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Special Edition: Recent Cases in Law & Neuroscience

This special edition of the CLBB News is part of an ongoing Center for Law Brain & Behavior series tracking the latest law and neuroscience cases. Click here to see previous posts about recent cases. To see updates on legal scholarship, see the Neurolaw News, hosted by the MacArthur Foundation Research Network on Law and Neuroscience. This project is made possible through support of the Dana Foundation.

Follow this link to read each of the cases in more detail.

**California Court of Appeals Affirms Life Without Parole Sentence for Young Adult Offender**

On January 29, 2021, a California court of appeals affirmed Eric Scott Joseph’s sentence to life without the possibility of parole and denied his petition for a youth offender parole hearing. He had been convicted of first-degree murder in 1986, at the age of 20, and argued that he was similarly situated to young adults serving non-LWOP sentences and to all juvenile offenders given current knowledge of brain development.

**Court of Appeals of Ohio Reverses Death Sentence for Man with Intellectual Disability**

In April 2019, an Ohio Court of Appeals reversed a lower court’s denial of death row inmate Andre R. Williams’ petition for post-conviction relief based on intellectual disability and remanded the matter for further proceedings. Williams had been convicted and sentenced to death for aggravated murder, aggravated burglary, robbery, and attempted rape. He appealed his sentence, arguing that the death penalty was "cruel and unusual punishment based on his intellectual disability."

**Compassionate Release Denied for Defendant with Neurological Deficits from Brain Tumor**

On March 5, 2021, the U.S. District Court for the Eastern District of Michigan denied Scott David McQuarrie’s motion for compassionate release. McQuarrie had argued that his brain tumor caused serious functional and cognitive impairments that diminished his ability to care for himself while in custody. The court held that McQuarrie’s "ongoing neurological deficits were not sufficiently 'extraordinary and compelling' to justify immediate compassionate release."
Oregon District Court Denies Habeas Corpus for Man Arguing that Neurological Deficits Impaired his Judgement

On December 21, 2020, an Oregon District Court recommended denial of Justin Metschan-Baertlein’s habeas corpus petition after prosecution scheduled a retrial following a mistrial due to a deadlocked jury. In 2019, Metschan-Baertlein was charged with online corruption of a minor; luring a minor; and attempted rape after being apprehended through a sting operation in which the Washington County Sheriff’s Office posed as a minor online and arranged to meet suspects. He argued that he had been entrapped and lacked intent and at trial, a neuropsychologist testified that he had a neurological condition that impaired his perception of risk and social cues.

Florida Court of Appeals Reverses Life Sentence for 16-year-old Defendant, Citing Expert Opinion on Adolescent Brain Science

In January 2021, a Florida court of appeals reversed and remanded the 2008 conviction of 16 year old Daryl Tindall for kidnapping and sexual battery of young victims. The original sentencing judge disregarded expert testimony which concluded that he did not have a diagnosable sexual disorder, antisocial personality disorder, or any antisocial traits or sexually deviant behaviors and decided the case based on "unsupported opinions".

Illinois Appellate Court Reverses 50-Year Sentence for Defendant Age 16 at Time of His Offense

On September 3, 2020, an Illinois Appellate Court reversed and remanded the sentence of Darron Jackson, who was 16 years old when he was tried as an adult and convicted of first-degree murder. The 50 year sentence was reversed based on precedent set in People v. Buffer (2019) that any sentence over 40 years for a juvenile constitutes a de facto life sentence and is therefore impermissible.