on the holding of the U.S. Supreme Court case *Powell v. Texas,* 392 U.S. 514 (1968). In addition, the Court addressed concerns related to enforcement and future litigation that may have arisen if the Ninth Circuit holdings were maintained.

The Court stated that, although many aspects of the Constitution limit what can be criminalized by