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Fourth Circuit Court of Appeals

(Note: You may access the court's opinion by clicking on the case name)

Court Holds That Government Failed to Prove That Involuntary Medication Was Substantially Likely to Restore Federal Criminal Defendant's Competency to Stand Trial

[United States v. Watson](#), ___ F.3d ___, 2015 WL 4385697 (4th Cir. 2015). The defendant was charged in federal district court with offenses resulting from firing a handgun at a Coast Guard helicopter. He was found to be incompetent to stand trial based on a diagnosis of delusional disorder, persecutory type. After he refused to take antipsychotic medicine to make himself competent, the district court granted the government's motion that he be medicated by force. The fourth circuit reversed. The court held that the government failed to meet its burden of proving by clear and convincing evidence that involuntary medication was substantially likely to restore the defendant's competency, as set out in *Sell v. United States*, 539 U.S. 166 (2003). The court reviewed the conflicting testimony of the government's and defendant's mental health experts. The court held that the district court clearly erred in finding that government had met its burden of proof. It also concluded that on the record before it the government cannot meet that burden; thus it simply reversed the district court and did not remand for additional findings on this issue.