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The Value of Life: Female Killers & the Feminine Mystique

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Abstract

This paper presents a case study of two drastically different personas of female murderers, Aileen Wuornos and Andrea Yates. It explores the striking ideas presented in Berrington and Honkatukia's (2002) comparison of the trials of notorious female murderers. Using their distinction of the "mad" or "bad" media portrayal of the female offender, the current paper examines this unique dichotomy as it exists in America. By focusing on Labeling, Anomie, and Chivalry theories, this work offers social critiques as to why the media chose to depict Wuornos and Yates in markedly different lights. America's seemingly "blind" criminal justice system is challenged by the noticeably disparate sentences received for equally heinous crimes.

Introduction

Throughout history, female murderers have been considered a rare and unique breed of criminal. While male serial killers have been more numerous, the few high-profile female killers have made it clear that the media and public view these women extremely differently than their male counterparts. Research suggests that this discrepancy could be based on the cultural norms surrounding the view of women as inherently nurturing and feminine (Arrigo & Griffin, 2004:172). Indeed the majority of crimes that women commit can be characterized as feminine in that they surround common womanly activities such as writing fraudulent checks or shoplifting. The type of crime is not the only hindrance to the female offender, their personal appearance is another aspect that is judged and critiqued. It has been concluded that gender images affect beliefs about which female offenders are deserving (or not) of leniency (Farr, 2000:50). When the crimes are especially heinous and against perceived female norms, the court system, media, and public come down exceedingly hard on these unnatural and doubly deviant criminals.

These rare and newsworthy cases of violent women are used by the media to play upon the emotions of the public. As soon as the crime is committed, the media immediately acts on the public's sense of anomie (confused state of mind) and classifies the female murderer as either mad or bad. A mad portrayal in the media focuses on the state of mind of the criminal rather than her actions. This creates a feeling of sadness in the public associated with the helpless and insane view of the female. This woman is given the benefit of the doubt and her past experiences are highlighted. While her actions are frowned upon, her state of mind is pitied more readily than that of the bad woman. When the media portrays a woman as bad, the coverage is often exceptionally harsh. This woman is deemed to be evil. Her actions were the opposite of what is expected of her as a female and she must be a manipulative and evil person. This type of female killer is devoid of excuses in the eyes of the media and she deserves punishment to the fullest extent of the law (Berrington & Honkatukia, 2002:50).

Media coverage is very influential throughout the trial of an offender. This influence is magnified in the trials of female killers in that this classification can be the difference between death and a life sentence in prison, as referenced by Labeling theory. In extreme cases, the woman can be portrayed as so mad that she is sent to a treatment facility rather than to a prison (Berrington & Honkatukia, 2002:50). Media coverage and its effect on the trials of female offenders emphasize the differential treatment these criminals receive when compared to men. Sexual influences and stereotypes find their way from the media and public into the trials of these criminals and oftentimes affect sentencing outcomes. In this way, sex-role stereotyping prevails over context-specific reasoning in the criminal justice system (Horne, 2003:3). The application of justice for women is thus skewed. This paper will focus primarily on Chivalry, Labeling, and Anomie sociological theories and apply them to influential female killers and their cases. Through the content analyses of news stories pertaining to the trials of Aileen Wuornos and Andrea Yates, it can be determined that the media manipulated the perceived lifestyles of these female killers, and that this portrayal affected the severity of their sentences. The outcomes attest to the notion that, even currently, all are not equal under the law.

Literature Review

Due to the rarity of serious female murderers and the difficulty in obtaining access to these offenders, sufficient literature and study of female multiple homicide is scarce. In addition to this, the application of media coverage of these crimes narrows the field of study even further. However, the female killer is an important and influential area of observance because of its social effects. Although the public believes that female crime has declined, it has been reported that over the past 20 years, there has been a significant increase in the overall rate of crime attributable to women. In 1975, women were responsible for just 16% of the crime that occurred in the United States, but by 1994, they were responsible for more than 20% of the crime (Kovnick & Warren, 1999:189). Heide and Keeney reported that the number of women arrested for homicide in 1991 was still 36% greater than the number arrested in 1965 (1994:384). Women constitute more than half of the world's population, however the public rarely hears of or simply is unaware of their serious crimes, especially that of multiple murder.

When the media and general public do learn of a woman perpetrated multiple homicide, they automatically go into a frenzy. The media and public then quickly pigeon hole the female murderer in an attempt to explain why she chose to commit this violent act. Why is this? Possible reasons could include the fact that male offenses are more frequent, are a form of socially acceptable masculinity, or that the public is more tolerant of male wrongdoings. This topic was chosen in order to shed some light on the role that media plays in the development of public opinion concerning these female killers and how this formed judgment can carry over and affect the trial itself.

Female Social Norms and Stereotypes

As difficult as it is to fully imagine, our modern society is one that is still defined by patriarchal standards. This inequality is clearly displayed in the example of the female killer. Traditionally, women are supposed to maintain a very feminine nature. They are supposed to act, dress, and present themselves in every way possible as a lady. Such gender stereotypes that can be found, even in today's time, is that a woman should be a nurturing mother, faithful to her family, and ultimately subservient to her husband. DeAnna Horne argues that when women accused of violent crime are seen as "real" women, they are acquitted or given relatively light sentences (2003:14). However when a woman's character is not presented as being weak or passive, she is frequently judged in a much harsher light. This reaction could be interpreted as society refusing to accept this type of female because she did not follow traditional social norms.

Ellen Berrington and Paivi Honkatukia (2002) undertook a thorough case study of this troubling dichotomy of feminine norms. In their research, they compared two very violent female murder cases and how the media and general public came to view the offenders. The study centered on England's "crime of the century" by Rosemary West and the trial of Sanna Sillanpaa in Finland. Both women killed several people in gruesomely aggressive methods. However, each woman was presented in a drastically different light to the general public.

The focus of West's trial was not on her crimes, but instead it was on her bisexual tendencies, her apparent manipulation, and her bizarre sense of violence. Through Britain's mass media portrayal of her, West was represented as the female face of evil and was deemed a "bad" woman. The image that the media depicted of West undermined her case of innocence and, in the end, she was found guilty of the murders. On the other hand, Sillanpaa inflicted a blood bath on several men at a local shooting club in Finland. No notable attention was drawn to this terrible crime though, as the media instead emphasized how Sillanpaa "suddenly became timid, withdrawn and 'paranoid'" (Berrington & Honkatukia, 2002:52). She ultimately began to be viewed as a poor, sick, female killer. In all essence, she was a case of the "mad" female homicide offender. Because the general public and jury saw Sillanpaa's character as being both unstable and feminine, she was not held responsible for her actions and was ordered to a mental hospital.

This apparent disparity in sentencing leniency can be attributed to several reasons. Berrington & Honkatukia (2002) explain how specific laws of the country, different social definitions of a crime, or varying cultural norms can affect sentencing leniency. However, there is evidence that the media has an impact on the trial and actual punishment outcome of such crimes. By following Berrington & Honkatukia's model of the "bad" and "mad" female killers, an explanation can be offered for the differences in the trials of modern, American female offenders Aileen Wuornos and Andrea Yates.

Aileen Wuornos

In no better case can a "bad" female offender be presented than that of the "first predatory female serial killer" (Arrigo and Griffin, 2004: 383), Aileen Wuornos. The crimes and trial of Wuornos garnered grandiose national attention and her story was even made into a motion picture, aptly entitled *Monster*. Wuornos is infamous for admitting to killing seven male "Johns" over a 12-month period from December 1989 to November 1990 during her prostitution work on the Florida highways. She was arrested and later charged with six counts of murder. Wuornos offered various

reasons for motives in killing these men. At first she explained that her killings were made in self defense as she thought the men were going to beat, rape, or even kill her. However, later her account changed and she claimed the murders were done so that she could rob the men of their money and valuable possessions. After spending twelve years on death row, Wuornos was eventually executed by lethal injection in Florida on October 9th, 2002 (Myers et al., 2005:653).

Andrea Yates

The chilling case of Andrea Yates is one in which the public became alarmingly informed about the crimes a demure and "mad" housewife can inflict. On June 20th 2001, Yates committed filicide on her five young children by drowning them in her bathtub while her husband was out of the house. She calmly and systematically went about killing her offspring. Yates chose to drown each child individually and then laid them side by side in the bedroom, under a sheet, before finally calling her husband and 911. In her defense, Yates claimed that she was suffering from postpartum depression which is characterized by symptoms felt after pregnancy that leave mothers feeling sad, anxious, afraid or confused (MedicineNet.com).

For Yates, her disorder had supposed psychotic elements that made her believe that her children were not developing correctly and that she was possessed by the devil. Through her disturbed rationale, she came to believe that it would be better for her children to be dead than to continue to have her as a mother (Messing & Heeren, 2004:146). In her original trial, a Texas jury found her guilty of first degree murder and sentenced her to life in prison with a chance of parole after forty years served. However, this sentence was eventually overturned due to an appeal. In her latest trial, she was found not guilty by reason of insanity. Yates can now be found receiving treatment in the court appointed North Texas State Hospital in Vernon, Texas.

When reviewing such disturbing and violent crimes like those of female multiple murders, social theories can be applied in order to better understand the media's role. Although there are numerous social concepts that can be used to correlate crime and public opinion, this paper will focus on three notable models that include Labeling, Anomie, and Chivalry theories.

Labeling Theory

Labeling theory (Champion, 2006: 39-40) is primarily concerned with how the self-identity and behavior of an individual is influenced or created by how that individual is categorized and described by others. This rationale of thought is often associated with the concepts of the self-fulfilling prophecy and stereotyping. Labeling theory strongly connects with the media's reporting on the female killer because of its secondary deviance aspect. Secondary deviance is the notion that if the original self-image of the criminal is weak and unstable, then this labeled person may come to accept the image that is offered by others and change their self-image as they see fit (Williams and McShane, 2004:147).

Labeling theory can be thoroughly applied to the case of Andrea Yates. In all regards, she looked to be the American stereotype of the perfect housewife. Even after she murdered her five young children, Yates clung to this notion that she was the doting wife and mother that had merely gone astray because of her depression and stress. Research on female killers has largely centered on the violence and ordeals that occur in the domestic realm. Yates' crime fits this nature and for that reason alone is already highly stereotyped. People argue that women commit violent crimes for the simple reason of breaking out of their limited social norms, and it can be seen that this may be why Yates decided to kill her children. As Rosenblatt and Greenland (1974) contend, "it is the very attempt to fulfill her culturally defined role as wife and mother in our society which is often at the source of much of her violence" (1974:180). In addition to the general public's labeling women as soft and nurturing creatures, it is difficult to believe that a housewife could commit such terrible acts, especially against her children. The fact that she was found innocent is alarming to think about but it could be explained by the reality that feminine female offenders are often viewed as less culpable than male offenders (Phillips et al., 1976:4).

On the far opposite spectrum of Labeling theory, Aileen Wuornos was viewed as a social outcast, filthy prostitute, and violent bisexual. Her case focused on her character and a strong stigma was formed against her, perhaps because she did not comfortably fit into society's accepted views of femininity. Erving Goffman, in his *Stigma and Social Identity* (1991:58), offers an explanation of the affects of a stigma, which can be readily applied to Wuornos' case:

By definition, of course, we believe the person with a stigma is not quite human. On this assumption we exercise varieties of discrimination, through which we effectively, if not unthinkingly, reduce [her] life chances. We construct a stigma-theory, an ideology to explain [her] inferiority and account for the dangers [she] represents.

With the formation of these preconceived stereotypes, Aileen Wuornos came to be viewed as an evil monster that needed to be executed so that she would never kill again. When this strong sense of labeling was leveled against her, Wuornos had little choice but to fit into this mold of a violent and possessed woman.

Anomie Theory

Another social theory that can be tied to this study in order to better understand the media's affect on the female killer is Anomie theory (Williams & McShane, 2004: 102-105). Anomie theory is characterized by an absence or diminution of standards or values in both individuals and society. The term "anomie" refers to a condition of malaise that is felt in individuals, characterized by an absence or diminution of principles. When applied to society or the general public, anomie implies social unrest or chaos. This concept can closely be tied into Labeling theory as well because when the media (and thus the public) learns of a violent female crime, they automatically enter a frenzied state. In order to deal with such a rare occurrence, society's rules automatically shut down which causes people to bring forth biased and stereotypical notions about these women. Anomie theory can explain why the media went into a lockdown mode in regard to these two cases and how quickly they were able to deem each woman either "bad" or "mad."

The deadly crimes that Aileen Wuornos committed, during her days of prostitution work, were sensationalized in the media. In recent years, no woman has come close to the large-scale murders that she performed in such a masculine fashion. Wuornos offered no apologies nor held any remorse for the deaths that she caused which is very disturbing and difficult for a patriarchal society to fully grasp. Instead of taking the necessary time to understand this woman's plight, the media and general public, in their state of normlessness and confusion, jumped to the conclusion that Wuornos was an inhuman, unfeminine monster and was handed a heavy punishment. In Berrington and Honkatukia's (2002) study, they were able to conclude: "women's treatment is often particularly harsh, serving as both example and warning. Women's violent behavior, particularly if they kill, is depicted as a threat to the stability of patriarchal and familial relations and expectations" (2002:59). A modern breakdown in society is felt and easily displayed in the Wuornos case because she was a woman that chose to commit violent acts instead of embracing her traditional feminine role in society. Thus, she suffered greatly for this choice.

Andrea Yates, on the other hand, resorted to a defense of insanity in her explanation of the filicide she committed. It was a supposed once-in-a-life mistake that took place, and her defense attorneys argued that if she would have been properly diagnosed and medicated beforehand, then this devastating event would have never taken place. Because Yates, throughout her arrest and trial remained a demure, confused, and pitied feminine creature, the media and public took the time to begin to understand the reasons why she committed this cruel crime. Women traditionally are expected to nurture and protect, not to kill, so when they transgress the law, the public views them as also crossing the taboos of gender (Berrington & Honkatukia, 2002:58) most of the time. But with the example of Yates, it can be argued that because she held on to the preconceived notions of femininity, the media was able to recover from its initial sense of anomie in order to offer a more favorable report of this female killer.

Chivalry Theory

Chivalry theory (Herzog & Oreg, 2008: 46) is a concept of thought that is strongly connected to this field of study. Chivalry theory applies the notion that the female offender is treated in a more lenient and gentle manner simply because of her sex. This theory's scope is very wide and can range from the fact that a majority of male victims or observers of female crimes often do not report the offense within the context, to the idea that there is a predominately male chain of law enforcement agents to judges who act in a "chivalrous" mode when they are sentencing women (Phillips et al., 1976:3). DeAnna Horne (2003) extensively researched the effects of Chivalry theory and how the model could be applied to better understand the sentencing of several serious female killers in our history. She came to the daunting conclusion that because our patriarchal system of criminal justice, and hence media, continues to overemphasize sex-role stereotyping over the actual facts in a female offender's case, the application of justice for everyone is ultimately skewed and disproportionate (Horne, 2003:46). The workings of Chivalry theory can clearly be seen when dissecting both Yates' and Wuornos' cases.

When Andrea Yates decided to abruptly end the lives of her five young, defenseless children, her act was deemed unthinkable. Here we had a very unique case because a young, pretty housewife had committed very brutal killings. Because Yates did not merely commit a simple, feminine crime like that of shoplifting or writing a fraudulent check, the public and media went into mass confusion. This woman had simply "crossed the line" of sex-stereotyping and had committed a grievous masculine crime of atrocious murder, thus Yates could be seen as a very evil woman. This viewpoint of her was presented during her first trial in which she was handed the heavy sentence of life in prison with the chance of parole after 40 years served. However, after some reflection and appeals, the general public and a new jury began to give Yates some greatly added leniency. Because most people are simply unable to believe that any "real" woman (typical version of the housewife included) is capable of such a horrible and violent act, they do give them a lighter sentence. The generous Appeal sentence that Yates received in 2006 can be explained by Chivalry

theory because of the way the jury sided with her defense attorney's claim that she must have been insane in order to commit the crimes that she did.

The serial killing that Aileen Wuornos undertook in the early 1990s profoundly shocked the country. Not only had Wuornos killed seven men, but she did so in a very masculine way. A majority of victims were found stripped naked and were killed by multiple close-range gunshot wounds. On top of this aggressive murder scene, Wuornos stole many of her 'John's' cars and took whatever valuable possessions they had. In every way possible, the killings that Wuornos committed were quite masculine and violent in nature. Wuornos was given a severe sentence for her rampage; she was handed the death penalty. Although Wuornos deserved punishment for the horrible crimes that she committed, why was it that Yates only received time in a mental hospital for the killing of her defenseless children? Supposedly Wuornos, at least for the first murder, was acting out of self-defense, but she was still given the worst punishment available. Chivalry theory helps to explain this dichotomy in sentencing severity. Masculine crimes that are committed by women are seen to be even more serious than those of male offenders. These 'evil' women have crossed society's lines of what is deemed right and wrong for women and because of this transgression, they are more severely punished. Phillips et al., even as long ago as 1976, discovered that what may be operating here is the notion that, although it may take more blatant violations for a woman to be judged as a serious offender, once she is convicted of an offense, the crime is viewed as more serious than the male crime and the stigmatization is harsher (1976:10). This concept of harsh punishment for women that commit seemingly masculine crimes is evident with the rulings of Wuornos' case.

Media's Effect

Mass media has taken great strides over the past decades. Now more than ever, the general public is infused with knowledge about current events at the click of a mouse or a flip of a television channel. Although Americans are now given unprecedented access to news and breaking stories, it is difficult to say if the reporting is unbiased and unembellished. Because of its strict competition in the economic market, news companies must be able to successfully sell their stories. This rather disappointing fact is clearly evident in regard to the reporting of female multiple homicide offender cases.

Reports on the female killer frequently garner large-scale attention from the general public. It is documented that although mass murders, which occur in public places, do attract much greater media coverage, domestic homicides, in which females are the offenders, are also the focus of considerable media attention (Messing & Heeren, 2004:134). Since these out-of-the-ordinary crimes are so noteworthy, the media jumps on the opportunity to depict their side of the story to the public. In order for their papers to sell, the media and reporters often present captivating headlines that offer new and buzz worthy angles to the trial. In their international study, Berrington and Honkatukia admitted that because journalists work within the norms and standards of their industry, their stories are produced according to tried and tested formulae of what sells best (2002:56). However, there are people that offer a different viewpoint on the credibility of the news. Some argue that the information gathered and composed by reporters is maintained on a purely objective level and is a balanced account of the events that occurred (Messing & Heeren, 2004:134). The question of the media's validity has a long history in the U.S., and it is again evident in regard to the reports they offer on the female killer.

By using the previous study offered by Berrington and Honkatukia (2002) as a guide, the way in which the American media chose to portray the cases of Andrea Yates and Aileen Wuornos while referencing the results of their sentences as a strong mode of comparison will be studied. Research evidence shows that there is an observable connection between the perceptions that the general public holds with that of what legal decision-makers believe. This tie can be further developed to even support the claim that the formal processing of offenders is a reflection of public perceptions of crimes and criminals (Phillips et al., 1976:1). As Berrington and Honkatukia (2002) focused their research on two severe crimes committed by two distinctively different women, so shall this present work. However, the attempt here will be to add some new elements to their findings on the effects of media on the cases of the female killer by reviewing more noteworthy cases, more modern trials, and comparing two different sentences that were distributed around the same time within the same country, the United States of America.

Data and Methods

The data are acquired from articles from numerous newspapers detailing the cases of Aileen Wuornos and Andrea Yates. For standardization purposes, articles will be selected from the *New York Times*, the *Los Angeles Times*, and one major paper specific to the local areas in which both crimes occurred. Data will be gathered from the preliminary time that the case was reported (referred to as Time 1), during the trials (Time 2), and after the verdicts were reached (Time 3). One article from each newspaper at each time will be analyzed. Data were collected through the search engine, ProQuest, the access to which was provided by the Gonzaga University Foley Library website. Also, this

paper will reference articles that appear after Time 3 from the general opinion sections of the newspapers in order to garner a better sense of true public reaction to the cases.

Data was analyzed using the content analysis method of research. The authors systematically read each article independently of one another in order to add a level of validity. They did not discuss their interpretations or data collected on any article with one another until all articles are completely analyzed individually. This method was used to guarantee the reliability of data collection. Each article was assessed looking for the following indicators: data regarding the criminals' physical characteristics, personality traits, demeanor, mental states, mitigating or aggravating circumstances, and perceived reactions to their sentences or other notable occurrences during their trials. Specifically, each article was systematically and meticulously analyzed and all words or phrases related to the specific crime, focusing on the criminal's character, appearance or attitude, detailing the exact sentences received, describing the victims' characteristics, explaining mitigating or aggravating circumstances, and indicating socioeconomic status was recorded. When each researcher's examination of the articles was complete, the authors compared recorded data and their reactions and perceptions of how the media is portraying the suspect. The discussion between researchers addressed the validity and reliability of the content analysis method utilized.

Labeling, Anomie, and Chivalry Theories Applied

The effect of Labeling theory on the media, public, and throughout the criminal's life can be analyzed through the content analysis of numerous newspaper articles. Labeling theory will be addressed in terms of words related to the suspect's character such as educated, promiscuous, masculine, motherly, and others. These were recorded. Words or phrases which imply the attitude of the suspect or their appearance are also being examined. Examples of these words are remorseful, silent, stoic, pensive, attentive, disruptive, etc. Labeling theory will also be very apparent in the media's usage of words that imply socioeconomic status (i.e. class level, education, money, or employment). The content analysis of the articles assisted in discovering how Labeling theory might have contributed to the crime being committed in the first place. In addition, the media's labeling of both Aileen Wuornos and Andrea Yates may indicate its effect on the outcomes of the trials.

Anomie theory can also be applied to the hypothesis of this research thesis and to the analysis of the data. While examining the newspaper articles, words indicating Anomie theory in action will be key. Anomie theory implies social unrest or chaos and proposes an absence or diminution of standards or values in both individuals and society. Specifically, any words related to the specific crime that indicated the media's perceptions of its uniqueness were recorded. Words related to the crime which display Anomie theory could be horrible, heinous, suddenly, abominable, uncharacteristic, unexpected etc. These words could provide some evidence that anomie was created by the media. Also recorded were words or phrases that focus on the suspect's attitude. If the articles portray the suspect as uncharacteristically remorseless or appalled at the outcome of the trial, this evidence can support Anomie theory. If the media itself seems appalled at the outcome, or if numerous articles on the same person hold very different implications, this can give weight to the proposal that a state of chaos was present.

Lastly, Chivalry theory is very applicable to the hypothesis and also to the content analysis performed. Numerous words and phrases were recorded that indicated the media's perceptions at the time of the newspaper articles. Chivalry theory will possibly be applicable to the sentences received by Aileen Wuornos and Andrea Yates and also the words and phrases gathered describing the sentences or the attitudes of the criminals upon reception of their particular sentence. Chivalry theory proposes that women will get a chivalrous or lenient ruling from the judge when committing feminine crimes, but will receive a punishment more severe than men when committing masculine crimes. Words that assume the criminals to be either masculine or feminine in their characteristics or demeanor will specifically be recorded. Words that describe their characteristics are violent, bisexual, motherly, lesbian, detached, etc. Words that imply demeanor are interruptive, contradictory, pensive, attentive, frail, strong, remorseless, etc. Words or phrases that center on aggravating or mitigating circumstances can also be found to apply Chivalry theory to the cases of the two multiple murderers.

The authors compiled their own formulated matrix using the distinctions presented in Berrington & Honkatukia (2002) of the "bad" or "mad" woman. Words that indicate the media's portrayal of the criminal as bad were separated from those that describe the woman as mad. Then each was individually characterize each article as primarily a bad or mad depiction of the offender, and compare analyses of the newspaper articles and explain their reasoning for key words, phrases, and characterizations of the articles. The authors used content analysis to finally discover if there is a significant correlation between the media's portrayal of Aileen Wuornos and Andrea Yates and the sentences each received.

Summary and Conclusions

The content analysis study of the media portrayal of the trials of Aileen Wuornos and Andrea Yates is based on the before-mentioned Bad/Mad categories. The authors have read and quantified one newspaper article from the three

predetermined time slots of each trial which include the pretrial (Time 1), a time period during the middle of the trial (Time 2), and finally one article that is from the concluding verdict and sentencing portion of the trial (Time 3). The newspaper articles that were studied consisted of the nationally printed and circulated *Los Angeles Times* and the *New York Times*. Each trial, respectively, also had one local newspaper that was documented. Wuornos' Floridian killings were researched through articles printed from *Daytona Beach News*, whereas the details of Yates' Texas murders were viewed from the *Houston Chronicle's* publications. In addition, Yates' murder case spanned two separate trials and articles were researched from both of these different time periods. In total, there were twenty-seven newspaper articles that were analyzed to find specific media content that labeled Aileen Wuornos and Andrea Yates as either a "bad" or "mad" woman due to their crimes and the nature of their trial and they can be found and referred to in the attached Appendix A-D.

Results

After placing key words and phrases that appropriately deemed each woman as being an evil figure or a sad female into reporting sheets, the findings of the study appear to support the proposed hypothesis. When a woman is deemed to be a "mad" case, her sentencing and verdict is notably lighter than that of a female criminal who that is thought to be "bad." This fact was notable in regard to the newspaper media's portrayal of Aileen Wuornos.

In the trial of Aileen Wuornos, the media chose to report and detail the fundamentally negative and dark attributes of the defendant. By merely looking at the amounts of key phrases and words listed in both categories, there is an obviously larger quantity of "bad" descriptions. It should be acknowledged that there was a noticeable progression of disapproving reports between Time 1 (pretrial) and that of Time 3 (verdict). This succession can be explained by the media and general public learning more intimate details about Wuornos' profession, her demeanor at the trials, and her defense plea, among other things. An example of this fact is clearly displayed by looking at the early reports of the case in which papers simply stated that authorities "arrested a woman believed to be the killer," compared to later articles in which neither Aileen's name nor sex was mentioned in the opening lines of the story: "a prostitute was found guilty Monday in the slaying of the first of seven men authorities say she killed on Florida Highways." At the beginning, Wuornos was known as the suspected woman that committed the seven murders, but by the time of sentencing, she is merely referred to by her profession (prostitute), which carries a very negative connotation and easily places her character within the "bad" category.

Another unsettling aspect of Wuornos' trial is the lack of attention paid to her troubled upbringing, which could be used to explain why she so readily was placed in the "bad" category. Relatively few articles quickly gloss over the details of her early days, reporting simply "she was abused by men from early childhood." Most articles, on the other hand, chose to focus consideration on Wuornos' masculine and aggressive tendencies which made her a "cunning, calculating killer motivated by greed" instead of centering on the underlying reasons as to why Wuornos decided to kill in the first place.

The Andrea Yates' trials are remarkably different than that of Wuornos'. In the first trial, Yates was sentenced to a life prison term for the drownings of her five children. This sentence, for most of the general public, was deemed severe because of Yates' respectable extenuating circumstances. The media, in the first case, seemed stunned throughout the trial that a woman of Yates' character could be thought of as a "bad" woman that was in need of intense punishment. In the Bad/Mad categorization, there are few reports on the negative side of the spectrum. Rather, most of the influential phrases are found in the "mad" groupings. The media repeatedly chose to focus their writings on Yates' personality and not the criminal acts she committed, with one example in particular being, "prosecutors will have to persuade a jury to overlook mitigating circumstances like her background, character, and state of mind." Unlike Wuornos' trial, the media chose to closely center Yates' second trial around her past history of mental illnesses. This is a stark contrast to Wuornos' representation and it can be seen that such emphasis on Yates' mental issues led people to believe that she was "unable to distinguish right from wrong" and thus clearly was not responsible for her actions, placing her well within the "mad" realm of the matrix.

Applying Theories to Results

Labeling Theory

Labeling theory (Champion, 2006: 39-40) is a social thought concept that can promptly help to explain the discrepancy between the two different sentencing of these women and what the media chose to present. Because this theory heavily deals with preconceived notions and stereotyping, it offers unique reasons as to why Wuornos was pigeon holed to be a "bad" woman and Yates as a "mad" woman who received a noticeably lighter sentence.

After thoroughly studying the newspaper articles relating to the crimes and trial of Aileen Wuornos, there were some very noticeable reports that fell within the guidelines of labeling theory. It wasn't long before the media chose to

present Wuornos as a masculine, violent, lesbian killer who ruthlessly lured men off the road to kill and rob them. Every newspaper focused heavily on the sexuality of Wuornos, which ultimately has no bearing on the facts of the case. The concept of Wuornos having a lesbian lover and the physical description of their relationship was prominent throughout her trial. The *Daytona Beach News* even went so far to describe their "butch" tendencies in one article as being "tall and masculine-looking...the women wore white T-shirts with the sleeves cut out and no brassieres." By choosing to report on her relationship status, the media depicted Wuornos in a very negative light and thus labeled her as a societal outcast. She more easily fell into the "bad" category of female killers wherein justice is harshly distributed. The labeling did not stop at Wuornos' sexuality and relationships, it was prevalent throughout the trial and it extended to cover her education, socio-economic background, and the arguments that she offered in her defense. An important aspect of Labeling theory is that it deals with its self-fulfilling prophecy and secondary deviance attributes. This fact can be seen in regard to Wuornos. At the beginning of her trial, she was adamant about the fact that "[she has] been labeled a serial killer and [she is] not a serial killer," but years later, when she was attempting to hasten her execution, she declared, "I am a serial killer. I would kill again." This is a disappointing result of the power of Labeling theory in that it can affect not only society and the general public in their perception of an individual, but it can also change the individual's own self opinion.

The trials of Andrea Yates also offer unique insight into the understandings of Labeling theory. Whereas Wuornos' labeling heavily relied on negative attributes, the media chose to present Yates' story in a much more forgiving light. Yates was typecasted to fit perfectly into the "mad" category of the female killer. The newspapers continuously reported that she was a former housewife, nurse, and high school valedictorian. Her past, unlike Wuornos, was held and frequently presented in a very laudable light and because of this presentation, Yates' crimes were that much more seen as an accident. The media's attention to Yates' mental illness was a dominant theme throughout her trials. She had a known history of attempted suicides, deep depression and frequent hospitalizations. These facts were merged with the powerful notion that she suffered mental setbacks because she was such a loving and devoted mother to her children. Her defense lawyer displayed this labeling tendency by stating, "jurors...should pity a woman who was so tormented by mental illness that she killed her children out a sense of 'Mother knows best.'" This is a remarkable quotation since it summarizes several labeling effects. Her lawyer presented Yates as a pathetic and unfortunate feminine creature who ultimately was trying to help her children.

Another media presentation that is explained by labeling theory is the newspapers' focus on Yates' husband. Russell Yates was notorious for standing behind his wife's actions and wanted to see to it that she received treatment as her punishment. Several articles repeatedly chose to mention Russell's steadfastness, one in particular described "her husband, NASA computer engineer Russell Yates, publicly supports his wife and has blamed her action on a rabid form of postpartum depression." In Yates' second trial, the media regularly reported that Russell had chosen to divorce his wife and decided to remarry. Russell Yates is an interesting example of labeling theory applied to real life situations. The general public learns through the media that this intelligent man supports his then-wife's actions, but then later decided to divorce her. These facts lead the public to garner a growing feeling of sentiment and pity for the former housewife's troubled life and thereby directing attention away from the actual facts of the case.

Anomie Theory

This study applied Anomie theory (Williams & McShane, 2004: 102-105) to society and to the general public to better explain events that cause social unrest and chaos. The female killer is such a rare occurrence in modern times that the general public tends to resort to a heightened or frenzied state whenever such events happen. Anomie theory, when applied to female killers, offers interesting insights on how to understand the public's dichotomy of reactions to the female killer and why they place them into "bad" or "mad" categories.

The two trials of Andrea Yates serve as an excellent case study of Anomie theory working in a modern setting. With the first case and its notable harsher sentence, it can be argued that the media portrayed Yates and the filicide that she committed in a more negative tone. Almost all of the articles during the first trial had frequent references to the belief that "Mrs. Yates knew that drowning her children was illegal." On top of this frightening fact, Yates' bizarre physical appearance was also reported throughout the first trial. The local newspaper, the *Houston Chronicle*, even detailed, "Yates sat without her glasses, her eyes with dark circles around them. She appeared to be grinding her teeth." With such odd statements like these frequently on the news pages throughout the first trial, it can be seen how the media and general public went into a sense of anomie (frenzy) when viewing Yates and were thus unable to understand her, thereby handing her a guilty verdict in an easier fashion.

Yates' second trial is influential when Anomie theory is applied to understand its sentencing. In her retrial, Yates was ultimately found not guilty by reason of insanity, which offers researchers a glimmer of hope that society can recover from its initial chaotic state in order to fully understand a new and often daunting situation. This was the idea that Yates' lawyers clung to while they motioned for a retrial. Her defense lawyer openly claimed his hope that "the shock has worn off...the public will be much more understanding." This initial frenzy that the public submitted itself to could

have been changed for several reasons including the simple passage of time, the awareness of the effects of postpartum depression, or the pitied state of Yates herself among other explanations. Nonetheless, it appears that both the jury and media took ample time to look at the seriousness of Yates' mental issues when judging her the second time around. The belief that in the second trial, the public finally got the right ruling and thus survived its first experience of anomie, was a popularly held one. Her defense lawyer summarizes this point in the *Houston Chronicle*: "This lady never did anything wrong in her whole life...She's mentally ill. She wakes up one morning, she drowns her five kids. Come on. We all know she's insane, and it's a shame it took us this long to finally get the right verdict."

The trial of Aileen Wuornos, on the other hand, offers an example of how society never was able to fully recover from the anomie that her crimes and trials created. Because she became notorious for being the "nation's first female serial killer" and the extent of her crimes were so brutal, Wuornos was never given the time to be fully understood. Instead, she was automatically judged as a "bad" person because it was the easiest path for the media and the general public to undertake while they were in their deep state of anomie. Unlike Yates, Wuornos' reasons and justifications for killing the seven men were never given any official weight or respect. Instead, they were merely glossed over in the reporting. What continuously came to the forefront was the eccentric nature of Wuornos and her outcast profession. It was such a rarity to learn of a woman that was powerful enough to lure men away with the promise of sex and then not only kill them but also rob them, that the public began to quickly forget Wuornos' claims of innocence and self-defense. The *Daytona Beach News* reported that, in the end, "neither prosecutors nor defense lawyers were surprised by the sentence, which followed a unanimous jury recommendation for death." It can be argued that the media never recovered from its original feeling of anomie and instead of attempting to understand this woman, they chose to take the easier path, and focused on the need for punishment.

Chivalry Theory

Chivalry theory (Herzog and Oreg, 2008: 46) is applicable to both of these women and their trials and sentences. This concept of thought helps to better understand why the female offender is frequently handed contradictory and sometimes more lenient sentences. The chivalry theory can be best presented in regard to Andrea Yates' second trial.

Andrea Yates was originally sentenced to life in prison with the opportunity of parole for the drownings of her five children on June 20th, 2001. This ruling was considered very harsh at the time due to Yates' outstanding mitigating life circumstances. One explanation for this sentence in terms of the chivalry theory was the fact that Yates had essentially committed a very masculine crime wherein she chose to "systematically kill her children by drowning them one by one...she then calmly called Houston Police." The prosecutors and many others stood behind the idea that this woman should be severely punished for her wrongdoings. They held onto the belief that state prosecutors had: "this case is about a woman charged with capital murder...why should she get any special treatment? She committed the crime and she should be held accountable."

Yates' second trial presents the exact opposite element of chivalry theory. In her retrial, Yates was ruled not guilty by reason of insanity and sentenced to receive mental treatment at a state run hospital. This markedly lighter ruling, when looking at it via the Chivalry theory paradigm, offers some interesting insights. It can be seen that Yates was given a different sentence because the media had more time to spin the story that Yates was not in fact a fearful monster that committed dangerous, masculine crimes. Instead, the newspapers nailed down the point that Yates was a "poor mother that suffered serious mental problems." With this new outlook, of focusing on the pitiful condition of Yates instead of reviewing the evidence of the case, it is understandable to see how the media and general public began to view Yates in a different light. Her defense lawyer played off her harmless, sad nature by describing that "[his] daddy taught [him] that you don't hit animals for no reason, and you don't punish crazy people for something they don't understand." By the conclusion of her second trial, it can be argued that Yates was no longer deemed a masculine threat to society, but rather a sad, feminine character that deserved a lighter sentence.

Aileen Wuornos' murders were committed in a shockingly violent nature. She is the supposed first female serial killer of the country and this fact, in and of itself, serves to illustrate that Wuornos had seriously crossed the line of sex stereotyping for violent crimes. Her past criminal record was mentioned in several articles, which furthered the case that the media presented Wuornos as an offender that frequently committed masculine crimes. The *New York Times* reported, "Ms. Wuornos served a year in prison in 1982-83 for armed robbery...she also faced charges of vehicle theft and grand larceny." These past crimes coupled with her current seven charges of murder only enhanced the idea that Wuornos was a ruthless madwoman who would and could easily kill again. In that same *New York Times* article from Wuornos' pretrial, there was another notable quotation offered that again placed Wuornos in a negative, aggressive manner: "Ms. Wuornos was 'a killer who robs rather than a robber who kills.'" With such powerful phrases as this one frequently on display for the public to read, it is evident that Wuornos was ultimately seen to be a monster

in the worst of all circumstances and because of her aggressive crimes that crossed the line, she did not receive a chivalrous ruling, as exhibited by her death penalty sentence.

Discussion

In addition to studying relevant newspaper articles published during the trials of Andrea Yates and Aileen Wuornos, it was also necessary to also read letters to the editors from the general public. This step was incorporated in order to garner a better sense of what the American public was feeling toward both cases. By studying these opinionated letters, it became clear that the public too, seemed to be split in their belief that these women were either “bad” or “mad.”

In regard to Andrea Yates’ case, public opinion articles were continuously split down the middle in terms of the form of punishment that should be dealt out. Many agreed with James R. Beniger’s opinion from Manhattan Beach: “Yates deserves to die. She deliberately, premeditatedly and methodically murdered her children.” While others staunchly stood behind a more forgiving model of justice and would agree with Felicia Brichoux’s thought that “Andrea Yates knew what she was doing, but her emotional illness had altered her perception of the value of her children’s lives.”

While it was notably more difficult to pull up old letters to the editor on Wuornos’ case, her crime was so controversial that the authors were able to gather some interesting public opinions. Henry Allen wrote his honest opinion about the notoriety of Wuornos’ case in the Washington Post: “And what to make of Aileen Wuornos, sentenced to death for shooting a businessman who picked her up on a highway - one of seven murders she’s been accused of? Women do this kind of thing? Poison, yes, and the occasional queenly beheading, but can women be serial murderers like Jeffrey Dahmer or Ted Bundy? Spiderwoman! Avenging angel!” While these quotations are humorous in some aspects, they do project the sense of anomie that the public felt with Wuornos’ violent and masculine crimes. Her crimes crossed the sex-stereotyping lines of crime that most people, like Allen, held and because of this transgression, the public didn’t know what to make of the situation. Another opinion about the Wuornos trial comes from a more respected source, that of State Attorney John Tanner. He was sickened by the amount of media attention Wuornos received during her trial, but he is quoted as standing behind the belief that “she’s one of a kind, certainly, as the only woman serial killer in the country on death row.” Tanner offers an intriguing explanation as to why the general public paid so much attention to this trial; he believes that we are a society “attracted to the perverse and violent. I wish humanity were otherwise, but it’s reality. It wasn’t too long ago that we had public hangings and a time of burnings at the stake.”

These public opinion sections shed some interesting light onto the study overall. It appears that information collected from both Yates’ and Wuornos’ trial categorizations support the general conclusions that Berrington and Honkatukia found in their 2002 presentation of female violence in the media. The fact that the media ultimately has some bias and agenda behind their portrayals, since newspapers are produced in order to spread news and collect a profit as well is acknowledged. It can be seen that every article is not going to be completely objective in our current society wherein judgments are handed out as a daily procedure in the lives of most Americans. However, it can be concluded that it was very questionable that a majority of the newspapers continuously reported irrelevant facts and opinions about each case. Instead of reporting about the facts and evidence that are pertinent to the rulings of each case, the media decided to mention divorce, sexuality, occupations, educational levels, physical descriptions, and perceived femininity levels of the woman which ultimately should not have any bearing on the actual sentence. But as we have come to learn, the media holds great power over the angles of the stories they choose to present, as seen within the analyses of these two female offenders.

When applying this study to a larger worldview, its findings are discovered to be somewhat positive on several levels. Although it is unfortunate that Aileen Wuornos had to face her capital punishment, the way in which Yates’ trials played out is optimistic for society and its attempt to understand the female killer. Perhaps the passage of time and more education on the character of the female sex has begun to shed some needed light on female offenders. With Yates’ initial trial, she, like Wuornos, was not given ample time to be understood, and society and the jury chose to take the easier of options—deliver a strong sense of punishment in the form of retributive justice. However, when Yates was provided the opportunity to appeal her trial and given a new chance to explain her fateful dilemma, the jury and public were able to offer her time and treatment in order to understand the problems from which she suffered. Instead of “locking her up and throwing away the key,” the jury gave her a restorative example of justice based on forgiveness and needed care. It is believed that this example of restorative justice is a promising note for society and its view of the female offender and one that could also be studied in further depth.

Societal Implications

Anything beyond the “status quo” of a white, middle to upper class, heterosexual male, even in terms of criminality, is viewed as an anomaly in our society. If the person is nonwhite, the crime they are associated with is often race-

focused. We ask: Did they do it out of hatred? Did they do it out of spite? If they are of a lower class, then resources usually come into play as a motivation. Did they do it as a “have not” against a “have?” Did they do it out of anger at their position in life? Was there basically nothing left to lose for them? If they are gay, the focus turns to their alternative lifestyle. Did they do it as a result of lashing out against the norm? Were they “shamed” into doing it? Is this acceptable behavior within their subculture? If they are female (especially if they share any of these other traits as well), then the critique likely centers on their “difference” from the male standard. Did they do it because they were somehow less-than-female? How *could* they do any crime against a child, with a naturally protective maternal instinct? They should be kinder and gentler, therefore literally *unable* to be violent. To extend the gender/chivalry analysis, women are expected to confine themselves to “feminine” crimes, as an extension of their everyday roles. They write checks, so they write bad checks. They shop, so they shoplift. And when they are mothers, they are the ultimate protectors of their offspring. They are not supposed to pose a threat. A man, alternatively, partakes in the masculine acts. So, though the public was initially outraged when Lam Luong, of rural Alabama, threw his four (albeit, nonbiological) children off the Dauphin Island bridge in January of 2008 (Associated Press News) because he was mad at his wife, the public reaction was somewhat tempered in comparison to what a female accused of the same heinous crime would suffer. How could he do this, on the one hand? Yet, yes, he could, on the other hand. We are less “conflicted,” it seems, when a man steps outside of his parental bounds, than when a wife and mother are seen as transformed by evil for very similar acts undertaken (deliberate drownings, as in the case of Yates).

This combines the already set expectations of labeling theory, the chaotic grasp for the truth of anomie theory, and the double-edged gender sword of chivalry theory. In any case, the value of life comes into play. When men exhibit violence toward prostitutes, the homeless, gays, or others marginalized in society, the public tends to “flinch” a little less. It is as if these victims are thought to be “asking for trouble” by their sheer (and often unsolicited) status in life. When women commit these same crimes (Wuornos against “johns” of all types, for instance), the light is reflected back on those women. How could *they* act as monsters, rather than how can their victims be avenged? While no one captured walks away from these deeds unscathed, the constitutional lens through which we view the perpetrator remains colored by our deeply engrained perceptions and stereotypes. Constitutional equality under the law continues to be an issue with which we struggle daily in our courts and on our streets.

References

- Arrigo, Bruce A. and Ayanna Griffin. 2004. Serial Murder and the Case of Aileen Wuornos: Attachment Theory, Psychopathy, and Predatory Aggression. *Behavioral Sciences and Law*, Vol 22, 375-393.
- Berrington, Eileen and Paivi Honkatukia. 2002. An Evil Monster and a Poor Thing: Female Violence in the Media. *Journal of Scandinavian Studies in Criminology and Crime Prevention*, Vol. 3, 50-72.
- Champion, Dean John. 2006. *Research Methods for Criminal Justice and Criminology*. Upper Saddle River, NJ: Pearson Prentice Hall.
- Daytona Beach News*. Aileen Wuornos led a rough life on road. Michael Hawthorne and Robert Kapler. Daytona Beach, FL.: Feb 10, 1991.
- Daytona Beach News*. Wuornos tapes replay chilling murder tales. John Carter. Daytona Beach, FL. Dec 12, 1991.
- Daytona Beach News*. Judge sentences Wuornos to death. Robert Nolin. Daytona Beach, FL.: Feb 1. 1992.
- Daytona Beach News*. The Cult of Aileen Wuornos. Henry Frederick. Daytona Beach, FL.: Jun 11. 2000.
- Farr, Kathryn Ann. 2000. Defeminizing and Dehumanizing Female Murderers: Depictions of Lesbians on Death Row. *Women & Criminal Justice*, Vol. 11, No.1: 49-66.
- Goffman, Erving. 1991. Stigma and Social Identity. *Stigma: Notes on the Management of Spoiled Identity*, 56-75.
- Heide, Kathleen and Belea T. Keeney. 1994. Gender Differences in Serial Murderers: A Preliminary Analysis. *Journal of Interpersonal Violence*, Vol. 9, No. 3, (September): 383-398.
- Herzog, Sergio and Shaul Oreg. 2008. Chivalry and the moderating effect of ambivalent sexism: Individual differences in crime seriousness judgments. *Law and Society Review*, Vol. 42, No. 1: 45-74.
- Horne, DeAnna M. 2002. Either Way it Goes Down...America's 54 Women on Death Row in the Context of Patriarchy. *Women and the Law*, 1-47.

Houston Chronicle. New witness challenges Yates' sanity/Psychiatrist says mother faced 'horrible dilemma.' Carol Christian. Houston, TX.: Mar 2, 2002. pg. A1.

Houston Chronicle. Jury selection to begin in new trial for Yates/Five years later, experts say lack of death-penalty component could work in her favor. Peggy O'Hare. Houston, TX.: Jun19, 2006. Pg B1.

Houston Chronicle. 2nd jury is taking longer to reach verdict on Yates/Notes show the panel is looking closely at issues of mental health. Peggy O'Hare, Dale Lezon. Houston, TX.: Jul 26, 2006. Pg. A1.

Houston Chronicle. The Andrea Yates Case/Not Guilty, But Not Free/Insanity ruling in second trial sends her to institution/Loved ones call decision 'miracle,' while prosecutors are 'disappointed.' Peggy O'Hare, Dale Lezon, David Ellison, Melanie Markley, Rosanna Ruiz, Armando Villafranca. *Houston Chronicle*. Houston, TX.: Jul 27, 2007. Pg. A1.

Houston Chronicle. Yates Faces the End Alone: No Family Present at Her Sentencing. Carol Christian and Kristen Mack. Houston, Texas: Mar 19, 2002.

Kovnick, Jeff and Janet I. Warren. 1999. Women Who Kill. *Handbook of Psychological Approaches with Violent Offenders: Contemporary Strategies and Issues*, 189-204.

Los Angeles Times. Woman Guilty in First of Seven Road Slayings. Los Angeles, Calif.: Jan 28, 1992. Pg.13.

Los Angeles Times. Killer Seeks to Hasten Her Execution. Los Angeles, Calif.: Jul 21, 2001. Pg. A.14.

Los Angeles Times. Texas Mother Competency Motion Filed. *Los Angeles Times*. Los Angeles, Calif.: Jul 4, 2001. Pg. A. 16.

Los Angeles Times. Killings Put Dark Side of Mom's Life in Light; Crime: Until her children were drowned in a tube June 20, most knew Andrea Yates as a quiet, doting Christian woman. Mega K. Stack. Los Angeles, Calif.: Jul 8, 2001. pg. A.20.

Los Angeles Times. Yates' Mother Fights Tears, Defends Daughter at Trial. Los Angeles, Calif.: Mar 6, 2002. Pg. A.16.

Los Angeles Times. Second Trial Begins for Andrea Yates; Prosecutors say she knew drowning her five children was wrong. A new jury must decide. Lianne Hart. Los Angeles, Calif.: Jun 27, 2006. Pg.A.6.

Los Angeles Times. Doctor Says Yates' Kids Struggled as They Died. Associated Press. Los Angeles, Calif.: Jun 29, 2006. Pg. A.17.

Los Angeles Times. Jury Finds Yates Legally Insane, Not Guilty in Children's Deaths; The Texas mother who became the face of severe postpartum depression will be treated at a state mental hospital. Further charges are still possible. Miguel Bustillo. Los Angeles, Calif.: Jul 27, 2006. Pg. A.16.

Los Angeles Times. Absolute Atonement for Andrea Yates. Felicia Brichoux. Los Angeles, Calif.: Mar 17, 2002. Pg. M.4.

Los Angeles Times. Yates Verdict is Not Justice. James R. Beniger. Los Angeles, Calif.: March 15, 2002. Pg B.16.

MedicineNet.com. 2008. Postpartum Depression. http://www.medicinenet.com/postpartum_depression/article.htm

Messing, Jill Theresa and John W. Heeren. 2002. Another Side of Multiple Murder: Women Killers in the Domestic Context. *Homicide Studies*, Vol. 8, No. 2 (May): 123-158.

Myers, Wade C., Erik Gooch, and J. Reid Meloy. 2002. The Role of Psychopathy and Sexuality in a Female Serial Killer. *Journal of Forensic Sciences*, Vol. 50, No. 3 (May): 652-657.

New York Times. Woman Arrested in a Series of Killings in Florida. Ronald Smothers. Late Edition (East Coast). New York, N.Y.: Jan 18, 1991. Pg. A.16.

New York Times. Jurors Recommend Death Penalty For Florida Woman Who Killed 7. Late Edition (East Coast). New York, NY.: Jan 31, 1992. Pg. A.16.

New York Times. Death Sentences Are Upheld for Prostitute Who Killed Travelers. Late Edition (East Coast). New York, N.Y.: Oct 9, 1994. Pg.A.44.

New York Times. Child-Death Case in Texas Raises Penalty Questions. Jim Yardley. Late Edition (East Coast). New York, N.Y.: Jul 2, 2001. Pg. A.10.

New York Times. Doctor Says Mother was 'Driven by Delusions.' Late Edition (East Coast). New York, NY.: Mar 7, 2002. Pg. A.25.

New York Times. Texas Jury Convicts Mother Who Drowned Her Children. Jim Yardley. Late Edition (East Coast). New York, NY.: March 13, 2002.

New York Times. Retrial to Begin for Mother of 5 in Drownings. Late Edition (East Coast). New York, N.Y.: Jun 26, 2006. Pg. A.16.

New York Times. Woman Not Guilty in Retrial in the Deaths of Her 5 Children. Associated Press. Late Edition (East Coast). New York, NY.: July 27, 2006.

Phillips, Dretha M., Lois DeFleur Nelson, and Gregory B. Walters. 1976. The Female Offender and Public Opinion: Perceived Seriousness of Crimes and Recommended Dispositions. National Institute of Justice. Revised version of paper presented at American Society of Criminology meetings (Tucson, AZ).

Rosenblatt, E. and C. Greenland.1974. Female Crimes of Violence. *Canadian Journal of Criminology & Corrections*, Vol. 16, No. 2 (April): 173-180.

The Washington Post. Essay Section. Henry Allen. Washington, D.C.: Feb 12, 1992. Pg. c.01

Williams, Frank P. and Marilyn D. McShane. 2004. *Criminological Theory*. Fourth Edition. Upper Saddle River, NJ: Pearson Prentice Hall.

APPENDICES

BAD/MAD Categorization of Aileen Wuornos and Andrea Yates

Appendix A

Aileen Wuornos

MAD CASE

Trial 1, Time 1:

NY TIMES (*Woman Arrested in a Series of Killings in Florida. Ronald Smothers. New York Times. (Late Edition (East Coast)). New York, N.Y.: Jan 18, 1991. Pg. A.16:* "arrested a woman believed to be the killer" "has been accused of writing a bad check over the past eight years" "It's safe to say that her relationships with men in her younger years were not the best"

LA TIMES (*No Data for "Mad" Category*)

DAYTONA BEACH NEWS (*Aileen Wuornos led a rough life on road. Michael Hawthorne and Robert Kapler. Daytona Beach, FL.: Feb 10, 1991:* "Both her natural and adoptive fathers committed suicide, her brother died of cancer, and she was abused by men from early childhood. Her only marriage, at age 20, ended after a month because, she said, her husband beat her with a cane" "I could see she had some deep-seated problems" "She seemed a little lost without the other woman around"

Trial 1, Time 2:

NY TIMES (*Jurors Recommend Death Penalty For Florida Woman Who Killed 7. New York Times. (Late Edition (East Coast)). New York, NY.: Jan 31, 1992. Pg. A.16:* "bowed her head and cried while the jury was polled on the sentence recommendation" "her grandfather, Laurie Wuornos, who adopted her when she was 6 months old, was an alcoholic who beat and abused her physically and emotionally"

LA TIMES (*Woman Guilty in First of Seven Road Slayings. Los Angeles Times. Los Angeles, Calif.: Jan 28, 1992. Pg. 13*): "Wuornos, who maintained that she killed the men in self-defense, looked straight ahead as the jurors were being polled. She calmly said, 'I am innocent'" "I was raped!"

DAYTONA BEACH NEWS (*Wuornos tapes replay chilling murder tales. John Carter. Daytona Beach News. Daytona Beach, FL. Dec 12, 1991*): "She said she regretted her lack of education. It thwarted her goal of becoming a policewoman, and her career choice of becoming a prostitute instead of a religious vocation. She talked once of wanting to become a nun or a missionary" "She considered the killings self defense" "She complained that she had been raped nine times previously and had stolen a handgun for protection" "There's no control over what she said"

Trial 1, Time3:

NY TIMES (*Death Sentences Are Upheld for Prostitute Who Killed Travelers. New York Times. (Late Edition (East Coast)). New York, N.Y.: Oct 9, 1994. Pg.A.44*): "has been portrayed by her lawyer as a victim of child abuse" "Ms. Wuornos' defense: remorse, a religious conversion and the fact that she had 'suffered a deprived childhood'" "pleaded no contest to the charges to...avoid 'the stress of another trial'" "Ms. Wuornos said she killed Mr. Mallory after he raped her"

LA TIMES (*Killer Seeks to Hasten Her Execution. Los Angeles Times. Los Angeles, Calif.: Jul 21, 2001. Pg. A.14*): "Sobbing that 'there's no sense in keeping me alive'" "She killed the men because they assaulted her and made her fear for her life" "Wuornos didn't understand the ramifications of what she was doing and that her behavior raised questions about her mental health" "Hatred is lost on her"

DAYTONA BEACH NEWS (*Judge sentences Wuornos to death. Robert Nolin. Daytona Beach News. Daytona Beach, FL.: Feb 1. 1992*): "An uncharacteristically subdued Miss Wuornos, in a hot pink turtleneck and black skirt, stood before the judge...She accepted her sentence without emotion" "the blond prostitute proclaimed her innocence and insisted she was railroaded by a police conspiracy" "I have been labeled a serial killer and I'm not a serial killer...I had no intentions of killing anyone. I would not do that" "These people did a violent attack on me and I did what I had to do to protect myself" "Miss Wuornos, weeping softly, claimed investigators coerced her confession"

Appendix B

Aileen Wuornos

BAD CASE

Trial 1, Time 1:

NY TIMES (*Woman Arrested in a Series of Killings in Florida. Ronald Smothers. New York Times. (Late Edition (East Coast)). New York, N.Y.: Jan 18, 1991. Pg. A.16*): "Ms. Wuornos served a year in prison in 1982-83 for armed robbery...she also faced charges of vehicle theft and grand larceny" "She was a prostitute part of the time" "residents could now 'rest easy'" "Ms. Wuornos was 'a killer who robs rather than a robber who kills'" "Men were all lured to isolated area where they were subsequently shot and killed" "There may have been some offer of sex involved"

LA TIMES (*Transient Woman Accused in Florida Serial Killings. Los Angeles Times. (Home Edition). Los Angeles, Calif.: Jan. 18, 1991. Pg. 40*): "We want to clear up as many homicides as possible...We believe she pretty much meets the guidelines of a serial killer"

DAYTONA BEACH NEWS (*Aileen Wuornos led a rough life on road. Michael Hawthorne and Robert Kapler. Daytona Beach, FL.: Feb 10, 1991*): "if convicted, could be the nation's first female serial killer" "Aileen—34 year-old prostitute, pool hustler, and sometime maid" "Tall and masculine-looking, Lee had been on her own since age 15 and bore scars of a life on the road" "A heavy drinker by 18, she quit school in the 10th grade because she was 'too stoned on pot, mescaline, and acid'" "She acted real tough with me...she was really uptight and hard" "The women wore white T-shirts with the sleeves cut out and no brassieres"

Trial 1, Time 2:

NY TIMES (*Jurors Recommend Death Penalty For Florida Woman Who Killed 7. New York Times. (Late Edition (East Coast)). New York, N.Y.: Jan 31, 1992. Pg. A.16*): "The jurors who on Monday convicted Aileen Wuornos of first degree murder for one of her seven killings recommended unanimously today that she be sent to the electric chair...the jury's 12-to-0 vote, after less than two hours of deliberation" "We were a pretty straight and normal"

family—very little trouble in the family” “Of the 160 people executed since the Supreme Court reinstated the death penalty in 1976, just one was a woman” “Mental impairment is the defense of last resort”

LA TIMES (*Woman Guilty in First of Seven Road Slayings. Los Angeles Times. Los Angeles, Calif.: Jan 28, 1992. Pg. 13*): “A prostitute was found guilty Monday in the slaying of the first of seven men authorities say she killed on Florida Highways” “Wuornos on Monday called the departing jurors, ‘scumbags of America’” “the 12-member Circuit Court jury returned the verdict after deliberating for an hour and 35 minutes” “defense attorneys tried to restrain her” “She has left you no reasonable choice except to find her guilty” “Wuornos fatally shot a would-be client as part of a ‘deadly pattern’ of behavior...she is a cunning, calculating killer motivated by greed”

DAYTONA BEACH NEWS (*Wuornos tapes replay chilling murder tales. John Carter. Daytona Beach News. Daytona Beach, FL. Dec 12, 1991*): “Ms. Wuornos gave a sordid, violent, and chilling portrait of her life as a prostitute who plied her trade along Florida’s highways” “the first victim in a killing spree police say claimed at least seven victims” “the accused serial killer repeatedly told sheriff’s investigators that her motive in confessing was to clear the name of her lesbian lover, Tyria Moore” “She said many details of her crimes were fuzzy because of heavy drinking” “She admitted vengeance and ‘pure hatred’ moved her to reach into her purse, grab the nine shot revolver and kill the men who had picked her up” “She repeatedly reaffirmed her willingness to confess”

Trial 1, Time 3:

NY TIMES (*Death Sentences Are Upheld for Prostitute Who Killed Travelers. New York Times. (Late Edition (East Coast)). New York, N.Y.: Oct 9, 1994. Pg.A.44*): “Wuornos, a prostitute found guilty of luring travelers off Florida highways into secluded areas and killing them” “Ms. Wuornos used the promise of sex to get her victims to secluded sites, where she shot and killed them” “The court rejected Ms. Wuornos’ contention that her no-contest pleas...were not made voluntarily” “Ms. Wuornos’ remarks were not ‘sufficiently irrational as to require the procedure she suggests’”

LA TIMES (*Killer Seeks to Hasten Her Execution. Los Angeles Times. Los Angeles, Calif.: Jul 21, 2001. Pg. A.14*): “one of the nation’s first known female serial killers” “I am a serial killer. I would kill again” “I have hate crawling through my system” “Wuornos is competent to make such a decision” “I know what the heck I’m doing” “She worked as a prostitute along the highways of central Florida” “She said that she had lied in an attempt to beat the system: ‘I killed those men in the first degree, robbed and killed them’” “this world doesn’t mean anything to me” “a judge ruled that she was competent to make decisions about her case”

DAYTONA BEACH NEWS (*Judge sentences Wuornos to death. Robert Nolin. Daytona Beach News. Daytona Beach, FL.: Feb 1. 1992*): “I took a life. I deserve to die” “Neither prosecutors nor defense lawyers were surprised by the sentence, which followed a unanimous jury recommendation for death” “She is a chronic liar and she’s determined to maintain her posture of innocence...she is trying to save herself from electrocution” “This is morbid” “Miss Wuornos shouted, ‘Bust these crooked cops and their conspiracy please! I’m innocent’”

Appendix C

Andrea Yates

MAD CASE

Trial 1, Time 1:

NY TIMES (*Child-Death Case in Texas Raises Penalty Questions. Jim Yardley. New York Times. (Late Edition (East Coast)). New York, N.Y.: Jul 2, 2001. Pg. A.10*): “The complicated case of Andrea P. Yates ...has raised a complicated question” “When you go after some poor mother who has mental problems, she is not going to have any criminal record” “A death sentence was going to be very hard to get. I don’t think she meets that test” “has no known criminal record” “prosecutors will have to persuade a jury to overlook mitigating factors like her background, character and state of mind” “A lot of people will say that ‘my God, no woman in her right mind could do that’...it has to be the result of something incredible going on in her life or in her home, so yeah I’m going to find those mitigating facts” “said his wife suffered from postpartum depression after the birth of each of her last two children” “suggested that she could not have been in her right mind” “Ms.Yates appeared zombielike since the birth of her fourth child two years ago”

LA TIMES (*Texas Mother Competency Motion Filed. Los Angeles Times. Los Angeles, Calif.: Jul 4, 2001. Pg. A. 16*): “challenging their client’s mental fitness to stand trial” “Her husband, NASA computer engineer Russell Yates, publicly supports his wife and has blamed her action on a rabid form of postpartum depression” “The 37-year-old

former nurse and housewife” “With her history of mental illness and the bizarre nature of the offense with which she is charged has already raised the issue of incompetency for purposes of a hearing” “Yates’ previous history of mental illness, including two hospitalizations, previous diagnoses of depression and postpartum psychosis and at least two suicide attempts, was proof enough that she deserved a hearing”

HOUSTON CHRONICLE (Is Yates Fit to Go On Trial? Defense Attorneys Ask for Hearing. Houston Chronicle. Houston Texas: July 4, 2001. Pg. A.1): “Yates was brought to Devereux several months ago and stayed about a week...described as being “Zombie-like.” She was the saddest-looking person I’ve ever seen. She looked horrible...she was just lost and had a blank stare”

Trial 1, Time 2:

NY TIMES (*Doctor Says Mother was ‘Driven by Delusions.’ New York Times. (Late Edition (East Coast)). New York, NY.: Mar 7, 2002. Pg. A.25):* “Andrea Yates was incapable of determining her actions were wrong” “She was psychotic at the time and driven by delusions that they were going to hell and she must save them” “feeling overwhelmed as her family continued to grow” “There’s an extreme amount of shame and guilt about having thoughts about harming your children” “but in her psychotic delusional mind it was the right decision to keep her children from eternal damnation” “Mrs. Yates experienced voices and delusions after the birth of her first son...she feared Satan would hear her and harm her children”

LA TIMES (*Killings Put Dark Side of Mom’s Life in Light; Crime: Until her children were drowned in a tube June 20, most knew Andrea Yates as a quiet, doting Christian woman. Mega K. Stack. Los Angeles Times. Los Angeles, Calif.: Jul 8, 2001. Pg. A.20.):* “the shy, pretty baby of a suburban family, a girl who spoiled the German shepard, raced on the swim team and graduated valedictorian of her high school class” “a simple, unremarkable Christian woman. She wore neat spectacles and had streaming hair. She married a NASA computer expert, settled in a plain brick house a few miles from her childhood home and had five babies” “a woman without so much as a speeding ticket. A mother who delighted her children with American Indian costumes” “Andrea is 5 feet 6 inches. In old photographs, her eyes are bright, her cheeks full. She wears neat clothes, and a crescent smile reveals perfect teeth” “they say sadness runs in the family. They blame genetics” “...realized that he hadn’t heard his sister laugh in years” “the Yates were an attractive family” “that robotic stare” “his stony silent sibling” “Andrea’s empty eyes and limp shoulders”

HOUSTON CHRONICLE (New witness challenges Yates’ sanity/Psychiatrist says mother faced ‘horrible dilemma.’ Carol Christian. Houston Chronicle. Houston, TX.: Mar 2, 2002. pg. A1.): “Andrea Pia Yates was legally insane when she drowned her five children in their bathtub” “She faced a cruel dilemma...it was a horrible dilemma for any mother to have” “severe mental disease prevented her from knowing right from wrong” “she firmly believed that killing her children was the best thing to do” “she was clearly hallucinating” “Yates’ answers were delayed, sometimes by several minutes, and she often had to be reminded of the question” “Yates’ beliefs were based on a delusional system and that she did not know right from wrong”

Trial 1, Time 3:

NY TIMES (*Texas Jury Convicts Mother Who Drowned Her Children. Jim Yardley. New York Times (Late Edition (East Coast)). New York, NY.: Mar 13, 2002):* “...had shown emotion only rarely during the proceedings. But moments later, she looked at her mother and seemed to stifle a sob” “Cyndie Aquilina, a social worker who volunteered as a jury consultant for the defense team, stood outside the courthouse after the verdict and expressed shock. ‘It’s ludicrous...this woman shouldn’t have even been on trial.’ She blamed the verdict on ‘ignorance,’ adding, ‘I think people do not understand mental illness’” “...described Mrs. Yates as composed and seemingly rational.” “Mrs. Yates cried silently at the defense table” “Twice, she tried to commit suicide” “Mrs. Yates again became depressed and psychotic, her psychiatrists testified, a malaise compounded by the death of her father last March” “...described her as one of the most severely mentally ill people she had treated among more than 6,000 cases” “‘If this woman doesn’t meet the test of insanity in this state, then nobody does...zero. You might as well wipe it from the books. She was so psychotic on June 20 that she absolutely thought she was doing the right thing’” “This is an opportunity for this jury to make a determination about the status of women’s mental health. Make no mistake, the world is watching”

LA TIMES (*Yates’ Mother Fights Tears, Defends Daughter at Trial. Los Angeles Times. Los Angeles, Calif.: Mar 6, 2002. Pg. A.16):* “Yates’ elderly mother choked back tears Tuesday while defending her daughter as a wonderful parent, and testified that her ‘baby’ daughter was not the same woman” “Providing emotional punctuation to days of testimony” “Yates thought it was the right thing to do because it was the only way to save them from the fires of hell” “former nurse and high school valedictorian, cited a long history of mental problems” “She was a wonderful mother, a wonderful daughter” “She was very attached to her father...it hit her pretty hard” “I didn’t believe it” “triggered her downward mental spiral”

HOUSTON CHRONICLE (Yates Faces the End Alone: No Family. Present at Her Sentencing. Carol Christian and Kristen Mack. Houston Chronicle. Houston, Texas: Mar 19, 2002): "With no family members or national media present" "Her only close supporters were her jail psychiatrists... in the back row" "As she was being sentenced, her husband, Russell Yates, and members of his family who had been at the courthouse each day of her trial were in New York to appear on NBC's 'Today Show'" "so she could continue receiving treatment from the jails psychiatric team" "I think Andrea's legacy is to improve mental health care, be it in the penitentiary system or in the general population or in society" "said Russell Yates didn't help his wife with the children, even when she was depressed" "how many people have begged him, noticed that she was in a downward spiral"

Trial 2, Time 1:

NY TIMES (*Retrial to Begin for Mother of 5 in Drownings. New York Times. (Late Edition (East Coast)). New York, N.Y.: Jun 26, 2006. Pg. A.16*): "hope the public's attitude about mentally ill defendants has changed in the five years since Andrea Yates filled her bathtub with water and drowned her five children" "Her severe postpartum psychosis prevented her from knowing her action was wrong"

LA TIMES (*Second Trial Begins for Andrea Yates; Prosecutors say she knew drowning her five children was wrong. A new jury must decide. Lianne Hart. Los Angeles Times. Los Angeles, Calif.: Jun 27, 2006. Pg.A.6*): "Yates was seriously mentally ill and thought Satan was living inside her. The only way to keep Satan from getting her children...was to kill them" "Yates, sitting at the defense table, appeared pensive and attentive throughout the day...Her lawyer has said she is taking a lighter dosage" "She was unable to distinguish right from wrong" "might offer new evidence of the mental breakdowns Yates endured since her first trial" "Officer David Knapp said Yates came to the door 'wide-eyed' and dripping wet" "Yates' ex-husband, Rusty, was in the courtroom. He divorced Andrea Yates in March 2005 and remarried a year later"

HOUSTON CHRONICLE (Jury selection to begin in new trial for Yates/Five years later, experts say lack of death-penalty component could work in her favor. Peggy O'Hare. Houston Chronicle. Houston, TX.: Jun 19, 2006. Pg. B1): "concerned with her mental issues" "the shock has worn off...the public will be much more understanding" "Yates, a former M.D. Anderson Cancer Center nurse, had a history of mental illness, hospitalizations and suicide attempts before she killed her children" "Her husband, Russell, who has since divorced her...her mental condition deteriorated rapidly after her father died months before the drowning" "her children were just too much and that Yates described feeling trapped at home because she didn't want to lose her husband"

Trial 2, Time 2:

NY TIMES (*Woman Not Guilty in Retrial in the Deaths of Her 5 Children. New York Times. (Late Edition (East Coast)). New York, N.Y.: July 27, 2006. Pg. A. 20*): "Ms. Yates's lead lawyer, George Parnham, called Wednesday's verdict a "watershed for mental illness and the criminal justice system"

LA TIMES (*Doctor Says Yates' Kids Struggled as They Died. Associated Press. Los Angeles Times. Los Angeles, Calif.: Jun 29, 2006. Pg. A.17*): "Yates had severe postpartum psychosis and did not know that drowning her five children was wrong"

HOUSTON CHRONICLE (2nd jury is taking longer to reach verdict on Yates/Notes show the panel is looking closely at issues of mental health. Peggy O'Hare, Dale Lezon. Houston Chronicle. Houston, TX.: Jul 26, 2006. Pg. A1): "jury is looking closely at the mental health issues surrounding Yates' case" "The former nurse and housewife" "...had a history of psychiatric hospitalizations and suicide attempts before the drownings" "Yates; thoughts of harming her children were obsessive and resulted from her severe depression" "Andrea Yates believed Satan was at least present. She felt or sensed the presence (of Satan)" "concluded that she was mentally ill and believed she had to kill the children to save them from eternal damnation"

Trial 2, Time 3:

NY TIMES (*Woman Not Guilty in Retrial in the Deaths of Her 5 Children. Associated Press. New York Times (Late Edition (East Coast)). New York, NY.: July 27, 2006*): "committed to a state mental hospital and held until she is no longer deemed a threat" "Ms. Yates stared wide-eyed as the verdict was read, then bowed her head and wept quietly. Her relatives also shed tears, including her ex-husband, Rusty Yates, who muttered, 'Wow!' as he, too, cried" "called Wednesday's verdict a 'watershed for mental illness and the criminal justice system'" "she suffered from severe postpartum psychosis and, in a delusional state, believed that Satan was inside her and that killing the youngsters would save them from hell" "The jury looked past what happened and looked at why it happened," Mr. Yates, who

divorced Andrea Yates last year...said. "Yes, she was psychotic. That's the whole truth." "She needs help...although she's treated, I think she's worse than she was before. I think she'll probably need treatment for the rest of her life"

LA TIMES (*Jury Finds Yates Legally Insane, Not Guilty in Children's Deaths; The Texas mother who became the face of severe postpartum depression will be treated at a state mental hospital. Further charges are still possible. Miguel Bustillo. Los Angeles Times. Los Angeles, Calif.: Jul 27, 2006. Pg. A.16*): "She believed she was saving them from Satan" "The fact that Yates was mentally ill—was never in doubt during the four-week trial" "The jury, which deliberated over three days, found that the former high school valedictorian and nurse was not sane on the day five years ago" "Yates appeared shocked when the verdicts were read, and her supporters and family members began to weep behind her" "Andrea was ordinarily a loving mother, who was crippled by a disease...Yes she was psychotic on the day this happened" "Yates had a well-chronicled history of mental problems, which led to several hospitalizations and at least two suicide attempts. A deeply religious woman, she believed she was failing to properly home-school her children...and was haunted by visions that one of her sons would become a gay prostitute" "This case is almost a watershed for mental illness in the criminal justice system" "Jurors...should pity a woman who was so tormented by mental illness that she killed children out of a sense of 'Mother knows best'" "My daddy taught me that you don't hit animals for no reason, and you don't punish crazy people for something they don't understand" "Yates sat ashen, her bangs hanging over her eyes...she cried forcefully, wiping her tears with a red bandana"

HOUSTON CHRONICLE (*The Andrea Yates Case/Not Guilty, But Not Free/Insanity ruling in second trial sends her to institution/Loved ones call decision 'miracle,' while prosecutors are 'disappointed.'* Peggy O'Hare, Dale Lezon, David Ellison, Melanie Markley, Rosanna Ruiz, Armando Villafranca. *Houston Chronicle. Houston, TX.: Jul 27, 2007. Pg. A1*): "Yates appeared stunned and slightly confused, starring wide-eyed with her lips parted" "Her former husband, Russell Yates, cried and gripped his weeping aunt's hand" "concluded that Yates did not know the killings were wrong, because she suffered from a severe mental disease of defect when she killed her children" "her plight has long been championed by mental health advocates seeking change, a woman alternately pitied and reviled by others" "This lady never did anything wrong in her whole life...She's mentally ill. She wakes up one morning, she drowns her five kids. Come on. We all know she's insane, and it's a shame it took us this long to finally get the right verdict" "She's heavily medicated, so it's hard for her to understand" "in some facility where she is getting care she needs very much—not just punished, but treated" "Russell Yates, who divorced Andrea four years after the drownings and married another woman earlier this year" "Andrea was ordinarily just a loving mother who fell to this disease and did an unthinkable act" "Yates—a deeply religious woman who had never before been in trouble with the law and was valedictorian of Milby High School's class of 1982—already had suffered a series of psychiatric hospitalizations and survived two suicide attempts before she killed her children" "Yates' father died, which devastated her and caused her already shaky mental health to rapidly decline" "But certainly nobody did anything along the way deserving of murder or life in prison or a death penalty"

Appendix D

Andrea Yates

BAD CASE

Trial 1, Time 1:

NY TIMES (*Child-Death Case in Texas Raises Penalty Questions. Jim Yardley. New York Times. (Late Edition (East Coast)). New York, N.Y.: Jul 2, 2001. Pg. A.10*): "you have to look at the specific evidence in a specific case, what's provable" "...tried to flee before his mother dragged him back into the bathroom and drowned him" "Nationally, 11 of 56 women on death rows were convicted of killing children"

LA TIMES (*Texas Mother Competency Motion Filed. Los Angeles Times. Los Angeles, Calif.: Jul 4, 2001. Pg. A.16*): "...calling police and her husband moments later to admit what she had done" "Yates does not meet the Texas legal standard for insanity"

HOUSTON CHRONICLE (*The Mother of Five Drowned Children is Accused of a Horrifying Crime, But Most Such Cases Haven't Led to a Death Sentence. Houston Chronicle. Houston, TX.: July 1, 2001. Pg. A.1*): "The Yates and Cornelius cases are really different from normal cases where a parent kills a child...This is an evil mindset beyond what most people can imagine"

Trial 1, Time 2:

NY TIMES (*Doctor Says Mother was 'Driven by Delusions.'* New York Times. (Late Edition (East Coast)). New York, NY.: Mar 7, 2002. Pg. A.25): "Mrs. Yates knew drowning her children was illegal" "Mrs. Yates did not discuss her

fears about Satan in the videotaped interview conducted five weeks after the drownings...she disclosed the thoughts in other interviews after receiving psychiatric treatment”

LA TIMES (*Killings Put Dark Side of Mom's Life in Light; Crime: Until her children were drowned in a tube June 20, most knew Andrea Yates as a quiet, doting Christian woman. Mega K. Stack. Los Angeles Times. Los Angeles, Calif.: Jul 8, 2001. pg. A.20.*): “a morbid mystery festers here” “she was angry”

HOUSTON CHRONICLE (*New witness challenges Yates' sanity/Psychiatrist says mother faced 'horrible dilemma.'* Carol Christian. *Houston Chronicle. Houston, TX.: Mar 2, 2002. pg. A1.*): “filicide—the killing of children by their parents” “Yates without her glasses, her eyes with dark circles around them. She appeared to be grinding her teeth” “it was difficult to gauge her reaction” “clipped monotone” “she knew she had done wrong:

Trial 1, Time 3:

NY TIMES (*Texas Jury Convicts Mother Who Drowned Her Children. Jim Yardley. New York Times (Late Edition (East Coast)). New York, NY.: March 13, 2002.*): “swift verdict” “repeating the word ‘guilty’ after each charge” “jurors were concentrating on Mrs. Yates’s actions on the morning of the June 20 killings, perhaps more than the voluminous psychiatric testimony presented to buttress her insanity plea” “The way she did it and the way she acted afterwards was inconsistent with somebody who didn’t know what she was doing” “reminded jurors of the grim details of that morning and argued that Mrs. Yates had acted deliberately and with deception” “police officers who arrived at the home described Mrs. Yates as composed and seemingly rational” “The loving act of a mother was to leave his body floating in the bathtub,” Ms. Williford said with scorn in her voice. She later added: “She made the choice to fill the tub. She made the choice to kill these children. She knew it was wrong” “He said she was ‘grossly psychotic’ the day after the killings but that the evidence of psychosis was far less certain on the day of the attack” “They described Mrs. Yates as composed, directing them to clean glasses for a drink of water or directing them to keys to unlock the back door” “...decide this case on the facts and the law, not sympathy for Andrea Yates”

LA TIMES (*Yates' Mother Fights Tears, Defends Daughter at Trial. Los Angeles Times. Los Angeles, Calif.: Mar 6, 2002. Pg. A.16*): “Yates knew that drowning her children was illegal” “Yates has confessed to drowning her children methodically in the bathtub” “Her daughter sat motionless, as she has throughout much of the trial”

HOUSTON CHRONICLE (*Yates Faces the End Alone: No Family Present at Her Sentencing. Houston Chronicle. Houston, Texas: Mar 19, 2002*) “Yates wore the Harris County Jail’s standard orange cotton pants and pullover top instead of the street clothes she was allowed to wear”

Trial 2, Time 1:

NY TIMES (*Retrial to Begin for Mother of 5 in Drownings. New York Times. (Late Edition (East Coast)). New York, N.Y.: Jun 26, 2006. Pg. A.16*): “the jury must consider only the evidence presented in this case—not get caught up in public sentiment or mental health issues” “This is not cookie-cutter justice...I believe in the insanity defense in which someone can commit a crime and not be held criminally responsible. I do not see that in this case based on the evidence” “This part of the country in particular is very retributive in their notions of justice and think somebody has to pay for a death”

LA TIMES (*Second Trial Begins for Andrea Yates; Prosecutors say she knew drowning her five children was wrong. A new jury must decide. Lianne Hart. Los Angeles Times. Los Angeles, Calif.: Jun 27, 2006. Pg.A.6*): “Prosecutors said Yates was sane enough to know that drowning her children was wrong, because she called police to her home and confessed” “I believe in the insanity defense...I do not see that in this case based on the evidence” “might introduce evidence of conversations with inmates in which Yates reportedly talked about how to feign mental illness” “Autopsies showed that all the children...struggled” “Yates appeared unemotional when she told him, ‘I just killed my kids’” “Yates sat quietly. Stumpo said he asked her if she realized what she had done. ‘Yes I do,’ Stumpo said Yates replied”

HOUSTON CHRONICLE (*Jury selection to begin in new trial for Yates/Five years later, experts say lack of death-penalty component could work in her favor. Peggy O'Hare. Houston Chronicle. Houston, TX.: Jun 19, 2006. Pg B1*): “Andrea Yates systematically drowned her five children in a bathtub” “she drowned them in a bathtub, one by one...she then calmly called Houston Police” “This case is about a woman charged with capital murder...why should she get any special treatment? She committed the crime and she should be held accountable” “A defendant can be mentally ill and still be criminally responsible...that’s what the evidence says” “Yates’ chilling account of the drownings” “Yates showed no remorse for the drownings and advised her on how to feign mental illness to ‘beat’ her case”

Trial 2, Time 2:

NY TIMES (*The Insanity Defense Goes Back on Trial: [Op-Ed] Morris B. Hoffman and Stephen J. Morse. New York Times. (Late Edition (East Coast)). New York, N.Y.: July 30, 2006. Pg. A. 4.13): "We should be skeptical about claims of non-responsibility"*

LA TIMES (*Doctor Says Yates' Kids Struggled as They Died. Associated Press. Los Angeles Times. Los Angeles, Calif.: Jun 29, 2006. Pg. A.17): "medical examiner testified at her Houston retrial that bruises on her children's bodies indicated they struggled as she slowly drowned them in the bathtub"*

HOUSTON CHRONICLE (*2nd jury is taking longer to reach verdict on Yates/Notes show the panel is looking closely at issues of mental health. Peggy O'Hare, Dale Lezon. Houston Chronicle. Houston, TX.: Jul 26, 2006. Pg. A1): "Yates knew the drownings were wrong and killed her children for selfish reasons"*

Trial 2, Time 3:

NY TIMES (*Woman Not Guilty in Retrial in the Deaths of Her 5 Children. Associated Press. New York Times (Late Edition (East Coast)). New York, NY.: July 27, 2006): "Prosecutors had maintained that Ms. Yates failed to meet the state's definition of insanity" "For five years, we've tried to seek justice for these children" "Ms. Yates will be sent to North Texas State Hospital in Vernon, a prisonlike maximum-security hospital encircled by a 17-foot-high fence and guard towers"*

LA TIMES (*Jury Finds Yates Legally Insane, Not Guilty in Children's Deaths; The Texas mother who became the face of severe postpartum depression will be treated at a state mental hospital. Further charges are still possible. Miguel Bustillo. Los Angeles Times. Los Angeles, Calif.: Jul 27, 2006. Pg. A.16): "The killings stunned the nation and raised awareness of extreme postpartum depression" "Though Yates was mentally ill...she understood that killing her children was legally wrong"*

HOUSTON CHRONICLE (*The Andrea Yates Case/Not Guilty, But Not Free/Insanity ruling in second trial sends her to institution/Loved ones call decision 'miracle,' while prosecutors are 'disappointed.'* Peggy O'Hare, Dale Lezon, David Ellison, Melanie Markley, Rosanna Ruiz, Armando Villafranca. Houston Chronicle. Houston, TX.: Jul 27, 2007. Pg. A1): "extremely disappointed" "She then calmly called police and led officers to the bodies" "Yates openly admitted to knowing the drownings were wrong and noted she had disregarded one doctor's advice to avoid having more children for fear of another birth would trigger another episode of postpartum psychosis"