History of Insanity Defense

- Basic Concept: free will
- Mc'Naghten Case (1840's) emphasizes cognitive understanding
- "Irresistable Impulse" rule volitional control standard
- Durham vs. United States: "product" of mental disease or defect (1954); also known as the "but for" test
- American Law Institute Model Penal Code: cognition (appreciation) vs. volition (control)
- 1984 Congress: wrongfulness appreciation
- VERY rare defense (<<1%, and of that, rarely successful)

Guide Book Definition Of Insanity Defense

K Morrison

Guide Book Definition Of Insanity Defense:

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