

Capital

[*Hurst v. Florida*](#), 577 U.S. ____ (Jan. 12, 2016). The Court held Florida’s capital sentencing scheme unconstitutional. In this case, after a jury convicted the defendant of murder, a penalty-phase jury recommended that the judge impose a death sentence. Notwithstanding this recommendation, Florida law required the judge to hold a separate hearing and determine whether sufficient aggravating circumstances existed to justify imposing the death penalty. The judge so found and sentenced the defendant to death. After the defendant’s conviction and sentence was affirmed by the Florida Supreme Court, the defendant sought review by the US Supreme Court. That Court granted certiorari to resolve whether Florida’s capital sentencing scheme violates the Sixth Amendment in light of *Ring*. Holding that it does, the Court stated: “The Sixth Amendment requires a jury, not a judge, to find each fact necessary to impose a sentence of death. A jury’s mere recommendation is not enough.”