

Name: _____

Is the Narrator 'Legally' Insane?

In the activity below, you are responsible for preparing for both the defense and prosecuting attorneys' cases to prove whether or not the narrator in "The Tell-Tale Heart" should be tried as criminally insane.

In a criminal trial, the word "insanity" means something more specific than when we use it in everyday speech. You can't say that someone on trial is "insane" just because he did something that most of us would consider "crazy" (like killing someone, chopping up the body, and hiding the pieces under the floorboards.)

That's because, in a trial, when we say someone is insane, we're saying that the person didn't fully understand what he or she was doing and therefore shouldn't be held responsible for his or her actions. Read the following **legal definition** of insanity:

Insanity is a mental illness of such a severe nature that a person **cannot distinguish fantasy from reality**, cannot manage his/her own affairs, or is **subject to uncontrollable impulsive behavior**. In criminal cases, a plea of "not guilty by reason of insanity" will require a trial on the issue of the defendant's insanity (or sanity) at the time the crime was committed.

In this context, "not guilty" does not mean the person did not commit the criminal act for which he or she is charged. It means that when the person committed the crime, he or she **could not tell right from wrong** or **could not control his or her behavior** because of severe mental defect or illness. Such a person, the law holds, should not be held criminally responsible for his or her behavior.

(www.USLegal.com)

Defense

Take a moment and pretend you are the court-appointed DEFENSE attorney (lawyer) for a man accused of murder. The man is clearly guilty—he confessed to the crime and led the police straight to the mutilated body of his victim. Obviously, there is no chance of getting a jury to find him innocent. However, if you can convince the jury that your client is insane, he'll be able to avoid the death penalty and might be sent to an institution instead of to prison.

Read through the killer's confession and try to find **evidence** that you could use to prove that the murderer is insane. Be as specific as possible. For each piece of evidence, cite and quote using MLA format and include **2-3 sentences of reasoning**. Ex. "True! – nervous – very, very, dreadfully nervous I had been and am; but why *will* you say that I am mad?" (Poe 2).

Evidence #1:

Evidence #2:

Evidence #3:

Prosecution

Take a moment and pretend you are the court-appointed PROSECUTING attorney (lawyer) for a man accused of murder. The man is clearly guilty—he confessed to the crime and led the police straight to the mutilated body of his victim. The defense lawyers are going to try to prove that their client is insane and should therefore get a lesser sentence. But you want to prove that he is **not** insane so the murderer will face the full consequences of his crime.

Read through the killer's confession and try to find **evidence** that you could use to prove that the murderer is **not** insane. Be as specific as possible. For each piece of evidence, cite and quote using MLA format and include **2-3 sentences of reasoning**.

Evidence #1:

Evidence #2:

Evidence #3: