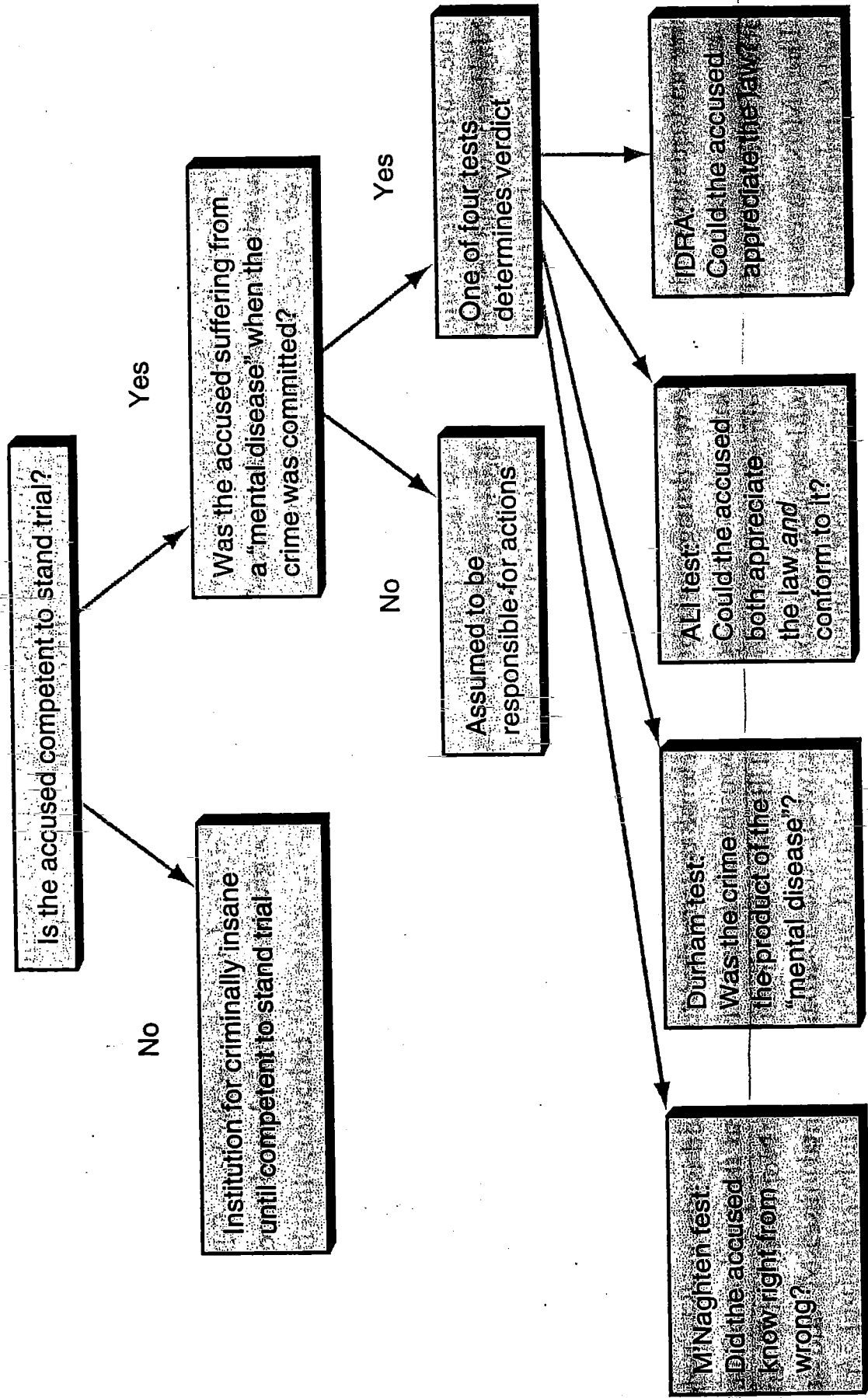


# QUESTIONS IN AN INSANITY-DEFENSE TRIAL

There are four standards that determine if an insanity defense can be used. The M'Naghten, Durham, and ALI (American Law Institute) tests are used by different states; IDRA (the Insanity Defense Reform Act) is the current federal standard and is being advocated by many as the standard for the states.



## CONCEPT REVIEW

### Insanity Defense Rules

Five rules have been used for determining whether an individual was insane at the time he or she committed the crime and therefore whether he or she should not be held responsible for the crime.

#### Rule

#### The Individual Is Not Held Responsible for a Crime If . . .

M'Naghten rule

At the time of the crime, the individual was so affected by a disease of the mind that he or she did not know the nature of the act he or she was committing or did not know it was wrong.

Irresistible impulse rule

At the time of the crime, the individual was driven by an irresistible impulse to perform the act or had a diminished capacity to resist performing the act.

Durham rule

The crime was a product of a mental disease or defect.

ALI rule

At the time of the crime, as a result of a mental disease or defect, the person lacked substantial capacity either to appreciate the criminality (wrongfulness) of the act or to conform his or her conduct to the law.

American Psychiatric Association definition of insanity (IDRA)

At the time of the crime, as a result of mental retardation, the person was unable to appreciate the wrongfulness of his or her conduct.