

Culpability for Inducing Mental States: The Insanity Defense of Dr. Jekyll

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Insanity acquittees are often (erroneously) believed to get away with murder. This article examines one possible cause of this view—that insanity acquittees may have, to various degrees, caused or exacerbated their own mental disorder in the first instance. Such a component of prior fault is illustrated with recourse to the putative insanity defense of Dr. Jekyll, who, while almost certainly not criminally responsible at the time he committed murder (in the guise of Mr. Hyde), was culpable for bringing about that nullification of responsibility (thereby causing the conditions of his own defense). Such culpability (also found in intoxication cases) is examined in relation to medication noncompliance in mentally disordered offenders, and possible solutions for dealing with “culpable madness” are presented.

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Let us be fanciful and imagine that in Robert Louis Stevenson’s classic 1886 tale, *Dr. Jekyll and Mr. Hyde*, Edward Hyde never commit suicide, but is captured alive and restored to the persona of Dr. Jekyll who is placed on trial for the murder of Sir Danvers Carew.

It seems reasonable that Dr. Jekyll might offer a mental condition defense, most probably insanity (temporary or otherwise), as when he committed the murder of Sir Danvers, he did so in the guise of Edward Hyde, described by Stevenson as a being who “alone in the ranks of mankind, was pure evil.” It seems reasonable that such a being would easily satisfy a volitional- or cognitive-style insanity test (particularly because of an inability to distinguish right from wrong).

That Dr. Jekyll should be found not guilty of criminal acts committed while in his altered persona seems to be intuitively unjust. Is he not culpable, at least, for inducing a state in which he might commit such terrible acts? Has he not, in the phraseology of Robinson,¹ “created the conditions of his own de-

fence”? The criminal law, however, would not indulge our sense of outrage over Dr. Jekyll’s “copping a plea,” for there is no provision for prior fault in insanity law; there is a “blanket exclusion of fault once the insanity defense is raised” (Ref. 2, p 168). Is this because a situation by which a person could induce a potentially murderous state is purely the domain of fiction and not relevant to our real-world candidate for the insanity defense—namely, mental disorder? Or is our inability to reflect culpability for creating the conditions of one’s own insanity plea a genuine lacuna in the criminal law?

Indulging this feeling of unjustness that Dr. Jekyll satisfies an insanity defense requires us to exclude other reasons why he might be found “not guilty.” First, it could be envisaged that Dr. Jekyll might satisfy an insanity defense because choosing to induce his altered persona of Mr. Hyde is itself evidence that Dr. Jekyll (rather than Hyde) was mentally disordered (“Catch 22” or *res ipsa loquitur* reasoning). However, there is no evidence of such disorder given in the novel; indeed, Dr. Jekyll’s experiment is a calculated one, with a beneficent purpose (to free his good side of the reptilian/evil side so the good might prosper). Second, Dr. Jekyll’s beneficent intention might provide evidence that he was not reckless or at prior fault in inducing his altered persona. However, it is discussed later in the article that inducing a state of drunkenness (not itself maleficent or illegal) still constitutes a reckless action when it results in an offense. Third, it might be con-

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tended that Dr. Jekyll and Mr. Hyde are (physically, if not metaphysically) not the same person, and therefore the former cannot be prosecuted for the crimes of the latter. The novel, however, demonstrates that they are (physically) the same person. Fourth, even though Dr. Jekyll and Mr. Hyde are the same person, it might be seen as unjust to prosecute one personality for the crimes of another. This issue is dealt with elsewhere,³ and I do not want to dissect the arguments here. Instead, the purpose of this article is to espouse an analysis of the case in terms of prior culpability. Finally, Dr. Jekyll might not be at fault if it could be shown that he could not avoid turning into Mr. Hyde. While it is true that toward the end of the novel Mr. Hyde took over Dr. Jekyll, at the time he committed the murder, the choice to induce the persona of Mr. Hyde was still within Dr. Jekyll's power.

Stevenson's novel was written against a backdrop of fascination with the dual nature of humans that can be traced back to Cartesian dualism. The mid to late 19th century had seen the neurological advances of Broca, Wernicke, and others, identifying cerebral asymmetry and the localization of language. With a split-brain came the possibility of an equal polarity of mind; the English practitioner Arthur Wigan thought that "each cerebrum is capable of a distinct and separate volition, and that these are very often opposing volitions" (Ref. 4, p 23). In the United States, Benjamin Rush described cases of somnambulism and other acts split from conscious volition. Esquirol, the successor of Pinel at the Salpêtrière, described a form of madness resulting in a "homo duplex. . .impelled to evil by one motive and restrained by the other" (Ref. 4, p 19). Charcot's revival of hypnotism was paralleled by its advent as a source of public fascination, principally as a result of several cases of women being apparently reduced to automata by hypnosis and committing uncharacteristic, and in some cases criminal, acts.⁵ The controversy aroused in the Parisian Belle Époque by cases such as that of Gabrielle Fenayrou, who conspired to murder her lover under her husband's domineering male suggestion, made possible the notion that in all of us lay the potential for mental states and actions that normally remained hidden by the veil of normality.

Perhaps our nearest real-world relative to Dr. Jekyll's case is Multiple Personality Disorder (MPD), otherwise known as Dissociative Identity Disorder

(DID).³ However, we are concerned in this article more generally with any mentally disordered state that may be voluntarily induced and can lead to consequent harm. The reader may be skeptical that such states (including MPD/DID) can be autogenously induced, unlike Dr. Jekyll's courting of his countenance as Mr. Hyde. As Radden⁶ put it:

Nobody, it is usually argued. . .wants to become mad nor knows how to invite madness—they are not rightly held responsible for falling prey to it. It seems to follow that if we know more about madness, so that the power to predict and prevent its onset lay with those it afflicts, then we would no longer regard them as the blameless victims we do today [Ref. 6, pp 8–9].

However, apart from noncompliance with medication (discussed later), we can conceive of other ways in which mental disorder may be generated or exacerbated by the individual. Critical psychiatric models such as those of Szasz⁷ and Laing⁸ have long espoused a voluntary component to the genesis of mental disorder, and more mainstream authors have also questioned whether patients could be deemed responsible for mental disorder or behavior consequent upon its symptoms.⁹ However, as the etiologies of most mental disorders tend to be obscure (with the exception of a very few for which the Diagnostic and Statistical Manual states a distinct etiology—for example, post-traumatic stress disorder), I have confined this article to an analysis of culpable mental states caused by failure to ingest a substance (or, in Dr. Jekyll's case, active ingestion of a substance). Disorders consequent upon such behavior will serve as better vehicles for the argument about inducing culpable mental states than will such disorders analyzed in terms of critical psychiatric models (with the consequent risk of becoming encumbered by the murky debate on free will and determinism).

Madness, Intoxication, and Medication Noncompliance

Perhaps the most obvious manner in which a mentally disordered person may bring about or exacerbate his or her own mental disorder is through failure to take prescribed medication. The only substantial difference between Dr. Jekyll and a noncompliant offender who pleads insanity is that the former has ingested a substance, thereby removing the possibility of self-control and reason, while the latter has omitted ingestion of a substance (medication) with similar consequences. The two are scarcely different, although the law might consider active behavior to

differ from passive behavior in its seriousness or in the manner in which it is confronted (as it does in the case of active intoxication versus being “slipped a Mickey,” as in the case of *Kingston*,¹⁰ or active versus passive suicide, as in the case of *Vacco v. Quill*,¹¹ in which a physician has actively brought about death or simply failed to prevent it).

In many respects, the two situations parallel that of intoxication, in which it is recognized that although the individual may be *non compos mentis* when committing a criminal act, a mental condition defense is not available, because the individual is culpable for getting himself into that situation in the first instance. For example, in *DPP v. Majewski*¹² it was stated that:

If a man of his own volition takes a substance which causes him to cast off the restraints of reason and conscience, no wrong is done to him by holding him answerable criminally for any injury he may do while in that condition. His course of conduct in reducing himself by drugs and drink to that condition in my view supplies the evidence of *mens rea*, of guilty mind certainly sufficient for crimes of basic intent. It is a reckless course of conduct and recklessness is enough to constitute the necessary *mens rea* in assault cases [Ref. 12, p 484].

It is ironic that, if the brew sipped by Dr. Jekyll had been an intoxicant that acted only for a short while, he would be held criminally culpable under the principle in *Majewski*. As Kermani and Castaneda state, “[the U.S.] legal system inclines toward the view that the use of alcohol or other substances involves an element of choice and therefore would not amount to a legal insanity defense if the substance abuser commits a crime whilst intoxicated” (Ref. 13, p 1).

Dr. Jekyll, however, through inducing a longer term state in which he could satisfy a mental condition defense, is likely to be found not responsible for his actions. This principle is extended to longer term states caused by drinking, as detailed by Walker: “If heavy drinking had caused ‘an habitual or fixed phrenzy’ he should be treated by the law as if it were involuntarily contracted—a principle that was to save several Victorian alcoholics from the gallows” (Ref. 14, p 39).

However, as Weinstock¹⁵ pointed out, there is not logically much difference between Dr. Jekyll’s situation, the intoxicated offender, or indeed that of the noncompliant mentally disordered offender:

Many psychotic individuals. . .discontinue their medication, despite evidence on multiple occasions that their symptoms escalate whenever they do so. . . . [S]imilarly most addicted

individuals display denial and are certain that they can have just one more drink or use a substance yet maintain control, despite all past evidence to the contrary. The two situations are morally identical except for the negligible distinction that one involves taking a substance and the other involves stopping medication. . . . [T]o be consistent logically, both groups should be held responsible or not responsible for the same behaviours [Ref. 15].

Indeed, it seems only logical that physical illnesses such as epilepsy or diabetes, as well as mental disorders, would attract culpability when an episode was brought about by an individual him- or herself, and the episode resulted in harm, as Reznick¹⁶ has opined:

A man might not be responsible for acquiring diabetes mellitus, but whether he becomes symptomatic depends on whether he takes insulin. Knowing that his symptoms depend on taking insulin, if he refuses to take insulin, becoming comatose at the wheel of his car and killing a cyclist, he is responsible [Ref. 16, p 124].

Slodov¹⁶ added:

The non-compliant psychiatric offender has conceptually run a similar risk in deciding to discontinue medication that an epileptic runs in deciding to risk harm to others by not taking his medication. They each have an endogenous disorder that may be effectively controlled by medication [Ref. 17, p 283].

The principle of culpably inducing a mental state was aired in the courtroom in the case of *State v. McCleary*.¹⁸ The defendant had been taking medication for schizophrenia for 11 years but became non-compliant a few days before wrestling a handgun from a park ranger.¹⁷ While acknowledging the defendant’s eligibility for an insanity defense (as with Dr. Jekyll), the trial court convicted the defendant:

. . .[T]here is a distinction between insanity and insanity that can be controlled. This may simply be the reverse of the law that applies where one induces his own “insanity”, by becoming intoxicated and thereby engaging in wrongful behaviour. Here this defendant had the training, the experience, the opportunity, and the medication with which to control his behaviour. . . . [H]e chose not to do that and, thereby, placed himself in the position where he was liable to engage in anti-social and, indeed, criminal behaviour [Ref. 18, p 44].

The appellate court, however, reversed the finding, as the defendant had proved his own insanity by a preponderance of the evidence. Similarly, in *Davis*,¹⁹ Justice Stephen stated:

. . .[D]runkenness is one thing and diseases to which drunkenness leads are different things; and if a man by drunkenness brings on a state of disease which causes such a degree of madness, even for a time, which would have relieved him from responsibility if it had been caused in any other way, then he would not be criminally responsible [Ref. 19, p 564].

American appellate cases such as *State v. Maik*²⁰ confirm the principle: when insanity is at issue, the court will not consider the etiology of the disease of the mind.

Things do not look too good for our prosecution of Dr. Jekyll. Our moral intuition that he is culpable for bringing about his murderous state is not likely to be indulged by the criminal law. We feel as though, while perhaps not criminally responsible at the time he committed the murder, Dr. Jekyll is responsible for his criminal responsibility, a principle I have described as “meta-responsibility” elsewhere.^{21,22} Our outrage over Dr. Jekyll’s likely acquittal is summed up by Finkel²³:

“How can it be,” the public may ask and the press may editorialize, “that a defendant who should have and could have prevented his mental health deteriorating to the point of disability of mind, was found ‘not guilty’ for the subsequent crime that resulted?” [Ref. 23, p 88]

Solutions

Our intuition that Dr. Jekyll should not receive an acquittal was given voice by Fitzjames Stephen in his *History of the Criminal Law*,²⁴ only three years before the publication of Stephenson’s novel:

If it is not, it ought to be the Law of England that no act is a crime if the person who does it is at the time. . .prevented either by defective mental power or by any disease affecting his mind from controlling his own conduct, *unless the absence of the power of control has been produced by his own default* “Italic added” [Ref. 24 cited in Ref. 14, p 31].

Modern legal scholars concur. According to Ashworth: “An accused should not be permitted to rely on an incapacitating condition which arose through his own fault” (Ref. 25, p 102). Robinson agreed: “An actor may be culpable as to causing the ultimate offense when he causes the disability. . .or when he fails to terminate or at least to make allowance for a preexisting disability [Ref. 1, p 33].

While the law makes provision for these principles in other defenses (e.g., duress, necessity, self-defense), the first attempt to incorporate the principle of “causing the conditions of one’s own defense” into insanity law was the Disability of Mind (DOM) doctrine of Fingarette and Hasse.²⁶ They deemed that a trial should be in three phases: (1) determining guilt or innocence to the charge; (2) determining whether the defendant was suffering from a DOM (e.g., mental disorder, intoxication, substance abuse); and (3) determining the defendant’s level of culpability for

that DOM. There are four DOM verdicts: nonculpable DOM, culpable DOM, nonculpable partial DOM, and culpable partial DOM. Finkel²³ added a further two verdicts: partially culpable DOM, and partially culpable partial DOM; making six verdicts in all (excluding a finding of no DOM, negating questions concerning culpability). Dr. Jekyll would, under this system, probably receive a verdict of culpable DOM and would not receive an acquittal; he would be found guilty of a “floor offense” of criminal negligence.

Robinson’s¹ suggestion for reform permits the defense for the offense in question, but separately imposes liability for the defendant’s earlier culpable conduct. Such an analysis treats the defendant as an “innocent actor” who was caused to engage in criminal conduct by the actor’s prior culpable actions. As Robinson stated:

. . .[E]very jurisdiction considers an actor’s causing his own defence for some defences, and every jurisdiction thus acknowledges that such causing-one’s-defence can be relevant to the actor’s liability. If it is relevant when an actor causes one defence, why is it not equally relevant when he causes another? [Ref. 1, p 24]

In reflecting a defendant’s prior culpability, we have to decide on two matters. First, should a defendant’s culpability for creating his or her defense-causing conditions be reflected in denial of a mental condition defense, or at a sentencing/disposal stage? It seems illogical to subject an insanity acquittee to punishment after successful use of the defense (“guilty for being not guilty by reason of insanity”); the Fingarette and Hasse²⁶ DOM doctrine does, however, leave the possibility of denying mitigation for a disability of mind when it has been culpably caused. It seems more consistent to deny the defense in the first instance, as is the case with defenses such as necessity, provocation, and self-defense, for example.

Second, how far should we look back in history to find this culpability antecedent to the defense-causing conditions? In many cases it may be impossible to delineate clearly a causal chain. However, Finkel²³ concluded that any time limit imposed upon such a “historical search” would be “arbitrary; worse, limits run counter to the spirit of scientific inquiry that demands free reign [sic] to pursue the causative thread no matter how far back it goes” (Ref. 23, p 302). However, as Slovenko²⁷ stated: “It may be said that one can always find, or not find, a voluntary act

on which to predicate criminal liability depending on how narrowly or broadly one frames the time period during which one looks” (Ref. 27, p 212).

It seems that some practical limit will have to be set (on a case-by-case basis) on the bounds of a historical search for culpability. Setting such bounds, however, should pose no greater difficulty than current searches for mitigatory evidence (for example, childhood abuse may be admitted as a mitigating factor for a crime that occurred many years later, if it passes a test of relevance).

In securing a conviction for Dr. Jekyll, we are fortunate that his prior fault is closely connected with the offense. It matters not that his intentions were benevolent when inducing his alter ego (to free himself from his evil side, leaving the remainder to aspire to ever greater good). Being drunk is not in itself illegal, but the person who commits a crime while in such a state will be imputed with recklessness for getting in the state in the first place.

Conclusion: The Trial of Dr. Jekyll

To deny Dr. Jekyll an insanity plea, we would have to invoke one of the doctrines outlined herein, or have recourse to a meta-responsibility insanity test that makes provision for considering the etiology of the defendant’s disordered state—one that would lead in the case of Dr. Jekyll to the imputation of culpability. Such a test is not presently available to us, but as with Dr. Jekyll’s fictional case, we may fictionalize the prosecution’s case in his trial to examine the issues behind Dr. Jekyll’s culpability. The issues for this case are summed up by Slodov¹⁷:

When the noncompliant offender was aware of a substantial and unjustifiable risk of death or serious bodily harm but consciously disregarded that risk, he should be held responsible for risking madness under the reckless endangerment approach of the Model Penal Code. In the event harm occurs, the offender should be denied the protection of the insanity defense and should be held responsible for the resulting harm [Ref. 17, p 5].

Let us return to our fictional musings. After a protracted trial in which the defendant offers a plea of insanity, the counsel for the prosecution, Mr. Kernel, could stand before us and address the court for the final time:

“Ladies and gentlemen of the jury, your task of incomprehensible peculiarity is almost at an end. During the last few weeks, you have heard tales the like of which no courtroom has ever heard and, Lord willing, hopes never to hear again.

“It is not, however, simply the behest of the divine that a case like this does not again trouble a court of law. That particular matter will be decided by your finding today. For if you do your duty and convict, you will be sending a message to beware those who have the knowledge and aforethought to induce a state of personhood or identity in which they commit crimes for which they will subsequently abdicate responsibility. And this is indeed a most terrible crime. I quote from the testimony of the maid-servant who was eyewitness to the murder (all quotations attributed to the defendant and eyewitness come from the novel):

And then all of a sudden [the defendant] broke out in a great flame of anger, stamping with his foot, brandishing the cane, and carrying on (as the maid described it) like a madman. The old gentleman took a step back, with the air of one very much surprised and a trifle hurt; and at that Mr. Hyde broke out of all bounds and clubbed him to the earth. And next moment, with ape-like fury, he was trampling his victim under foot and hailing down a storm of blows, under which the bones were audibly shattered and the body jumped upon the roadway.

“You have been charged with finding the defendant guilty or not guilty by reason of insanity under the rules stated by The Lords during the furore over the acquittal of Mr. McNaughton some forty years ago. Your case shares with that one the likelihood of public outcry if a conviction is not secured.

“Why such outcry, you ask? Because a guilty man is acquitted? That may have been true of Mr. McNaughton’s acquittal, but in this case, *two* guilty persons would be set free. Although we have heard testimony from expert chemists and physicians that Dr. Jekyll is firmly restored to his original persona and that Mr. Hyde will be bringing forth his countenance no longer, does it not remain that it was Mr. Hyde who murdered Sir Danvers? So, surely the defendant standing before you today is innocent! After all, it was not *he* who plunged his cane into the heart of the deceased.

“Whilst that conjecture, Ladies and Gentlemen, is an attractive one, the truth is that the defendant standing before you today is guilty of some crucial and heinous misdeeds. Was it not he who, in the full knowledge of what he was doing, voluntarily induced the persona of Mr. Hyde through that terrible concoction, the recipe of which has thankfully been deleted from the record? That he did not again *voluntarily* induce the persona of Mr. Hyde after the murder of Sir Danvers was, by his own admission, merely a ploy to evade capture. The defendant has

stated, 'Jekyll was now my city of refuge; let but Hyde peep out an instant, and the hands of all would be raised to take and slay him.'

"Dr. Jekyll thus knew what he was doing both when he decided to induce the persona of Mr. Hyde and, indeed, when he decided *not* to do so. Both were instrumental: one in the commission of terrible acts, the other in evading retribution for those acts. If you are persuaded by the arguments of the defence—that Dr. Jekyll cannot be found guilty for the crime of murder as he was truly "not himself" at the time—I grant that you might instead see Dr. Jekyll as a conspirator in the crime, of felonious intent in procuring the services of Mr. Hyde to commit unspeakable acts. I quote once more from the defendant's statement:

Men have before hired braves to transact their crimes, while their own person and reputation sat under shelter. I was the first that ever did so for his pleasures. I was the first that could thus plod in the public eye with a load of genial respectability, and in a moment, like a schoolboy, strip off these lendings and spring headlong into the sea of liberty.

"Did not Dr. Jekyll by his own implication secure a bravo to commit heinous acts that he could only perform in the guise of Mr. Hyde? It matters not that his intentions were, to his mind, beneficent; so he could then separate the evil side of his self that he, Dr. Jekyll, might concentrate on the good. His beneficence was still reckless; by inducing his transformation into such a foul being he should have realised the horrible potential he was unleashing:

I do not suppose that, when a drunkard reasons with himself upon his vice, he is once out of five hundred times affected by the dangers that he runs through his brutish, physical insensibility; neither had I, long as I had considered my position, made enough allowance for the complete moral insensibility and insensate readiness to evil which were the leading characters of Edward Hyde.

"Every time Dr. Jekyll sipped that draught he willfully and with aforethought induced a state during which he was at risk for the most terrible violence. He did so purposively and, moreover, appeared to derive some sort of revelation whilst as Mr. Hyde; he himself has attested to his satisfaction whilst in this condition:

There was something strange in my sensations, something incredibly new and, from its very novelty, incredibly sweet. I felt younger, lighter, happier in body; within I was conscious of a heady recklessness, a current of disordered sensual images running like a mill race in my fancy, a dissolution of the bonds of obligation, an unknown but not an innocent freedom of the soul. . .the constellations looked down upon me, I could have

thought, with wonder, the first creature of that sort that their unsleeping vigilance had disclosed to them.

"Whilst he may have derived happiness from his transformation of persona, others most certainly did not, foremost among them Sir Danvers. What is worse, Dr. Jekyll had intact memory of his acts committed as Mr. Hyde. Yet again and again he so induced a state of utter depravity. Dr. Jekyll, and only Dr. Jekyll, sipped that draught; for when he did so, Mr. Hyde was nowhere to be seen (and would have remained so but for Dr. Jekyll's repeated ingestion of that foul broth).

"So, is the man before us insane? No, by the defendant's own words it was Mr. Hyde who had the monopoly on insanity, on evil, on irrationality. Dr. Jekyll continued to live a life as near as normal as anyone could, given his knowledge of the acts of his alter ego. If it was Mr. Hyde who stood before you today, then I confess your duty to convict might be a difficult one; for how can a being composed of pure evil meet the requirement of knowing right from wrong?

"Dr. Jekyll, unfortunately for his insanity plea, was never thus deprived of reason. His abdication of criminal responsibility now, through charging himself insane, is tantamount to admission that he committed the crime. That he was, quite literally, not *him-self* when these crimes were committed has little bearing on the issue of insanity for it was Dr. Jekyll who autogenously brought about that insane state. How he lived with the knowledge of his crimes may indeed have driven him insane, but by that time it was too late, the murder of Sir Danvers was already passed. We are not interested in his mental state after that murder, or indeed at the present time; we must leave that for the legion of alienists, alchemists, philosophers, and physicians who will no doubt beat a path to Dr. Jekyll's door in the hope of furthering their careers through studying this most peculiar and compelling case. It is your duty to see that the door to which they beat that path should be the door of a prison cell. I agree that *Mr. Hyde* would perhaps not be criminally responsible, but as it was *Dr. Jekyll* who brought about that person, he has, as it were, responsibility for his criminal responsibility. In the defendant's own words:

I was conscious, even when I took the draught, of a more unbridled, more furious propensity to ill. . . . I had voluntarily stripped myself of all those balancing instincts, by which even the worst of us continues to walk with some degree of steadiness.

“Whether a drunkard is oblivious to the risks he runs, the law is quite clear on this point: *voluntarily* stripping oneself of balancing instincts through drunkenness provides no defence to committing an ill upon a fellow man whilst intoxicated.

“The defendant’s refuge in his current persona will be a successful one if you fail to do your duty and convict in this sad case. The murder of Sir Danvers will go unpunished. More terrifying is the prospect of many other evils going unpunished, if you send a message to those with knowledge of chemistry and alchemy that they may replicate the foul acts of Dr. Jekyll and induce a persona, the acts of which the possibility of punishment is waived. No, Ladies and Gentlemen, I do not relish your task in this case, for you have heard unspeakable acts the like of which good citizens such as yourselves should not have to deal with. A master of literature could not concoct a more twisted tale. If you do otherwise than convict, you will open the sluices to a rash of such claims. And that would be a terrible harm inflicted upon society. Your duty today is clear, Ladies and Gentlemen—you must secure a conviction for the evils of the defendant.

“Your Honor, Ladies and Gentlemen of the court, the prosecution in this case rests.”

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