

# High Court Reviews Insanity-Defense Case

By Nina Totenberg  
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*This transcript from a 2006 NPR news interview investigates the "insanity-defense," a legal defense to protect people who have severe mental illnesses that may prevent them from knowing right from wrong when committing crimes. At the time of the reporting, the "insanity-defense" was up for legal review in the case of Eric Clark, a schizophrenic man who shot an officer. Once the trial was over, the Supreme Court decided to uphold the prosecution's claim that Clark knew right from wrong, so regardless of his sanity he did not qualify under Arizona's insanity defense. Clark was convicted of murder and sentenced to 25 years to life in prison. As you read this text, take notes on the arguments of each side. Where do the defendant and prosecution agree? Where do they disagree?*

- [1] The Supreme Court reviews Clark v. Arizona, a new test of the insanity defense. The parents of an Arizona man who killed a police officer want their son declared guilty but insane. The state does not want his mental state considered in court.

**STEVE INSKEEP, host:** This is Morning Edition from NPR News. I'm Steve Inskeep.

**RENEE MONTAGNE, host:** And I'm Renee Montagne. Today, the U.S. Supreme Court examines the issue of the insanity defense. It will look at the case of a young man generally considered to be mentally ill. But the state of Arizona says that shouldn't be a factor in his trial in the murder of a police officer. NPR legal affairs correspondent Nina Totenberg reports.



*"Courtroom One Gavel" by Joe Gratz is in the public domain.*

**NINA TOTENBERG reporting:** Eric Clark was a star athlete, a good student and a friendly and popular kid in Flagstaff, Arizona, until he turned 16. Over the next year and half, his increasingly desperate parents watched him deteriorate into more and more bizarre behavior. He looked like a homeless person, refused to bathe or to cut his hair, wore layers of clothes, refused to eat food unless he bought it, and could break the seal on the container.

- [5] **MS. TERRY CLARK (Mother of Defendant, Eric Clark):** He thought we were aliens.

**TOTENBERG:** Eric's mother Terry Clark.

**MS. CLARK:** When he came home from work, my husband said Eric, you know, why do you think your mother is an alien? And he said well you are one too, and if you get the tools I can prove it. And then, he just started sobbing.

**TOTENBERG:** The Clark's frantically tried to get help for their son. At one point, even considering having him arrested, in hopes it would lead to a forced institutionalization.<sup>1</sup> But they were told that unless he was a danger to himself or others, and there was no evidence of that, he could not be committed. In the early morning of June 21st, 2000, Eric sneaked into his brother's room and took the keys to the family truck, then he drove round and round one block of a Flagstaff, Arizona neighborhood with the speakers blaring loud music. Neighbors called 9-1-1 and Officer Jeff Moritz responded.

Neighbors heard gunfire; the 30-year-old officer was shot dead. He'd been on the force for four years, was the father of one child with another on the way, and was known as a caring policeman who chopped firewood for the handicapped. He was the first police officer killed in the line of duty in the city of Flagstaff.

[10] Eric Clark was apprehended almost immediately. But he did not go on trial for almost three years, because he was judged to be incompetent to stand trial. When he finally did face murder charges, his lawyers did not contest that he shot Officer Moritz, rather they sought a verdict of guilty, but insane, under Arizona law, so that he would be confined to a mental hospital instead of prison.

Defense and prosecution psychiatrists agree that Eric was a paranoid schizophrenic,<sup>2</sup> that he was psychotic<sup>3</sup> and suffering from delusions immediately before and after the crime. But the prosecution doctor said he believed Eric knew he was doing something wrong, evidenced by the fact that he ran away from police and made threatening statements about police at school. The judge ruled that under Arizona law that was enough to find him guilty. And the law did not allow consideration of his mental illness.

Eric's mother, Terry Clark.

**MS. CLARK:** In one breath, the judge said that he was suffering from schizophrenia, he was psychotic and delusional at the time of the crime, but yet, he knew what he was doing. Those two thoughts that you're psychotic and delusional but you know what you're doing, don't even fit together in the same sentence.

**TOTENBERG:** Mrs. Clark, a registered nurse, finds the logic of the Arizona law impossible to accept.

[15] **MS. CLARK:** If you want to believe that somebody in a psychotic frenzy knows what they're doing, you know, there's nothing that I can say that will change your mind. But I can tell you that my son was so psychotic, at the time of his arrest, that he believed that Flagstaff was inhabited by 50,000 aliens and they were all out to get him.

**TOTENBERG:** Arizona Attorney General<sup>4</sup> Terry Goddard defends the state law and the verdict.

**ATTORNEY GENERAL GODDARD (Arizona):** He clearly baited the officer into coming into the fatal situation and then he ran from the police when he was pursued.

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1. They were hoping if Eric was arrested, the police would recognize his mental illness and send him to a mental institution to be treated, even if Eric did not volunteer to go.
  2. Schizophrenia is a serious mental illness where patients suffer delusions and see things that aren't there.
  3. **Psychotic (adjective):** suffering from severe mental illness, out of one's mind
  4. An Attorney General is the main legal advisor to a government, and in some cases they may also have executive responsibility for law enforcement, prosecutions or even responsibility for legal affairs generally.

**TOTENBERG:** If he thought that he was killing an alien, is that really understanding right from wrong?

**GODDARD:** It is a—it is a difficult question, but our law does not allow diminished capacity to be a defense to a charge of murder.

[20] **TOTENBERG:** Goddard concedes that this case is a double tragedy, as he puts it.

**GODDARD:** The judge was still convinced that there was some glimmer, albeit, perhaps, a small one, that he had the knowledge that he'd done something wrong.

**TOTENBERG:** As a legal matter, the question in today's case boils down to this: does the Constitution's guarantee of due process of law<sup>5</sup> require a state to consider mental illness when assessing whether a defendant has the intent necessary to be guilty of a crime? Or, as the state contends, is this a matter that should continue to be left in the hands of the states to decide on their own?

In the quarter-century since the attempted assassination of President Reagan, by a man later judged to be not guilty by reason of insanity, the laws providing an insanity defense had been tightened everywhere. And four states do not provide any insanity defense at all. Depending on how the Supreme Court rules, some of the nation's most restrictive laws could be in jeopardy.<sup>6</sup>

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5. "Due process of law" is a constitutional right to a fair trial if you commit a crime.

6. **Jeopardy** (*noun*): danger; risk

## Text-Dependent Questions

**Directions:** For the following questions, choose the best answer or respond in complete sentences.

1. PART A: Which TWO of the following best identify the central ideas of this text?
  - A. The nature of truth
  - B. Justice and fair trial
  - C. Growing up
  - D. Mental illness and its relationship to crime
  - E. How people face death
  - F. Physical health and its relationship to violence
  
2. PART B: Which TWO phrases from the text best support the answers to Part A?
  - A. "Eric Clark was a star athlete, a good student and a friendly and popular kid in Flagstaff, Arizona, until he turned 16" (Paragraph 4)
  - B. "Neighbors heard gunfire; the 30-year-old officer was shot dead." (Paragraph 9)
  - C. "If he thought that he was killing an alien, is that really understanding right from wrong?" (Paragraph 18)
  - D. "Goddard concedes that this case is a double tragedy, as he puts it" (Paragraph 20)
  - E. "does the constitution's guarantee of due process of law require a state to consider mental illness" (Paragraph 22)
  - F. "In the quarter-century since the attempted assassination of President Reagan" (Paragraph 23)
  
3. PART A: What does the phrase "diminished capacity" most closely refer to as it is used in paragraph 19?
  - A. Obliviousness or temporary confusion
  - B. Low intellectual ability or stupidity
  - C. Mental instability or delusion
  - D. Innocence until proven guilty
  
4. PART B: Which phrase from the text best supports the answer to Part A?
  - A. "then he ran from the police" (Paragraph 17)
  - B. "he thought that he was killing an alien" (Paragraph 18)
  - C. "to be a defense to a charge of murder" (Paragraph 19)
  - D. "Goddard concedes that this case is a double tragedy, as he puts it" (Paragraph 20)

5. Explain what the prosecution and defense agree on and where the tension between them emerges. Why might the results of this case mean that “some of the nation’s most restrictive laws could be in jeopardy” (Paragraph 23)? Cite evidence from the text in your response.

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