

**Statement from Stephen Bright, Counsel of Record for James McWilliams,
in re: Today's SCOTUS Ruling (*McWilliams v. Dunn*)**

*The United States Supreme Court held today in *McWilliams v. Dunn* that James McWilliams was denied his right to a mental health expert to assist the defense at his 1986 capital trial in Alabama. McWilliams was evaluated by state doctors but was denied an independent expert to assist in the evaluation, preparation, and presentation of the defense. The following is a brief statement from Stephen Bright, counsel for McWilliams:*

"Today's decision is about fairness. The adversarial process cannot function properly if the prosecution can retain mental health experts, but the defense is not even allowed to consult with an expert. There is great reliance on experts in many areas of the law. A mental health expert who can assist in the evaluation, preparation, and presentation of the defense is indispensable in a case where the defendant's mental health is a significant issue, as it was in this case. As the Court recognized, Alabama's provision of mental health assistance fell dramatically short of what the Constitution requires.

"James McWilliams could not have a fair trial without a mental health expert to assess his brain damage and other mental impairments and to help his counsel present that information to the sentencing court. He was denied such assistance.

"The trial judge who sentenced McWilliams to death found no mitigating circumstances even though McWilliams had serious mental health issues. The judge could not have made that finding if McWilliams's attorneys had a mental health expert to assist them in presenting the mitigating circumstances regarding mental health."

– Stephen Bright, Counsel of Record for Petitioner James McWilliams and President and Senior Counsel, Southern Center for Human Rights

– June 19, 2017

Today's opinion in *McWilliams v. Dunn* is available
here: https://www.supremecourt.gov/opinions/16pdf/16-5294_h3dj.pdf