

[Transcript] Crime Junkie / PRECEDENT: Daniel M'Naghten

Hi Crime Junkies, it's Britt.

You all know Ashley and I have been friends literally since birth.

So when I listened to the Park Predators episode titled, The Friends, I couldn't help but get invested.

In 2019, two friends were found dead in a Midwest Park, but before loved ones could even start to wrap their heads around what may have happened, the FBI labels the deaths an incident, leaving everyone to wonder what happened and why.

Were the friends targeted?

This case has so few clues, but as someone who is all about the details which can be seen in my many spreadsheets, I'm still caught up in the little evidence there is.

This case has me putting my Crime Junkies skills to the test and I know it'll have you spiraling too.

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Hi crime junkies, I'm your host Ashley Flowers and I'm back on this Labor Day Monday with your eighth out of 10 bonus precedent episodes.

Now in this episode, I'll be discussing something that every one of us has probably heard about or at least seen on television or in the movies.

It's a common defense strategy, one that we see in cases where a person is accused of a particularly gruesome or disturbing crime, most often murder.

People like Andrea Yates, the Houston mother who in 2001 drowned her five young children in a bathtub and Ed Gein who murdered two women in Wisconsin and used the skulls, skin and body parts of eight others to make clothing, masks and even a chair.

Others like Ted Bundy, Jeffrey Dahmer and John Wayne Gacy attempted the defense and were denied.

But all of them claimed that they were not guilty by reason of insanity, but what does

that mean?

Who decides?

And what are we measuring these claims against?

Well, that measuring stick can be tracked all the way back to 1843 and we are still using that same reference point almost 200 years later.

Before there was not guilty by reason of insanity, there was Daniel McNaughton.

This is his story.

On the cold morning of January 20, 1843, a man named Edward Drummond was walking from his apartment on Downing Street in Whitehall Gardens, London to his boss's office a few blocks away.

Edward was a close personal friend and associate of England's Prime Minister at the time, a man by the name of Sir Robert Peel.

The two men both lived and worked near the Palace of Whitehall and would constantly be walking back and forth between government buildings or to a local cafe.

On this particular morning, just as Ed was leaving the Prime Minister's quarters at 10 Downing Street to grab a cup of coffee, a stranger came up behind him on the sidewalk and fired a pistol point blank right into his back.

Immediately after the first shot went off, the attacker pulled out a second pistol from his coat jacket and pointed it at Edward.

But before the gunman could fire off another bullet, a nearby police officer who witnessed the first gunshot ran across the street and tackled the assailant.

In the officer's tussle with the suspect, a second shot rang out, but thankfully that bullet didn't hit anyone.

Within minutes, the gunslinger was subdued and identified as 30-year-old Daniel McNaughton of Glasgow, Scotland.

He was arrested for attempted murder, but that charge would soon change.

Because even though Edward Drummond had walked away from the shooting, upright and coherent, the bullet had been removed from his body and he seemed to be doing well, he actually died five days later from his injuries.

In their investigation, police found plenty of evidence against Daniel.

Bullets and ammunition for his pistols in his pockets and in the room that he'd been renting in a boarding house on Downing Street.

Not to mention, several eyewitnesses to the crime itself.

There was no disputing the who, what, when and where of this case.

The question was, why?

Why did a stranger gun down a prominent public servant in cold blood?

Perhaps to answer that, you need to know more about Daniel.

According to court archives from OldBailey.com, Daniel McNaughton grew up in Glasgow, Scotland and was raised in extreme poverty by a single mother.

She died when Daniel was still a young boy and he went to live with his father.

This was Scotland in the early 1800s and the idea of two people conceiving a child out of wedlock, it turned heads.

Daniel's father had by this time married and had several other children and Daniel's stepmother wasn't shy about the fact that she didn't want Daniel around.

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Daniel's father was a well-known businessman and in his early teens, Daniel began working in the family woodcutting business, beginning as an apprentice and over time becoming quite skilled in the craft.

He became such a successful contributor to the operation that by the time he was a young adult, he was in prime position to become a partner in the company.

Daniel's stepmother, though, she did not want this.

She wanted her children, the ones she and Daniel's father had together to inherit the bulk of the company's success.

So she devised a plan to strip Daniel the opportunity to ever become partner in the family business.

Co-workers testified that by the time he turned 19, Daniel had sort of given up on his dream of inheriting the family's woodcutting company and instead focused his energy on pursuing his other passion, theatre performance.

He took night classes and held roles in local stage productions, but after a few years his money dried up and so did any prospects of a successful acting career.

But Daniel was smart and skilled.

In 1835, he started his own woodturning business and according to an article by John Thomas Dalby published in the American Journal of Forensic Psychiatry, by being pretty frugal with his money he was able to save quite a bit.

He sold his company in December 1840 when he was about 27 years old.

Now not much is known about the next two years other than he spent the time in both Glasgow and London and traveled to France.

But according to news accounts, by the fall of 1842 Daniel booked a steamship ticket from Glasgow to London and checked into a boarding house, planning to stay for 16 weeks.

While living temporarily in his small room, he would get out during the daytime and spend his afternoons exploring the gardens of Whitehall Palace and checking out businesses on Downing Street.

In particular, he spent a lot of time watching the United Kingdom's headquarters and the residents of Prime Minister Sir Robert Peel at 10 Downing Street.

According to the archival trial report from England's Central Criminal Court, in the days leading up to Edward's shooting, soldiers with the Royal Guard and local police had noticed a man watching people go in and out of the Prime Minister's office building.

In some accounts, guards actually spoke to Daniel and asked him what he was doing there. Sometimes he just refused to answer and scurried away.

But John Thomas Dalby wrote that other times Daniel would just say that he was waiting for a gentleman.

Apparently he became such a fixture in Whitehall in the weeks before the shooting that people assumed he was a plainclothes police officer.

According to an article for Casebrief.com, after police in England arrested Daniel, he straight up told them he'd traveled to London from Scotland to murder Prime Minister Peel.

And not because he disagreed with the man's politics, but because he believed that the Prime Minister and his crew, as Daniel referred to them, was trying to kill him, like personally see to it that Daniel was murdered.

So in Daniel's mind, he had to shoot and kill Peel in order to save his own life.

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But, as you might know, he didn't kill the Prime Minister.

He killed a secretary to the Prime Minister instead, mistaking Edward Drummond for Sir Robert Peel and murdering the wrong man.

Archival trial transcripts state that Edward and Robert were the same exact height.

Their jobs required them to keep the same schedules and routines around the office, so they were often mistaken for one another.

Three months later in March, Daniel's trial got underway, and his defense lawyer, a man named Alexander Coburn, explained to the royal court that Daniel had no doubt committed murder.

But Alexander claimed that Daniel was insane at the time of the shooting and did not comprehend what he was doing as an actual crime.

Coburn argued that Daniel truly believed in his mind that killing who he thought was Sir Robert Peel was an act of self-defense.

Therefore, Daniel should not be responsible for or answer to the laws of England for the offense.

Now today, we'd hear an argument like this wrapped around a medical diagnosis, maybe paranoid schizophrenia, bipolar disorder, even postpartum or drug-induced psychosis.

But in 19th century England, Daniel was described as having, quote, an ill-regulated mind. End quote.

The defense called medical experts to the stand who testified that Daniel did in fact suffer from psychotic episodes and was battling mental illness as a result of his traumatic childhood and the stress of running a business at the time in Scotland.

Prosecutors, as you can imagine, vehemently contested this claim and said that Daniel definitely knew that murdering anyone was in fact a crime, but in particular that pulling a pistol behind a man's back on a sidewalk couldn't possibly be called self-defense.

According to Scott Caron's reporting for casebriefs.com, the experts who testified in Daniel's defense said that he was obsessed with delusions and suffered from acute insanity.

In his interrogation right after shooting Edward Drummond, Daniel said, quote, the Tories in my native city have compelled me to do this.

They followed me to France, into Scotland, and all over England.

They follow and persecute me wherever I go and have accused me of crimes of which I am not guilty.

They do everything in their power to harass and persecute me.

In fact, they wish to murder me, end quote.

Reports at the time indicate that Daniel was a member of a political reform group in Britain called Charism, which was made up of mostly working-class men who wanted extreme political reform in the United Kingdom.

I say extreme political reform, but their demands almost seemed like table stakes by today's North American standards.

At the time, only about 5% of the population had the right to vote.

Members of parliament had to own land and weren't paid a salary, which means the only people who could afford to hold office were those who had enough money to support themselves without a job.

Chartis wanted a government that was more reflective of the people, one that was elected

fairly with more candidates on the ballot and more voters to elect them.

Over time, for Daniel, these beliefs gave way to delusions.

Delusions that the English government and authorities within the Catholic and Jewish churches were conspiring against him because of his radical political beliefs.

And I don't think it's a coincidence that these delusions took hold during Daniel's mid-twenties.

During a time, we now know the signs of mental illness can first begin to show.

Our understanding of mental illness has grown dramatically since the 1800s, but back then research and medicine was still evolving.

Even today, psychosis is difficult to understand, even if you've experienced hallucinations and delusions yourself or been close to someone who has.

The idea that Daniel was delusional when he committed the crimes wasn't universally supported.

People saw his insanity defense as a convenient excuse for his behavior, a way to escape the gallows.

But the prosecution didn't contest that.

The argument in court had nothing to do with whether or not Daniel was experiencing delusions.

Both sides agreed he was.

The question for jurors was, did Daniel know right from wrong when he took another man's life?

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I love using HelloFresh to make sure delicious home-cooked meals are on the table day in and day out.

We just got a box this week and I'm so excited about our meals.

We got a delicious Southwestern mac and cheese that we've gotten before and it was incredible.

As well as a couple of new meals I can't wait to try.

Tonight is spicy Peruvian chicken with loaded rice and it looks amazing.

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For the two years prior to the murder of Edward Drummond, Daniel repeatedly told those around him that he was being followed, that people were spying on him, were following him and were out to get him.

He told his father and begged him to take the matter to authorities.

His father tried to convince Daniel that he was mistaken, but as the weeks passed, the claims only got more detailed.

First, it was just spies or crews, but soon Daniel was naming groups and individuals.

Sometimes it was members of the community in Glasgow.

Other times it was priests at a local Catholic church.

Eventually, it was Prime Minister Peel and his party, the Tories.

According to trial transcripts, about 18 months before the shooting in London, Daniel called his local police commissioner in Scotland saying he needed protection against the Tories who were trying to kill him.

At the time, the officer pretty much ignored Daniel's request and wrote him off as unhinged, but that same officer's testimony in court had a huge impact on jurors.

It showed just how real Daniel's delusions were to him, real enough to warrant a call to police asking for help.

And the delusions weren't new either.

Daniel had been living inside this reality for more than a year and a half by the time he pulled the trigger that killed Edward Drummond.

The only medical experts who testified at trial were called by the defense.

There were several, and they all said the same thing.

Daniel wasn't in his right mind and couldn't have made a rational decision about killing another person.

And ultimately, the jury agreed.

They found Daniel McNaughton not guilty by reason of insanity.

The jury determined that because of his delusions, Daniel was not capable of exercising control over his actions at the time of the murder.

His condition also blinded him to the fact that Edward Drummond was not Sir Robert Peel, and the fact that Daniel mistook the identity of his target was just another symptom of his psychosis.

So Daniel did avoid the gallows.

He avoided prison time, too.

Instead, he was sentenced to 20 years at Bethlehem Royal Hospital in England.

After his acquittal, the people in England, including Queen Victoria herself, were super upset by the jury's verdict and pressured the House of Lords in British Parliament to create a stricter definition of criminal insanity.

Over time, the Lords of Justice of the Queen's Bench within Parliament agreed that the definition for criminal insanity should be tightened up a bit, and they came up with the following findings.

First, every man is presumed to be sane and to possess a sufficient degree of reason to be responsible for his crimes until the contrary is proven.

And second, to establish a defense on the grounds of insanity, it must be clearly proven that at the time of committing an act, the party accused was laboring under such a deficit of reason from disease of mind that they didn't know the nature and quality of the act he or she was doing, or, if he or she did know it, that he or she did not know that what they were doing was wrong.

To put that in other terms, the defense has to prove a person was not in their right mind. It isn't a given.

Once that happens, the court has to decide on one of two things about the defendant. Whether or not the defendant knew the nature of the act they were committing was a crime, or their mental state did not allow them to understand the difference between right and wrong at the time they committed a crime.

It doesn't have to be both of those things.

In order to be declared legally insane under the M'Naghten rule, a defendant must meet one of these two criteria.

They either were not mentally capable of knowing the criminal nature of the act they were committing,

or they could not differentiate between right and wrong.

In Daniel's case, the court said that his delusions prevented him from understanding that shooting a person he thought was Sir Robert Peel was not self-defense.

In Daniel's mind, he believed he was defending himself against agents of conspiracy. He was delusional and incapable of seeing that he was committing a crime.

At least, that's how the court ruled.

Defendants like Daniel, who are found not guilty by reason of insanity, are sentenced to years of psychiatric treatment rather than prison time.

According to Cornell Law School, the M'Naghten rule is the standard test for insanity in the United States and the United Kingdom.

The Journal of the American Academy of Psychiatry and Law reports that the first documented case of the insanity defense used in the United States was in 1846, just three years after Daniel M'Naghten's trial.

In that case, a man named William Freeman stabbed to death four members of the wealthy Van Ness family inside their farmhouse in Auburn, New York.

William was black and all of the victims were white, including a two-year-old boy, which immediately ratcheted up public outrage about the crime.

At trial, the defense claimed William had endured years of psychological abuse and suffered

multiple severe head injuries.

His lawyer said that from a young age, William had been imprisoned multiple times for stealing horses and while there was forced to do hard labor.

For years, he suffered severe punishment at the hands of prison wardens and was even struck on the head multiple times with a wooden board to the point that he became deaf. Ever since, his lawyer argued William, quote, existed in a state of mental confusion, end quote.

Right before the Van Ness murders, William had been released from prison and rambled on and on about how his imprisonment and treatment was wrongful.

He at one point told his brother-in-law, quote, someone had to pay.

After a lot of back and forth between medical and legal experts, the court determined that William was mentally impaired but still competent to stand trial for his crimes.

According to the Historical Society of New York, a lot of expert testimony that could have established whether William was actually insane was barred from the trial.

The jury went on to find him guilty and he was sentenced to death.

But a few months later, that verdict was reversed and the New York Supreme Court ordered a new trial for William.

Unfortunately, he died of tuberculosis in his prison cell in 1847 before he could stand trial again.

Historical Society of New York records show that William's autopsy revealed he suffered from advanced brain deterioration.

In modern times, there have been several additional legal strategies or tests for insanity that legislators have created and that courts consider, but the McNaughton Rule was the first. Some states have abandoned the McNaughton Rule altogether.

Others have gone on to implement different more narrowly defined legal tests for insanity, which include the irresistible impulse test, the Durham test, and the modal penal code test.

But according to PBS Frontline, the McNaughton Rule is still the dominant legal test for insanity in about half of U.S. states.

Since Daniel McNaughton's case became a fixture in the legal community, the rule has come under heavy criticism.

Many attorneys have argued that defendants who have met the legal definition of insanity do not always meet what they feel should be the medical criteria for insanity.

And like so many legal terms, the term insanity itself seems dated.

According to Merriam Webster Dictionary, the noun insanity is defined as, quote, extreme folly or unreasonableness, a severely distorted state of the mind usually occurring as a specific disorder, end quote.

But the legal definition is different.

The law defines insanity as, quote, unsoundness of mind or lack of the ability to understand that prevents one from having the mental capacity required by law to enter into a particular relationship, status, or transaction, or that releases one from criminal or civil responsibility, end quote.

The truth is, there is no clear medical definition of insanity that can be applied to every criminal defendant in every case as a benchmark.

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According to the Encyclopedia of Clinical Psychology, experts who conduct evaluations of legal insanity face the challenging task of trying to reconstruct a defendant's thoughts and actions at the time a crime was committed.

That in and of itself is argued by many in the legal community as impossible to do.

Another criticism of the rule is that it fails to distinguish whether an individual can pose a public danger all the time or if there are some people who merely are dangerous in one isolated set of circumstances.

The question is, did a defendant have a temporary psychotic episode that resulted in a momentary insanity or are they a person who has a lifelong mental health condition?

Many people who criticize the McNaughton rule say it makes it too easy for a defendant to escape responsibility for crimes.

But that depends on which side of the coin or which side of the aisle of the courtroom you're on.

We all know that mental health is an extremely important topic and everyone, even people accused of heinous crimes like murder, are innocent in a court of law until proven guilty.

That is how our justice system in the US is supposed to work.

But we also know that, time and time again, some criminals who are not suffering from mental health illnesses use insanity as a defense to avoid harsher penalties for their crimes.

A criminal defense attorney who we consulted for this show says in many of those cases the burden of proof is not met and it is actually very rare for a defendant to be found legally insane.

The reality is, if someone is truly, legally insane, it is up to the courts or juries to determine that and to sentence the defendant appropriately.

Some defendants are Daniel McNaughton's and others are not.

For his part, Daniel served his 20 years in Bethlehem and was released in 1864, but he never did re-enter society.

Instead, he was admitted to the Broadmoor Asylum where he died the very next year, in 1865 at just 52.

The standard Daniel McNaughton created back in 1843 is still alive and well today.

When I come back next time with a bonus episode, I'm going to tell you about another legal - well, defense isn't the right word - another legal plea that's not so black and white, but very gray like we're learning so much of the legal system can be.

But I'll tell you all about that in the next precedent-setting bonus episode.

To find all the source material for this episode, you can go to our website crimejunkiepodcast.com.

Be sure to follow us on Instagram at CrimeJunkiePodcast, and we'll be back on Monday with a regularly scheduled episode.

CrimeJunkie is an audio chuck production. So, what do you think, Chuck? Do you approve?

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They just released some brand new colors, actually, so it might be time to brighten up my wardrobe

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again.

Even my husband Justin has gotten on the Viori train with the men's Sunday performance jogger and the core short, which evidently is the most comfy lined athletic short ever.

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