

The Use and Effectiveness of the Insanity Plea by Serial Killers Jana L. Moberg & Michael G. Aamodt Radford University



1. Abstract

Over the past 15 years, we have gathered information about serial killers. The result of this effort is the Radford Serial Killer Database, a database containing information on 1,737 serial killers worldwide. Our goal is to use this dataset to provide empirical answers to questions regarding serial murder. This poster presents the answers to three of those questions:

- (1) With what frequency do serial killers plead Not Guilty by Reason of Insanity?
- (2) How successful are these pleas?
- (3) How do these frequencies and success rates compare to those found in other types of crimes?

2. Developing the Database

- ▶ Find information about individual serial killers
 - Prison records
 - Trial transcripts
 - True crime books
 - Media reports
 - Internet sources
- ▶ Use multiple sources to verify information
- Develop Radford Serial Killer Database
 - 15 years of data collection
 - Information on 1,737 serial killers
 - Demographics and life history
 - Details about the crime
 - Sentencing details
- Develop serial killer profile and subtypes
- Determine if victim and crime scene info provide insight into serial killer demographics

3. Definition of Insanity

- "Insanity" is a legal rather than a psychological term.
- For a person to be found not guilty by reason of insanity (NGRI), they must be found to have a mental disease or defect, and as a result of that defect, demonstrate one of the following (varies by state):
 - They didn't know what they were doing
 - They didn't know what they were doing was wrong
 - They were unable to control their behavior
- ► There are Four Common Insanity Standards
 - McNaughten Rule
 - There is an interesting story regarding the spelling of Daniel McNaughten's name
 - New Hampshire Rule
 - American Law Institute
 - Insanity Defense Reform Act (1984)
 - -Used for federal cases
 - Eliminated volitional aspect
 - -Prohibited experts from giving opinions on defendant's sanity
 - -Placed the burden of proof on the defendant

	McNaughten	New Hampshire	ALI	IDRA
Mental disease	~	~	~	~
Act was a product of mental disease		\checkmark		
Did not know what he was doing	~			~
Did not know what he was doing was wrong	~		~	~
Unable to control behavior			~	

4. Frequency of Insanity

- ▶ Information on use of NGRI plea available for
 - 474 serial killers in the United States
 - 85 plead NGRI
 - 15 were successful
 - 201 serial killers in other countries
 - 26 plead NRGI
 - 7 were successful

	U.S.	International
Serial Killers		
% pleading NGRI	17.6%	12.9%
% found NGRI	16.5%	26.9%
Other Criminals		
% pleading NGRI	1%	
% found NGRI	25%	

- Conclusion
 - Serial killers more likely to plead NGRI
 - Serial killers less likely to be successful
- Future Analysis
 - Continue to gather data
 - Percentages likely to change (lower) as more data are collected
 - Compare individual countries

U.S. Serial Killers Found NGRI			
Herbert Arnold	Anthony Santo		
Charles Bischoff	Della Sorenson		
John Casablanca	Erno Soto		
Edward Gein	James Swann		
Janice Lou Gibbs	Gloria Tannenbaum		
William Hanson	Jane Toppin		
Steven Hurd	Nathan Trupp		
Fredrick Mors			