

archive.today
webpage capture

Saved from <https://web.archive.org/web/20080107135414/https://www.cnn.com/2007/US> search

6 Apr 2026 12:25:01 UTC

Original <https://www.cnn.com/2007/US/law/12/11/court.archive.yates8/index.html>

7 Jan 2008 13:54:14 UTC

All snapshots from host archive.org
from host www.cnn.com

history ← prior next →

Webpage

Screenshot

share

download .zip

report bug or abuse

Buy me a coffee

CNN.com /US

POWERED BY Google

SEARCH

HOME WORLD U.S. POLITICS CRIME ENTERTAINMENT HEALTH TECH TRAVEL LIVING BUSINESS SPORTS TIME.COM VIDEO I-REPORT IMPACT

Hot Topics » [Missing Georgia Hiker](#) » [Election Center 2008](#) » [Benazir Bhutto](#) » [Britney Spears](#) » more topics »

International Edition

the best of courtTV

Andrea Yates case: Yates found not guilty by reason of insanity

Next Article in U.S. »

TEXT SIZE - +

Editor's Note: As part of CNN.com's new Crime section, we are archiving some of the most interesting content from CourtTVNews.com. This story was first published in 2006.

(Court TV) -- A Texas jury found that Andrea Yates was insane when she drowned her five children in a bathtub five years ago, and the panel acquitted her of capital murder in the deaths.

"She needs help," the jury foreman said at a post-verdict press briefing. "Although she's being treated, I think she's worse than she was before. I think she'll probably need treatment for the rest for her life."

The panel of six men and six women, who deliberated for about 13 hours over three days, rejected the state's theory that Yates knew her actions were wrong when she drowned Noah, 7, John, 5, Paul, 3, Luke, 2, and Mary, 6 months, one by one in the family bathtub on June 20, 2001. Yates was only charged in the deaths of Noah, John and Mary.

Don't Miss

- Archive: Andrea Yates Case
- In Depth: Best of Court TV

"It was very clear to us all that she did have psychosis, before, during and after," Todd Frank, 33, said on behalf of the panel.

Yates stared blankly at the jury while listening to the verdicts, but later hugged her attorneys and smiled slightly while speaking with members

of her defense team.

The verdict is a life-changing turnaround for the 42-year-old former nurse who was originally sentenced to life in prison in 2002 after a jury found her guilty of capital murder. That decision was thrown out and Yates was granted a new trial by an appeals court due to the erroneous testimony of a prosecution medical expert.

When the verdict was read Wednesday, Yates' ex-husband and the father of her children, Russell "Rusty" Yates, cried and nodded his head. He and his mother, Dora Yates, and aunt, Fairy Caroland, wept together and tightly held hands.

Yates' mother, Karin Jutta-Kennedy, cried in the front row.

Outside court, Rusty Yates told reporters, "It's a miracle."

Yates escaped spending the rest of her life behind bars, but she will likely spend her life in a psychiatric ward. Yates will leave prison and be committed to a state mental hospital, where she will undergo continued treatment for an unspecified period of time. Her attorneys say it is highly unlikely she will ever be released, and her case will remain under court supervision.

"Five years ago, Andrea Yates called police to inform them of what she had done to her five children," prosecutor Joe Owmbly said in a post-verdict statement. "It was no mystery then who ended their lives. We are extremely disappointed with the verdict."

"This case has always been about bringing justice for these children," co-prosecutor Kaylynn Williford said.

Rusty Yates, who was under a strict gag order during his ex-wife's trial, expressed his frustrations with the court and prosecutors after the verdict.

"Who are they really serving?" Yates said, explaining his feelings when he walked out of closing arguments Monday after prosecutors showed the jury crime scene photos of his dead children. "Do they think the children want Andrea to be in prison? Do they think we, her family on either side, want Andrea to be in prison? Is it of any public benefit for Andrea to be in prison? Is she a danger to anyone?"

"It's amazing to me," Rusty Yates said. "I'm so proud of the jury for seeing past that."

Foreman Frank spoke of his 6-month-old infant son at home, and said that he and his fellow jurors endured the most "emotionally and intellectually challenging" experience of their lives serving on Yates' trial.

Find a local attorney at Martindale-Hubbell's® Lawyers.com™

Lawyers.com™

Law Firm Marketing:
Expert Help for Attorneys
from Lawyers.com

enter city
or: search by lawyer's name

LexisNexis™

SEARCH

"The first time I gave my son a bath after seeing those pictures, it was very hard," Frank said as he fought back tears.

Reconsidering insanity

In Texas, defendants who use insanity as a defense must prove that they were not only mentally ill, but that they did not know their actions were wrong at the time of the alleged crime.

Since the trial began one month ago, jurors have listened to testimony from investigators, medical experts and individuals close to Yates.

Officers who responded to the home after she called 911 testified that she appeared unemotional, unkempt and soaking wet as she calmly told police, "I killed my kids."

Yates' best friend testified that she was a sweet friend and loving mother, but after the birth of her fourth son, Luke, she turned into a "total zombie" who stared into space and couldn't finish sentences.

Jurors also heard about Yates' long history of mental illness. She twice attempted suicide, was diagnosed with recurrent postpartum depression and had been hospitalized several times for psychiatric care.

Yates' physician had gradually taken her off Haldol, an antipsychotic medication, just weeks before she killed her children. In his opening statements on June 26, defense attorney George Pamham posited to jurors that, if she had not been taken off Haldol, her children would still be alive.

Medical experts on both sides agreed that Yates was mentally ill, but prosecution experts said she knew the difference between right and wrong at the time of the drownings.

Forensic psychiatrist Dr. Michael Welner testified for the prosecution that Yates carried out an efficient and well-planned murder. She knew it was wrong, Welner theorized, as evidenced by the fact that she kept her homicidal plan private, and did not share the details of her psychoses until after the killings.

Prosecutors theorized that Yates drowned her children to escape the overwhelming stress of raising and home-schooling them.

Forensic psychiatrist Dr. Phillip Resnick testified that Yates believed deeply that killing her children was the right thing to do. Yates, according to defense expert Resnick, believed that Satan had taken over her body and soul and was eyeing her children's souls next.

Yates told Resnick and others who evaluated her in the weeks after her arrest that she believed that, if she killed her children while they were still innocent, they would be sent to heaven and she would have defeated Satan.

Yates turned herself in immediately after the drowning deaths, Resnick said, because she thought her own death would fulfill a Biblical prophecy: If she were executed, Satan would be executed.

Resnick diagnosed Yates with schizoaffective disorder, severe depression with schizophrenic symptoms.

The jurors in Yates' first trial deliberated for less than four hours to find her guilty. Yates did not understand that verdict and asked her attorneys what it meant.

That panel rejected the death penalty and recommended life in prison, which was where Yates was living when she was granted a new trial in January 2005.

The appeals decision turned on the testimony of the prosecution's medical expert, Dr. Park Dietz.

Dietz, a forensic psychiatrist, testified about an episode of "Law & Order" in which a woman got away with drowning her children in the bathtub by pleading insanity. Prosecutors suggested during her first trial that Yates watched the show and saw it as "a way out." But it was soon discovered that no such episode existed.

Dietz testified again at her new trial, and reiterated his contention that Yates knew her actions were wrong because Satan was the impetus. Dietz was barred from testifying about his erroneous testimony in the first trial.

During the current deliberations, jurors asked to see evidence related to Park, Dietz and Resnick's evaluations. The foreman told reporters they did not base their decision solely on the testimony of any one expert.

Many of the jurors, according to Frank, had personal experiences with family members who suffer from mental illness.

When asked if jurors had a message to send with their verdict, the foreman replied, "Don't let this happen again. Do what you've got to do with the legislation, with insurance companies. Don't let this happen again." [E-mail to a friend](#)

[SHARE](#) [EMAIL](#) [SAVE](#) [PRINT](#)

► **From the Blogs:** Controversy, commentary, and debate

Top News

No Image	Ticker: McGovern: Impeach Bush, Cheney now		Ski tour bus rolls, 7 killed
----------	---	--	-------------------------------------

[Home](#) | [World](#) | [U.S.](#) | [Politics](#) | [Crime](#) | [Entertainment](#) | [Health](#) | [Tech](#) | [Travel](#) | [Living](#) | [Business](#) | [Sports](#) | [Time.com](#)
[Tools & Widgets](#) | [Podcasts](#) | [Blogs](#) | [CNN Mobile](#) | [Preferences](#) | [Email Alerts](#) | [CNN Radio](#) | [CNN Shop](#) | [Site Map](#)

POWERED BY
Google

SEARCH

© 2008 Cable News Network. Turner Broadcasting System, Inc. All Rights Reserved.

[CNN en Español](#) | [Arabic](#) | [Japanese](#) | [Korean](#) | [Turkish](#)

[Terms of service](#) | [Privacy guidelines](#) | [Advertise with us](#) | [About us](#) | [Contact us](#) | [Help](#)

[International Edition](#) | [CNN TV](#) | [CNN International](#) | [Headline News](#) | [Transcripts](#)