

## APPENDIX 1

### TIME LINE OF ANDREA YATES'S LIFE AND TRIAL APRIL 1993 – APRIL 2002

April 17, 1993	Andrea and Russell Yates are married by a non-denominational pastor <sup>1</sup> in Clear Lake Park, Texas. <sup>2</sup> After the simple ceremony, the couple tells wedding guests that they will not use birth control, but rather have as many children as nature allows. <sup>3</sup>
April – May 1993	The couple honeymoon in Cancun, Mexico, then move into the \$90,200 "brand-new and roomy" house in Friendswood, Texas, that Russell had purchased on March 30, 1993. <sup>4</sup>
June 1993	Andrea becomes pregnant for the first time. <sup>5</sup>
Feb. 26, 1994	Noah is born. <sup>6</sup> Andrea leaves her job with the University of Texas M.D. Anderson Cancer Center. <sup>7</sup> Shortly after Noah's birth, Andrea has a vision in which an image of a knife turns into a scene of someone being stabbed. The vision disappears quickly, and Andrea tells no one until after her arrest. <sup>8</sup>
Dec. 15, 1995	John is born. <sup>9</sup> While pregnant with John, Andrea gives up swimming, jogging, and socializing with friends. <sup>10</sup>
Early-to-mid 1996	Andrea writes to Rachel Woroniecki, wife of traveling evangelist Michael Woroniecki, expressing her loneliness. <sup>11</sup> Rachel writes back, directing Andrea to read a chapter of the New Testament that describes the role of women to love their husbands and children, work at home, and be subject to their husbands. <sup>12</sup> Russell is offered an opportunity to be part of a six-month NASA project in Clearwater, Florida. He views this as an opportunity to "check out life on the road." <sup>13</sup> Russell and Andrea lease out the Friendswood house, sell their possessions, and move into a 38-foot travel trailer. <sup>14</sup>
Oct. 12, 1996	The Yates family parks their trailer in the Lazy Days RV Campground in Hitchcock, Texas. They live at the campground for about a month before they move to Florida. <sup>15</sup>
Nov. 1996	The Yates family moves into a recreation vehicle community in Seminole, Florida. <sup>16</sup> Andrea becomes pregnant but miscarries. <sup>17</sup>
Dec. 1996	Andrea becomes pregnant with Paul. <sup>18</sup>
June 17, 1997	The Yates family returns to the Lazy Days RV Campground in Texas. <sup>19</sup>
Sept. 13, 1997	Paul is born. <sup>20</sup>

May 1998	The Yates family takes a trip to Florida after learning through a newsletter that the Woronieckis, whose address at the time was in Miami, were selling their 300-square foot motor home – a converted 1978 GMC bus that the Woronieckis had lived in while traveling and preaching. <sup>21</sup> Andrea and Noah prefer the bus to the trailer, so Russell decides to buy it. <sup>22</sup> During this trip, Luke is conceived. The family returns to the Lazy Days RV Campground, while still in their old trailer, yet some residents note that Russell is no longer friendly towards neighbors. <sup>23</sup>
July 1998	Rachel Woroniecki writes to both Andrea and Russell, praising Andrea for "taking to heart the things they shared" and thanking Russell for his donation. <sup>24</sup>
Oct. 1998	The Yates family sells the Friendswood house and moves into the bus. <sup>25</sup> Noah and John sleep in the luggage compartment, while Andrea, Russell, Paul, and Luke sleep in the cabin. <sup>26</sup> The Yateses continue to correspond with the Woronieckis. <sup>27</sup>
Feb. 15, 1999	Luke is born. <sup>28</sup>
March – May 1999	Andrea cares for her father, who suffers from Alzheimer's disease and the effects of an earlier heart attack. Family members note that Andrea insists on visiting them at their homes, rather than inviting them to the bus. <sup>29</sup> Neighbors observe that Andrea seems exhausted, yet the Yates family takes the bus on a trip to the Grand Canyon and Lake Mead. <sup>30</sup>
June 16, 1999	Andrea calls Russell at work, asking him to come home. He returns to the bus to find her shaking, crying, and biting her fingers. He takes her on a walk, and eventually brings her to her parents' house. <sup>31</sup>
June 17, 1999	Andrea attempts to commit suicide. She overdoses on her father's prescription medication and is rushed to Houston's Ben Taub General Hospital. Andrea is diagnosed with a major depressive disorder and transferred to Methodist Hospital. <sup>32</sup>
June 18, 1999	Andrea is officially admitted to Methodist Hospital's psychiatric unit. A nurse notes that Andrea seems unsure as to whether she will receive the help she needs there, and Andrea refuses to consent to medication. <sup>33</sup> Andrea tells the staff at Methodist Hospital that she consumed the pills to "sleep forever," but afterwards felt guilty because she had her "family to live for." <sup>34</sup> Andrea later says that she wants to stay off medication so that she can continue to breastfeed. <sup>35</sup> Andrea meets with social worker Norma Tauriac, but Tauriac is forced to call Russell and interview him over the phone about Andrea because Andrea "wasn't giving her the information she needed." <sup>36</sup>
June 19, 1999	Andrea meets with her Methodist Hospital psychiatrist, Dr. James Flack. He finds her severely depressed and "essentially

	non-verbal." She begins taking Zoloft and stops breastfeeding. <sup>37</sup>
June 20, 1999	Dr. Flack meets with Andrea and finds her "slightly improved." He raises her Zoloft dosage. Andrea attends a group meeting and nurses note that she seems to be in a better mood. <sup>38</sup>
June 21, 1999	Andrea attends a group meeting but seems withdrawn and guarded. She tells nurses she is worried about paying the hospital bill. Russell visits the hospital for a family meeting with Andrea and a social worker. Dr. Flack notes that Andrea will probably need to take more Zoloft and to remain in the hospital through the week. <sup>39</sup>
June 22, 1999	Andrea expresses concern that she is being charged for a breast pump she is no longer using, but tells a nurse that she is "doing okay." <sup>40</sup>
June 23, 1999	Andrea meets with Dr. Flack. She is depressed, detached, and does not communicate. She does not ask to be discharged. Dr. Flack increases her Zoloft to 150 milligrams. Andrea's social worker files a complaint with Child Protective Services based on Russell's decision to permit his sons to handle power tools; however, the agency decides not to investigate further. <sup>41</sup>
June 24, 1999	Andrea and Russell meet with Dr. Flack and request that Andrea be discharged from Methodist Hospital. Dr. Flack agrees with the hope that the home environment may prove more therapeutic, since hospital therapy sessions do not appear to be helping. <sup>42</sup> Russell agrees to provide Andrea with 24-hour supervision. Dr. Flack refers Andrea to psychiatrist Eileen Starbranch. Andrea's discharge papers indicate that Andrea "remained quite depressed, but denied suicidal ideation." <sup>43</sup> The reason for her release is cited as "insurance restrictions." <sup>44</sup> Russell takes Andrea to her parents' house to recuperate. <sup>45</sup>
July 1, 1999	Dr. Starbranch meets with Andrea for the first time. Andrea says that the Zoloft was helping a little, but she still feels anxious. Dr. Starbranch recommends that Andrea switch from Zoloft to Zyprexa, a last-resort antipsychotic used to treat bipolar mania and schizophrenia. Andrea flushes the Zyprexa samples down the toilet. <sup>46</sup>
July 2-19, 1999	Andrea's condition worsens. She stays in bed all day and self-mutilates, scratching bald patches on her scalp, picking sores in her nose, and scraping her legs and arms. Andrea refuses to feed her children or nurse Luke, claiming that they were "all eating too much." Later, she would tell psychiatrists that during this time, she saw visions and heard voices telling her to get a knife. She envisioned a person being stabbed, although she would not identify that person. <sup>47</sup> At varying times, Andrea also believes that there are video cameras in the ceilings watching her in different rooms in the house and that

	television characters are communicating with her. She tells Russell about these hallucinations, but neither of them tells Andrea's doctors even though her doctors continually question her about having hallucinations. <sup>48</sup> In addition, Andrea's family begins discussions that reveal that mental illness runs in the family. Andrea's brother and sister are being treated for depression, another brother is bipolar, and her father suffered from depression. <sup>49</sup>
July 20, 1999	Andrea attempts to commit suicide again. Russell wrestles away from her a knife that she holds to her neck in the bathroom of her mother's house. <sup>50</sup>
July 21, 1999	Andrea is admitted to Memorial Spring Shadows Glen for psychiatric treatment. <sup>51</sup> Her psychiatric assessment upon arrival indicates that her thoughts are delayed and she is unresponsive. She is noted as being in an "acutely depressed mood." Her preliminary diagnosis indicates that she suffers from post-partum depression. The goals of her initial treatment are to provide her with a safe environment, stabilize her medication, and help her develop "positive coping skills." <sup>52</sup>
July 22, 1999	A social worker at Memorial Spring Shadows Glen tries to interview Andrea. Andrea refuses to disclose any clinical information and resists all psychotropic medication. <sup>53</sup> Dr. Lara Longo notes that Andrea makes poor eye contact, is "minimally communicative," seems anxious, and "has a blunted affect." Dr. Longo also reports that Andrea has sores on her scalp that she appears to have been picking, as well as superficial scratches on her extremities that seem to be self-inflicted. <sup>54</sup> Andrea refuses to dress for bed and seems frightened of nurses. <sup>55</sup>
July 23, 1999	At Memorial Spring Shadows Glen, Andrea is given an emergency shot of Haldol, a powerful anti-psychotic drug. <sup>56</sup>
July 24, 1999	Andrea continues to refuse to answer interview questions at Memorial Spring Shadows Glen. She signs a consent form allowing hospital staff to speak to Russell and her mother. She eventually agrees to take the anti-psychotic drug Zyprexa. <sup>57</sup>
July 25, 1999	A Memorial Spring Shadows Glen nurse notes that Andrea appears "almost catatonic," but later observes Andrea feeding her baby. <sup>58</sup>
July 26, 1999	Andrea again refuses a psychosocial interview at Memorial Spring Shadows Glen and does not eat. <sup>59</sup>
July 27, 1999	Andrea responds to her name but rarely speaks otherwise. She barely eats, and Memorial Spring Shadows Glen nurses note that she appears "paranoid." She says that she is still having suicidal thoughts, but less often. <sup>60</sup>
July 27-28, 1999	Records from Memorial Spring Shadows Glen indicate that Andrea "decided to kill herself because she was having visions and hearing voices that were telling her to hurt others and

	feared she might act on them. [Andrea] recounted having at least 10 visions over several days." Andrea also said that she had visions after Noah's birth. <sup>61</sup>
July 28, 1999	Andrea is given another emergency dose of Haldol at Memorial Spring Shadows Glen and agrees to a psychosocial interview. During the interview, she waits before answering questions, but states that she is angry at herself for not knowing how to commit suicide. She also says that she's been depressed since Noah's birth, needs more help from Russell, and does not take her Zoloft. Just when she finally agrees to open up to the social worker asking her questions, he informs her that he will be leaving his job in two days. She eats a complete dinner, and Russell asks when she can be discharged. <sup>62</sup>
July 29, 1999	Andrea appears "distressed" and refuses to take a Rorschach test from her new social worker. She later consistently denies having suicidal or homicidal thoughts when doctors and nurses ask her about her mental state on a regular basis. <sup>63</sup>
July 30, 1999	While being prepped to transfer into adult services and group therapy, Andrea seems troubled. <sup>64</sup>
July 31, 1999	Andrea tells her nurse that she does not care for the transition and does not find it useful. She is quiet when her husband and children visit later that day. She walks away from a meeting with her social worker, who describes her as "despondent." <sup>65</sup>
Aug. 1, 1999	Andrea transitions into adult services and has her first group therapy meeting. She seems slightly better that afternoon but becomes depressed again at night. <sup>66</sup>
Aug. 2, 1999	Russell visits Andrea and they have a family therapy session. The therapist stresses the need for follow-up therapy, and Andrea appears unenthusiastic. Later, she rejects medicine and food. <sup>67</sup>
Aug. 3, 1999	Andrea refuses to get out of bed and skips group therapy, saying that she does not feel like talking. <sup>68</sup>
Aug. 4, 1999	Andrea gets "teary" when speaking to a social worker about Russell, but is unable to explain why she is upset. <sup>69</sup>
Aug. 5, 1999	Russell visits with the children at Memorial Spring Shadows Glen and tells nurses that Andrea has not bathed or changed clothes in four days. <sup>70</sup> Consulting physician Dr. Arturo Rios meets with the Yateses, and notes that Andrea says some of the medications she has received in the hospital have helped her, although she still sometimes feels "overwhelmed." Andrea refuses to respond when Dr. Rios asks her if she "still manifests suicidal thoughts." Russell tells Dr. Rios that Andrea previously improved after taking Haldol, but Dr. Rios notes that this improvement was short-lived. <sup>71</sup> Dr. Rios recommends electroconvulsive therapy. Andrea opposes this, and Russell prefers to try medication first. Andrea agrees to

	bathe. <sup>72</sup>
Aug. 6, 1999	Andrea refuses to take her medication. <sup>73</sup>
Aug. 7, 1999	Andrea again refuses to take her medication. <sup>74</sup>
Aug. 9, 1999	Andrea is discharged from Memorial Spring Shadows Glen inpatient care and entered into day treatment at Memorial Hermann Behavioral Health Center. Upon discharge, Andrea has prescriptions for 150 mg of Wellbutrin twice daily, 75 mg of Effexor twice daily, 2 mg of Cogentin once daily, and 5 mg of Haldol once daily. <sup>75</sup> Andrea's parents consider the bus unhealthy for Andrea and the children, and state that their own house is too small to accommodate the Yates family. As a result, Russell uses part of his \$80,000/year NASA salary to buy a three-bedroom, two-bath, home at 942 Beachcomber Lane. <sup>76</sup>
Aug. 10, 1999	Andrea begins daily outpatient care at Memorial Hermann Behavioral Health Center. She tells her therapist that her return home went well, despite some stress. She says that she regrets her suicide attempt, having been reminded that she is needed. Andrea also states that she would like to stop taking medication because it makes her feel like a weak person. <sup>77</sup>
Aug. 11, 1999	Dr. Starbranch decreases Andrea's Haldol prescription by half. <sup>78</sup> Andrea expresses some guilt that her children are acting detached, since she had been gone for so long. <sup>79</sup>
Aug. 13, 1999	Russell and Andrea attend family therapy. Dr. Sonia Burlingame notes that Russell pressures Andrea to get discharged from the treatment program. Russell reports that Andrea is 90-95 % "back to normal" while Andrea's estimation is only 70-75 %. The Yateses tell Dr. Burlingame about their plan to ease Andrea's stress – Russell's mother will help with the children in the morning, and Russell will work half days. Yet, Dr. Burlingame notes that Andrea's stress level will still be high because she and Russell want to home school the children, and have more children. Russell tells Dr. Burlingame that Andrea still seems detached. <sup>80</sup>
Aug. 16, 1999	Andrea states during group therapy that Russell permits her a few hours per week to spend as she pleases. The group encourages her to assert herself. Andrea expresses a desire to learn how to enjoy herself again. Yet, Andrea later tells Dr. Starbranch that she wants to get off medications so she can have more children and home school her children again. Dr. Starbranch notes that Andrea's heart raced as she spoke, and prescribes Ativan, a sedative for anxiety. <sup>81</sup>
Aug. 17, 1999	During group therapy, Andrea describes herself as "eager to please" but depressed as a child, and speaks of her father's depression. She says that she wants to be more communicative, but that Russell usually turns on the TV at home. <sup>82</sup>
Aug. 18, 1999	Dr. Starbranch warns the Yateses that giving birth again could

	trigger another psychotic episode in Andrea. According to Dr. Starbranch's notes, "[a]pparently [patient] & husband plan to have as many babies as nature will allow! This will surely guarantee future psychotic depression." <sup>83</sup>
Aug. 20, 1999	Andrea is discharged from outpatient care. She tells her therapy group that she is sorry to leave them because they supported her. She again expresses the desire to get off all medication, and admits that she has not taken the Ativan prescribed for her, even though she still feels anxious. Before leaving, Andrea schedules psychiatric and therapy appointments, and plans to receive a shot of Haldol on August 27. <sup>84</sup>
Oct. 14, 1999	Russell and Andrea meet with Dr. Starbranch and tell her that due to an insurance problem, Andrea is not receiving her Haldol and Cogentin. They report that Andrea is feeling better (no hallucinations or paranoia, good appetite, somewhat energetic), and ask if she can stop taking medication. Dr. Starbranch notes that Andrea is "doing OK," but puts her on the antipsychotic drug Zyprexa. <sup>85</sup>
mid-Nov. 1999	Andrea is doing well, so Dr. Starbranch halves her dosage of Zyprexa, but continues her dosages of Effexor and Wellbutrin. <sup>86</sup>
Dec. 14, 1999	Andrea reports that she is doing well. <sup>87</sup> According to some sources, she prospers in the Beachcomber Lane home – swimming laps at dawn, baking and sewing, playing with her children, and fostering an environment for home schooling, which Russell encourages. <sup>88</sup> At this point, Andrea admits to Russell that she had "failed" at their life in the bus. But she seems to believe that this new phase in their lives is a chance to succeed. Most important are the family's three nights of Bible study in the living room because Russell does not like any of the churches in their area. <sup>89</sup>
Dec. 1999	Dr. Starbranch takes Andrea off of Haldol but continues the other medications. <sup>90</sup>
Jan. 2000	Andrea has her last visit with Dr. Starbranch. Andrea admits that she has not been taking her medication since mid-November, but says that she's been doing well. <sup>91</sup>
March 2000	Andrea becomes pregnant again. She is not taking any medications. <sup>92</sup> The news greatly alarms Dr. Starbranch, who had warned that Andrea's problems could be far more serious if they returned. <sup>93</sup>
Nov. 30, 2000	Mary is born. <sup>94</sup>
March 12, 2001	Andrea's father, Andrew Kennedy, dies. Andrea's condition soon begins to deteriorate. <sup>95</sup>
March 13-30, 2001	Andrea stops talking. She continually holds Mary but does not feed her; she refuses to drink liquids and she scratches and picks at her scalp. <sup>96</sup>
March 31, 2001	Andrea is admitted to Devereux Texas Treatment Network

	and begins taking anti-psychotic medication. <sup>97</sup> Russell selects Devereux in part because it is covered by his insurance. Initially, Andrea refuses to leave the house to go to Devereux, so Russell and Andrea's brother have to "practically carry her in." <sup>98</sup> Andrea also initially refuses to sign herself into the hospital, and Dr. Mohammad Saeed prepares to have her legally confined against her will. <sup>99</sup> After Russell's pleading, however, Andrea enters voluntarily. <sup>100</sup> Upon arriving at Devereux, Andrea apologizes to Noah for being "such a bad mother." <sup>101</sup>
April 1, 2001	Andrea has her first appointment with Dr. Saeed. <sup>102</sup> He notes that she is "almost catatonic." <sup>103</sup>
April 2, 2001	Andrea meets with Dr. Saeed again. He prescribes Effexor, Wellbutrin, the antipsychotic Risperdal, and Cogentin. <sup>104</sup>
April 4, 2001	Andrea attends her first group therapy session at Devereux. <sup>105</sup>
April 5, 2001	Andrea talks to Dr. Saeed until he asks her if she thinks about suicide, at which point she stops talking. <sup>106</sup>
April 6, 2001	Dr. Saeed doubles Andrea's Risperdal dosage. <sup>107</sup>
April 8, 2001	Andrea eats solid food. <sup>108</sup>
April 9, 2001	Dr. Saeed notes that Andrea looks much better. <sup>109</sup>
April 10, 2001	Andrea paces in her room and refuses food. <sup>110</sup>
April 11, 2001	Andrea eats well and maintains eye contact, but speaks only to having her needs met. <sup>111</sup>
April 12, 2001	Andrea is discharged from inpatient care and begins partial hospitalization at Devereux. Partial hospitalization requires that Andrea spend her days at the hospital, but enables her to go home at night. <sup>112</sup>
April 13, 2001	Andrea attends one day of partial hospitalization at Devereux. After that, she refuses to go again, and Russell supports her decision not to go. <sup>113</sup>
April 16, 2001	Russell calls Dr. Saeed, and they discuss Andrea's medication. Russell tells Dr. Saeed that Andrea is improving, but has trouble sleeping. Dr. Saeed encourages Andrea to come back to Devereux, but says that if she does not return, he will discharge her. Andrea does not go back. <sup>114</sup>
April 18, 2001	Andrea is completely discharged from Devereux. Dr. Saeed feels that Russell can take care of her. <sup>115</sup>
May 3, 2001	While Russell is at work, Noah sees Andrea fill the bathtub with water. Noah tells Russell's mother, Dora, who is visiting to help Andrea with the children. When Dora asks Andrea why she filled the tub, Andrea simply says, "just in case I need it." <sup>116</sup> Andrea later refuses to let her friend Debbie Holmes enter the house when Holmes attempts to bring over some food. <sup>117</sup>
May 4, 2001	Russell brings Andrea back to Dr. Saeed because she is eating and drinking very little, and does not deny that she is suicidal. Andrea is readmitted to Devereux and begins taking Haldol after Russell refuses to consider electroshock therapy. <sup>118</sup>

May 5, 2001	Andrea attends a group therapy meeting at Devereux but refuses to speak. <sup>119</sup>
May 6, 2001	Dr. Saeed gives in to Russell's pleadings that he review Dr. Starbranch's medical records on Andrea. Andrea signs a consent form releasing the records. Dr. Saeed notes that Andrea was alert but did not answer any questions. <sup>120</sup> His report states that Andrea was "up and about" but the nurses' reports indicated that she was "in bed" and "isolating." <sup>121</sup>
May 8, 2001	Dr. Saeed does not see Andrea, but the hospital staff notes that she is "withdrawn." <sup>122</sup>
May 10, 2001	Staff members describe Andrea as "non-responsive," but Dr. Saeed reports that she is "doing a little better." He notes "no new info" on Dr. Starbranch's medical records. Russell and Andrea attend a family therapy meeting with a social worker, but Andrea does not speak. <sup>123</sup>
May 11, 2001	Andrea isolates herself at a group therapy meeting and leaves early to see Dr. Saeed. She denies having hallucinations. <sup>124</sup>
May 12, 2001	Russell and Andrea attend another family therapy meeting. Andrea says they have no issues to discuss. Russell says they have no issues to discuss as a couple. Another patient at the hospital watches Andrea visiting with her children and notes that "[e]veryone seemed happy but Andrea." <sup>125</sup>
May 14, 2001	Andrea is again discharged from Devereux, after telling Dr. Saeed that she is not suicidal. No one asks her if she is homicidal. Andrea tells Dr. Saeed that she wants to participate in partial hospitalization. Russell is stunned that his wife is being discharged. <sup>126</sup>
May 17, 2001	Dr. Saeed notes that Andrea seems "stable," but that she reports "depression." In therapy she says she has no issues to work on. <sup>127</sup>
May 18, 2001	In therapy, Andrea states that she looks forward to being with her family at the end of each day. She sleeps for the second half of the session. Dr. Saeed's notes indicate improvement. <sup>128</sup>
May 21, 2001	Andrea sits in one spot all day, and speaks in an emotionless tone. Dr. Saeed notes that she is eating and sleeping well, and taking her medication. Dr. Saeed and Andrea discuss the possibility of her discharge the following day. <sup>129</sup>
May 22, 2001	Andrea's posture is tense, and her affect is flat. She is discharged from partial hospitalization, three days before her planned release. "Patient not suicidal" is given as the reason for discharge. Dr. Saeed notes on his discharge summary report that Andrea was severely depressed until she tapered off of Wellbutrin and began taking Remeron. <sup>130</sup>
June 4, 2001	Dr. Saeed tapers Andrea off of Haldol over a period of three days. <sup>131</sup>
June 6, 2001	Andrea stops taking Haldol. <sup>132</sup>
June 18, 2001	Andrea and Russell have a follow-up visit with Dr. Saeed. Russell reports that Andrea is not improving and asks that her

	anti-depressant be changed. <sup>133</sup> Russell expresses an unusual amount of concern about Andrea; she is getting worse and is now having nightmares. <sup>134</sup> Dr. Saeed allegedly writes in his notes that Andrea is doing well, and reduces her Effexor prescription by 150 milligrams in one day, despite Russell's research indicating that the anti-depressant should not be reduced by more than 75 milligrams over 3-4 days. <sup>135</sup> Dr. Saeed refuses to put Andrea back on Haldol, irrespective of Russell's pleadings, claiming that Haldol is "bad medicine." Dr. Saeed tells Andrea to focus on "positive thoughts" and suggests that she see a psychologist. <sup>136</sup>
June 19, 2001	Andrea watches cartoons in the living room and later plays basketball with Russell and Noah. Then, without speaking, she gets into bed without changing her clothes, and sleeps until the next morning. <sup>137</sup>
June 20, 2001	Russell notices that Andrea seems nervous in the morning. He makes sure that she takes her anti-depressants, and leaves for work. Shortly thereafter, Andrea drowns the five children. <sup>138</sup> Immediately, she dials 911 <sup>139</sup> and then calls Russell. <sup>140</sup> When the police arrive, she confesses. <sup>141</sup>
June 21, 2001	Andrea is charged with murder. Judge Belinda Hill appoints attorney Bob Scott to represent her. Scott requests a gag order, but Judge Hill does not rule on his request. <sup>142</sup>
June 22, 2001	Attorney George Parnham volunteers to take over Andrea's case. <sup>143</sup>
June 25, 2001	Dr. Gerald Harris, a clinical psychologist, meets with Andrea and examines her to evaluate her competency to stand trial. He reports that she is having "overt psychosis," hallucinations, and delusions. It takes Andrea up to two minutes to respond to questions, and she tells Dr. Harris that she saw Satan on the walls of her jail cell. <sup>144</sup>
June 26, 2001	The Yates children's visitation takes place at the Clear Lake Church of Christ. <sup>145</sup>
June 27, 2001	The Yates children's funeral is held at the Clear Lake Church of Christ. <sup>146</sup> Pastor Byron Fike of the Clear Lake Church of Christ officiates. Pastor Fike and Russell name the funeral service "From Tragedy to Triumph." Russell delivers his children's eulogies. <sup>147</sup> Judge Hill issues the gag order. <sup>148</sup>
June 29, 2001	Dr. Harris meets with Andrea again. He notes little change in Andrea's condition although she has started taking Haldol. <sup>149</sup>
July 2, 2001	Andrea turns age 37. <sup>150</sup>
July 3, 2001	Dr. Saeed and Beverly Bedard, custodian of records at Devereux Texas Treatment Network (Andrea's former psychiatric residence), turn over Andrea's Devereux medical records to the prosecution and defense. Parnham requests a competency hearing for Andrea. <sup>151</sup>
July 16, 2001	Dr. Melissa Ferguson, a psychiatrist from the Harris County jail, informs Russell that she is going to put Andrea back on

	the medications she was taking in 1999: Haldol, Wellbutrin, and Effexor. <sup>152</sup>
July 19, 2001	Dr. Steven Rubenzer meets with Andrea. She scores low on a test measuring her appreciation for what goes on in the court system. Dr. Rubenzer conducts a personality assessment that gives no indication Andrea is faking her illness. <sup>153</sup>
July 20, 2001	Dr. Rubenzer meets with Andrea again. She takes up to a minute to respond to his questions. <sup>154</sup>
July 25, 2001	Andrea is moved to a psychiatric unit. <sup>155</sup> Dr. Rubenzer meets with Andrea. <sup>156</sup>
July 26, 2001	Methodist Hospital releases 92 pages of Andrea's medical records. <sup>157</sup>
July 30, 2001	Andrea is indicted for "intentionally and knowingly" causing the deaths of Noah and John, and then also indicted for causing the death of Mary. The charges on both indictments are for capital murder because they involved more than one person as well as a person less than six years old (Mary). <sup>158</sup> According to the prosecutors, Andrea was not charged with the murders of Paul and Luke because their deaths would be discussed during the trial. However, some commentators claimed that the unmentioned indictments served as fallback charges in case Andrea was not convicted. <sup>159</sup> On the same day, Andrea's attorneys filed a "notice of intent to offer evidence of the insanity defense," based upon the testimony of two psychiatrists claiming that Andrea was, at the time of the offense, "mentally insane" under Section 8.01 of the Texas Penal Code. <sup>160</sup>
Aug. 2, 2001	The Texas Court of Appeals denies the <i>Houston Chronicle's</i> request to throw out the gag order. <sup>161</sup> Dr. Rubenzer meets with Andrea. <sup>162</sup>
Aug. 3, 2001	Dr. Rubenzer meets with Andrea. She does "reasonably well" on an intelligence and memory test, although she has problems with attention and concentration. <sup>163</sup>
Aug. 8, 2001	Andrea is arraigned in the deaths of Noah, John, and Mary. <sup>164</sup>
Aug. 28, 2001	<i>The Dallas Morning News</i> reports that Dr. Saeed's telephone is disconnected. <sup>165</sup>
Aug. 31, 2001	Dr. Harris has a third meeting with Andrea. He administers an intelligence test, and determines that she is in the 81 <sup>st</sup> percentile. However, she scores poorly on several memory tests. <sup>166</sup>
Sept. 5, 2001	Russell interviews with Ed Bradley of <i>60 Minutes</i> for a show that is aired on December 9, 2001. <sup>167</sup>
Sept. 6, 2001	Russell turns age 37. <sup>168</sup>
Sept. 10, 2001	Dr. Rubenzer, the psychologist who found Andrea competent to stand trial, meets with Andrea without the defense's knowledge. <sup>169</sup>
Sept. 11, 2001	Jury selection is scheduled to begin, but is cancelled after the World Trade Center terrorist attacks. <sup>170</sup>

Sept. 17, 2001	Dr. Rubenzer again meets with Andrea without the defense's knowledge. <sup>171</sup>
Sept. 19, 2001	Jury selection takes place to determine whether Andrea is competent to stand trial. <sup>172</sup> Judge Hill prohibits the State from using any information gained during the Sept. 10 and 17 meetings between Dr. Rubenzer and Andrea. <sup>173</sup>
Sept. 21, 2001	Drs. Harris and Rubenzer testify at Andrea's competency hearing. <sup>174</sup>
Sept. 22, 2001	A jury requires more than eight hours over a two-day period to decide that Andrea was sufficiently competent to stand trial for drowning her children. <sup>175</sup>
Jan. 7, 2002	Jury selection begins for a new jury that is to determine Andrea's level of culpability at the end of her murder trial. <sup>176</sup>
Feb. 18, 2002	Andrea's murder trial begins. Jurors hear the taped 911 call in which Andrea said that she was ill and that her children were with her. <i>Testimony of David Knapp, the Houston police officer who responded to Andrea's 911 call:</i> Testifies that Andrea answered the door breathing heavily, with wet hair and clothes, and told him twice that she had killed her children. <sup>177</sup>
Feb. 19, 2002	<i>Testimony of Dora Yates, Russell's mother:</i> Testifies that when she visited her son's family for several weeks last spring to help with the children, Andrea seemed troubled. <sup>178</sup>
Feb. 20, 2002	Judge Hill admits 29 photos of the dead children taken at the crime scene. <i>Testimony of Glen West, a Houston police crime scene unit officer:</i> Testifies that he walked across a soggy hallway, found Noah floating dead in the bathtub, and observed a trail of water spread from the bathroom to the bedroom. West's videotape of the crime scene was admitted into evidence. <sup>179</sup>
Feb. 21, 2002	<i>Testimony of Sgt. Eric Mehl:</i> Testifies about Andrea's June 20 confession and the jury hears a tape-recording of it. <sup>180</sup> <i>Testimony of Dr. Patricia J. Moore, the medical examiner who autopsied John and Mary:</i> Testifies that the children's heads had small bruises, most likely caused from someone holding them under water. John clutched in his fist a long brown hair, which resembled one of his mother's. <sup>181</sup>
Feb. 22, 2002	<i>Testimony of Dr. Harminder S. Narula, an assistant medical examiner who autopsied Noah:</i> Testifies that Noah's head, arms, and legs had recent bruising, most likely caused by someone holding him down. <sup>182</sup> The prosecution rests. <sup>183</sup>
Feb. 22-23, 2002	<i>Testimony of Dr. Melissa Ferguson, a psychiatrist at the Harris County Jail:</i> Testifies that Andrea exhibited signs of paranoia and delusions based on Dr. Ferguson's six days of interviews with Andrea in the Harris County Jail. According to Dr. Ferguson, Andrea insisted she was not mentally ill or depressed, and did not need medication. Dr. Ferguson also said that Andrea believed that drowning the children was "the right thing to do." Andrea acknowledged her guilt and

	claimed that she "deserved to be punished." <sup>184</sup>
Feb. 26, 2002	<i>Testimony of Dr. George Ringholz, a neuropsychologist from Baylor College of Medicine:</i> Testifies that Andrea met the legal definition of insanity when she drowned her children because she was "severely ill and in the course of an acute psychotic episode" and thus "did not know the actions she took on that day were wrong." <sup>185</sup>
Feb. 26-27, 2002	<i>Testimony of Dr. Eileen Starbranch, the psychiatrist who treated Andrea for five months following her two suicide attempts in 1999:</i> Testifies that Andrea was one of the "sickest patients [she'd] ever seen," and states that she had warned both Andrea and Russell against having more children. <sup>186</sup>
Feb. 27-28, 2002	<i>Testimony of Russell Yates, Andrea's husband:</i> Testifies that he never grasped the extent of his wife's illness. He claims he was told that her postpartum depression and other symptoms were treatable and that at no time did her behavior suggest she was a danger to their children. <sup>187</sup>
Feb. 28, 2002	<i>Testimony of Earline Wilcott, Andrea's longtime therapist:</i> Testifies that Russell Yates believed that a wife should submit to her husband and that Andrea was "being overwhelmed and trapped with no alternative." <sup>188</sup> <i>Testimony of Debbie Holmes, Andrea's best friend for 16 years:</i> Testifies about the extent of Andrea's deteriorating mental condition in the months before the drowning. <sup>189</sup>
March 1, 2002	<i>Testimony of Dr. Steve Rosenblatt, psychiatrist:</i> Dr. Rosenblatt examined Andrea five days after the drownings, at which point she "was hallucinating and in a psychotic state." He says it would have taken Andrea "weeks" to become that sick, and that she was most likely "in the same state at the time of the killings." <sup>190</sup> <i>Testimony of Jutta Karin Kennedy, Andrea's mother:</i> Testifies that Andrea was a "wonderful mother" who wanted to protect her children. <sup>191</sup> <i>Testimony of Dr. Phillip Resnick, psychiatrist, professor of psychiatry at Case Western University:</i> Testifies that Andrea believed she was saving her children from hell when she drowned them, and did not know the difference between right and wrong due to a combination of schizophrenia and severe depression. <sup>192</sup>
March 4, 2002	<i>Testimony of Ellen Allbritton, a psychiatrist who admitted Andrea to Devereux Texas Treatment Network on March 31, 2001:</i> Testifies that when she initially saw Andrea, she had "declined to the point of nonfunction, just there, a shell." Dr. Allbritton also said that the medical history Russell provided for his wife did not seem to fit Andrea's "nearly catatonic" condition. Dr. Allbritton noted that Andrea needed "in-patient stabilization" for her own and others' safety, and wondered why someone so obviously mentally ill had not been hospitalized sooner. <sup>193</sup>
March 6, 2002	<i>Testimony of Dr. Mohammad Saeed, a psychiatrist at Devereux:</i> Testifies that his written notes indicated that Andrea had no

	<p>symptoms of psychosis two days before the drownings, although he had previously diagnosed Andrea as suffering from postpartum depression with possible psychotic features.<sup>194</sup> <i>Testimony of Dr. Debra Osterman, a psychiatrist:</i> Testifies that she first saw life in Andrea's eyes on July 20, 2001, exactly one month after the drownings. By August 3, 2001, the psychosis had lifted. According to Dr. Osterman, it took longer for Andrea to come "out of a fog" than "has been typical of other psychotic patients [she has] treated."<sup>195</sup></p>
March 7, 2002	<p><i>Testimony of Dr. Lucy Puryear, a psychiatrist:</i> Testifies that on the day of the drownings, Andrea was incapable of determining if her actions were wrong.<sup>196</sup> The defense rests. The prosecution begins calling rebuttal witnesses.<sup>197</sup> <i>Testimony of Terry Arnold, the owner of a home schooling bookstore:</i> Testifies that upon first meeting the Yates family in February 2002, she perceived Andrea as a loving mother. However, Andrea's normal pleasantness changed when Arnold asked her about the prospect of having another child. Arnold says she was not aware that Andrea had been in a psychiatric hospital.<sup>198</sup> <i>Testimony of Park Dietz, a psychiatrist:</i> Testifies that Andrea was aware of what she was doing on the day of the drownings.<sup>199</sup></p>
March 9, 2002	<p><i>Testimony of Michael Stephens, Harris County Deputy Sheriff:</i> Testifies that he overheard Andrea tell Dr. Melissa Ferguson, "I knew what I did was wrong," and that Andrea told Dr. Ferguson that she killed Mary because Russell did not want a girl. Defense lawyers question Stephens's accuracy and motive because he did not write down his recollections until after prosecutors contacted him on February 13, 2002.<sup>200</sup> <i>Testimony of Dr. Harry Wilson, a pediatric pathologist from Texas Tech University School of Medicine:</i> Testifies that four of the Yates children were still alive but unconscious when Andrea took them out of the bathtub and put them on the bed, because it would take up to seven minutes for their hearts to stop beating. He also testifies that the children fought their mother while she was drowning them.<sup>201</sup></p>
March 11, 2002	<p><i>Rebuttal testimony of Dr. Lucy Puryear, psychiatrist:</i> Testifies that at the time of the drownings, Andrea was incapable of determining if her actions were wrong.<sup>202</sup> The defense rests.<sup>203</sup></p>
March 12, 2002	<p>Closing arguments are presented.<sup>204</sup> The case goes to the jury. The jury decides in less than four hours that Andrea did not meet the Texas standard for insanity.<sup>205</sup> The capital sentencing phase of the trial begins.</p>
March 15, 2002	<p><i>Testimony of Jutta Karin Kennedy, Andrea's mother:</i> "I'm here pleading for her life. I've lost seven people in one year" (referring to the loss of her husband, five grandchildren, and the conviction of her daughter).<sup>206</sup></p>
March 16, 2002	<p>Closing arguments are presented.<sup>207</sup> After 40 minutes of deliberation, the jury declines imposing the death penalty at</p>

	the sentencing phase of the trial. <sup>208</sup>
March 18, 2002	Judge Hill formally sentences Andrea to life in prison. <sup>209</sup>
April 3, 2002	Andrea's lawyers file a notice of appeal. <sup>210</sup>

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1. Alan Bernstein & Miriam Garcia, *A Life Unraveled: Mother Depicted as Private, Caring and Burdened by Hidden Problems*, HOUS. CHRON., June 24, 2001, at A1 (noting that Andrea and Russell's non-denominational minister had "advertised himself in Houston as a wedding specialist – and as a gun dealer and massage therapist").

2. SUZY SPENCER, BREAKING POINT 130 (2002).

3. Timothy Roche, *The Yates Odyssey*, TIME, Jan. 28, 2002, at 45.

4. SPENCER, *supra* note 2, at 130.

5. Bernstein & Garcia, *supra* note 1.

6. SPENCER, *supra* note 2, at 131.

7. S.K. Bardwell et al., *Mom Details Drownings of Five Kids: Eldest Fled, Was Dragged Back to Tub*, HOUS. CHRON., June 22, 2001, at A1.

8. Roche, *supra* note 3, at 45-46.

9. SPENCER, *supra* note 2, at 131.

10. Roche, *supra* note 3, at 46.

11. SPENCER, *supra* note 2, at 132; Bernstein & Garcia, *supra* note 1. Prior to meeting Russell, it appears that Andrea did not have a substantial interest in religion. *See generally* Roche, *supra* note 3. Russell, however, had during his college years developed strong religious beliefs under the guidance of a traveling preacher, Michael Woroniecki. Woroniecki roamed the country with his wife, Rachel, and their family in a converted bus while teaching his own style of Christianity. *Id.* at 46; *see also* Lisa Teachey, *Lost in the Message? Cleric Says He's Not to Blame for Yates' Demons*, HOUS. CHRON., Apr. 5, 2002, at A1. Woroniecki acted as Russell's spiritual advisor for a time. Keith Morrison, *A Preacher Speaks Out: Spiritual Adviser to Andrea and Rusty Yates Talks About the Tragedy*, Dateline NBC, Mar. 20, 2002, available at <http://www.msnbc.com/news/726946.asp?0dm=-24GV&cp1=1>. As Andrea and Russell started their own family, however, the Woronieckis claim that Russell began to drift from his faith. Andrea, meanwhile, continued to send the Woronieckis "care packages and money" to fuel their mission trips, and sought spiritual guidance from them. *See* Teachey, *supra*; *see also* Associated Press, *Mental Decline of Yates Documented*, Feb. 27, 2002, available at [http://www.courttv.com/trials/yates/030102\\_ap.html](http://www.courttv.com/trials/yates/030102_ap.html). Commentaries have noted the similarities between the lifestyles of the Yates and Woroniecki families. For example, both families had many children with biblical names who were home-schooled and also lived in converted buses for some time. While neither family belonged to a church, both studied the Bible devoutly. *See* Teachey, *supra*; *see also* Morrison, *supra*. The Woronieckis also strongly believe that wives should be subservient to their husbands, and Russell seemed to hold similar views. *See The Evil Inside, Good Morning America* (ABC television broadcast, Jan. 21, 2002), available at [http://abcnews.go.com/sections/GMA/GoodMorning America/GMA020122Yates\\_family\\_revelations.html](http://abcnews.go.com/sections/GMA/GoodMorningAmerica/GMA020122Yates_family_revelations.html); *see also* Morrison, *supra*; *Mental Decline of Yates Documented, supra*. Whereas Russell claims that the Woronieckis only somewhat influenced his family's lifestyle and religious beliefs, some in the media perceived that Russell was almost "obsessed with a desire for a family like Woroniecki's," Teachey, *supra*; *see also Mental Decline of Yates Documented, supra*.

12. SPENCER, *supra* note 2, at 133.

13. *Id.* at 132.

14. Roche, *supra* note 3, at 46.

15. SPENCER, *supra* note 2, at 133-34.

16. Roche, *supra* note 3, at 46.

17. SPENCER, *supra* note 2, at 134.

18. *See id.* at 135.

19. *Id.*

20. *Id.* at 136.

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21. See *id.* at 138; see also Roche, *supra* note 3, at 46. While the Yates family was in Florida, Michael and Rachel Woroniecki took this opportunity to lecture Russell and Andrea about their marital relationship. Rachel recalls that "Andrea was having a remarkable conversion experience." Morrison, *supra* note 11. Yet Andrea later told therapists that she first realized that the Devil was inside of her during the trip. See *id.*

22. Roche, *supra* note 3, at 46.

23. SPENCER, *supra* note 2, at 140.

24. *Id.* at 141 (noting that Rachel also included a message for Andrea telling her to remember that Jesus "alone will save you – not doing 'right' or being 'right' but coming to know Him").

25. *Id.* at 142.

26. Roche, *supra* note 3, at 46.

27. SPENCER, *supra* note 2, at 142-43. The correspondence with the Yateses, which the Woronieckis have since described as "sporadic," focused on faith and Christianity. See Teachey, *supra* note 11. According to at least one source, the communications also "bombarded" Andrea "with talk of Satan." *The Evil Inside*, *supra* note 11. However infrequent these letters may have been, they seemed to accentuate the "damnation and hell"-style preaching for which Michael Woroniecki was notorious. Andrea may also have been subjected to Woroniecki's trademark negative assessment of his followers' relationships with God. See Teachey, *supra* note 11. Even Russell Yates noted that "[the Woronieckis] tend to basically condemn everyone . . . They tell everyone they are going to hell." *Id.* According to some commentators, it is possible that such teachings would be particularly harmful to a "troubled and isolated mother" such as Andrea Yates. *The Evil Inside*, *supra* note 11. Researchers have identified social isolation and other factors associated with a lack of a role model as two major problems that plague new mothers. See Anna Lembke, *A Psychosocial Approach to Postpartum Depression*, 19 PSYCHIATRIC TIMES (June 2002), available at <http://www.psychiatristimes.com/p020611.html> (focusing on social isolation in the context of the Yates case). Meanwhile, the Woronieckis equate loneliness and depression to an "alignment with Satan." *The Evil Inside*, *supra* note 11.

28. SPENCER, *supra* note 2, at 143.

29. Roche, *supra* note 3, at 46.

30. SPENCER, *supra* note 2, at 144.

31. Roche, *supra* note 3, at 46.

32. SPENCER, *supra* note 2, at 150-51.

33. *Id.* at 151 (noting that Texas law requires a patient's consent before the administration of psychotropic drugs, even if patients' mental impairments rendered them unable to understand their need for the drugs; a patient's refusal to consent could be overridden by a judge's order, but obtaining such an override typically takes at least one week); see generally TEX. HEALTH & SAFETY CODE ANN. § 576.025 (Vernon 2002) (Administration of Psychoactive Medication).

34. Roche, *supra* note 3, at 46. According to notes taken by a hospital psychiatrist and a social worker, Andrea was evasive about the reasons for her suicide and deflected questions, saying only that "I guess I was overwhelmed and depressed." Associated Press, *Depressed Mother Charged With Drowning Children*, June 21, 2001, available at [http://www.courttv.com/news/2001/0621/slainchildren\\_ap.html](http://www.courttv.com/news/2001/0621/slainchildren_ap.html); see also *infra* Appendix 4: Portions of Prosecuting Psychiatrist Park Dietz's Testimony in the Andrea Yates Trial at 56-57 [hereinafter App. 4].

35. SPENCER, *supra* note 2, at 156.

36. *Id.* at 152-53.

37. *Id.* at 157.

38. *Id.* at 157-58.

39. *Id.* at 158.

40. *Id.* at 159.

41. *Id.*

42. *Id.* at 160.

43. Texas v. Yates: Hospital Discharge and Assessment Records, The Methodist Hospital Texas Medical Center Discharge Summary, James N. Flack, M.D., June 24, 1999, at 2, available at <http://www.courttv.com/trials/yates/docs/discharge12.html>.

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44. SPENCER, *supra* note 2, at 160.
  45. Roche, *supra* note 3, at 47.
  46. SPENCER, *supra* note 2, at 161.
  47. Roche, *supra* note 3, at 47; Lee Hancock, *Yates Long Had Visions of Violence*, DALLAS MORNING NEWS, Sept. 2, 2001, at 1A.
  48. *Infra* App. 4 at 79-80. Likewise, two weeks before the killings, Andrea believed that cartoon characters were talking to her. *Id.* at 80.
  49. Gerald E. Harris, Psychological Report on Competency Status, Sept. 2, 2001 (on file with author) (noting that Andrea's "family history is positive for mental illness, with her father and two siblings reportedly having significant mental disorders"); Roche, *supra* note 3, at 47.
  50. SPENCER, *supra* note 2, at 162; *see also* Roche, *supra* note 3, at 47. For Dietz's analysis of Andrea's second suicide attempt, *see infra* App. 4 at 57-58.
  51. SPENCER, *supra* note 2, at 163. When Russell told Dr. Eileen Starbranch about Andrea's second suicide attempt, Dr. Starbranch insisted that Andrea be hospitalized again, this time at Memorial Spring Shadows Glen, a private facility in Houston. For Dietz's analysis of some of Andrea's statements at Memorial Spring Shadows Glen, *see infra* App. 4 at 59-60.
  52. Texas v. Yates: Hospital Discharge and Assessment Records, Assessment Triage Summary, July 21, 1999, available at <http://www.courtvtv.com/trials/yates/docs/discharge8.html>.
  53. SPENCER, *supra* note 2, at 163.
  54. Psychiatric Assessment of Andrea Yates, Lara Longo, M.D., July 22, 1999, at 2, available at <http://www.courtvtv.com/trials/yates/docs/psychiatric3.html>.
  55. SPENCER, *supra* note 2, at 163.
  56. *Id.*
  57. *Id.* at 164.
  58. *Id.*
  59. *Id.*
  60. *Id.*
  61. Hancock, *supra* note 47. In his March 7, 2002, testimony, Dr. Park Dietz admitted that the psychiatric records from Andrea's stay at Memorial Spring Shadows Glen indicated that she had experienced hallucinations in the past. *See infra* App. 4 at 59-60; *see also* Carol Christian, *Key to Yates' Defense Disputed*, HOUS. CHRON., Mar. 8, 2002, at A1. In a series of psychiatric assessments conducted by Drs. Arturo Rios and James Thompson, it is noted that Andrea put a knife to her throat after having visions over a period of several days of a person being stabbed and "an image of the knife," along with "a voice," telling her to get a knife. Andrea says that she had such visions about ten times, but later denies that estimate. Andrea also "indicates that she had her first 'vision' when her first baby was newborn and she states that she 'blew it off.'" Psychiatric Assessment of Andrea Yates, James P. Thompson, Ph.D., Aug. 2, 1999 (date assessment was dictated), at 1, available at <http://www.courtvtv.com/trials/yates/docs/psychiatric6.html>.
  62. SPENCER, *supra* note 2, at 164-65.
  63. *Id.* at 165.
  64. *Id.* at 166.
  65. *Id.*
  66. *Id.*
  67. *Id.*
  68. *Id.* at 168.
  69. *Id.*
  70. *Id.*
  71. Psychiatric Assessment of Andrea Yates, Arturo Rios, M.D., Aug. 5, 1999, available at <http://www.courtvtv.com/trials/yates/docs/psychiatric5.html>. Dr. Rios also notes that, "[a] lot of the documentation focuses on the patient's seclusiveness, guardedness, persistent depressed mood, poor eye contact, and isolation. [Andrea] tends to spend most of her time in her room if not discouraged to do so. At times she is hesitant to say whether she is suicidal. She refuses therapy and is resistant to taking her medications." *Id.*
  72. SPENCER, *supra* note 2, at 169.

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73. *Id.*

74. *Id.*

75. *Id.*

76. Bernstein & Garcia, *supra* note 1 (noting that the Beachcomber Lane house was smaller than the Yates family's former house, despite their "goal of moving into a larger house with their growing family").

77. SPENCER, *supra* note 2, at 169.

78. *Id.*

79. *Id.* at 170.

80. *Id.*

81. *Id.*

82. *Id.* at 170-71.

83. *Id.* at 171.

84. *Id.*; see also Texas v. Yates: Hospital Discharge and Assessment Records, Memorial Spring Shadows Glen – Discharge Summary, Eileen K. Starbranch, M.D., Aug. 20, 1999, available at <http://www.courtstv.com/trials/yates/docs/discharge1.html>.

85. SPENCER, *supra* note 2, at 173-74.

86. *Id.* at 174.

87. *Id.*

88. *Id.*; Roche, *supra* note 3, at 47. Andrea and the children even joined a home school support group that met at a nearby church, although they still did not formally affiliate themselves with any church. See SPENCER, *supra* note 2, at 174. According to Russell, Andrea would devote several hours each morning to a "normal curriculum," which incorporated a program that enabled all but the youngest child to contribute. See Bardwell et al., *supra* note 7.

89. See Roche, *supra* note 3, at 48. Again, the Woronieckis' views would come to impact heavily on the lives of Andrea and Russell. Michael Woroniecki's religious fervor seemed to captivate Andrea, and it concerned Russell and Andrea's parents. See Teachey, *supra* note 11; see also Roche, *supra* note 3, at 48. At the time, Russell seemed pleased by Andrea's involvement with the Scripture although he now feels certain that Andrea's mental illness - rather than the Woroniecki family - caused her delusions. Yet, he also believes that "[i]t's a delusion she probably wouldn't have had had she not met the Woronieckis." Teachey, *supra* note 11; see also 'Going to Hell': Yates' Spiritual Adviser Vehemently Warned Followers About Satan, *Good Morning America* (ABC television broadcast, Mar. 26, 2002), available at [http://abcnews.go.com/sections/GMA/GoodMorningAmerica/GMA030226Yates\\_preachers.html](http://abcnews.go.com/sections/GMA/GoodMorningAmerica/GMA030226Yates_preachers.html). Dr. Lucy Puryear, a psychiatrist for the defense, contends that if Andrea had never met Michael Woroniecki, she would still have suffered from mental illness, but would not have drowned her children. The Woronieckis, however, deny any influence over Andrea. *Id.*

90. SPENCER, *supra* note 2, at 174.

91. *Id.*

92. *Id.* at 175; see also Teachey, *supra* note 11 (noting that Andrea explained her pregnancy to a former colleague by stating that "Rusty wanted the baby.").

93. See Jim Yardley, *Despair Plagued Mother Held in Children's Deaths*, N.Y. TIMES, Sept. 8, 2001, at A7; see also SPENCER, *supra* note 2, at 171 (noting Dr. Starbranch's concern over Andrea and Russell's desire to have more children). Andrea's mother, Jutta Karin, who all along believed that Russell prompted Andrea's breakdown, was also concerned over Andrea and Russell's decision to add to their family. Debbie Holmes, a friend and former nursing colleague of Andrea's, echoed this view, claiming that Andrea continually depicted Russell as manipulative and controlling and that Russell was the one who wanted the baby. Roche, *supra* note 3, at 48. Once pregnant, Andrea wished for a girl while Russell would repeat a continual "jocular" refrain - "Let's get enough boys for a basketball team, and then we can talk about girls." *Id.* Harris County Sheriff's Deputy Michael Stephens testified at Andrea's trial that he overheard a conversation between Andrea and prison psychiatrist Dr. Melissa Ferguson the day after the killings. According to Stephens, Andrea told Dr. Ferguson that she drowned baby Mary because Russell didn't want a girl. Rather, "he wanted another boy, for a basketball team." *Closing Arguments Begin in Andrea Yates Trial*, CNN.COM, Mar. 12, 2002, at [http://www.courtstv.com/trials/yates/031102\\_cnn.html](http://www.courtstv.com/trials/yates/031102_cnn.html). A former neighbor recalled that the Yateses used to talk about having six children, but while "[Russell] wanted that many kids," the

neighbor didn't "remember that [Andrea] wanted that many." Bernstein & Garcia, *supra* note 1. Indeed, Russell would repeat this same wish for a basketball team at the funeral held for his children, which would also be his sole reference to Andrea during the ceremony. Associated Press, *Grieving Father Buries Five Children as Wife, Charged with Murder, Sits in Jail*, July 27, 2001, available at [http://www.courtstv.com/news/2001/0627/yates\\_ap.html](http://www.courtstv.com/news/2001/0627/yates_ap.html) (noting that Russell's comment, "I told her I wanted a basketball team first, then we'd talk about girls," was his only mention of Andrea at the children's funeral). Russell did say, however, that after Andrea's depression following Mary's birth, the couple decided to have no more children. Bernstein & Garcia, *supra* note 1.

94. SPENCER, *supra* note 2, at 179.

95. Roche, *supra* note 3, at 48. The death of Andrea's father propelled her slip from mental balance and absorbed her more into the life of the Bible. See Interview by Lucy J. Puryear, M.D., with Rusty Yates (July 6, 2001) (Confidential summary and report sent to Mr. George Parnham) [hereinafter Puryear interview] (on file with author). According to Dr. Puryear's interview with Russell Yates, Russell reported that Andrea "just 'fell' after the death of her father in March." *Id.* Moreover, Russell did "remember that Andrea was doing one thing strange after the birth of Mary, which was reading her Bible for 30 minutes to an hour every day. This was unusual for her, as she did not usually read the Bible on her own." *Id.*

96. Puryear interview, *supra* note 95.

97. SPENCER, *supra* note 2, at 180.

98. Puryear interview, *supra* note 95.

99. Texas v. Yates: Hospital Discharge and Assessment Records, Letter to Judge Gladys B. Burwell from Jan Clemens, R.N., Devereux Texas Treatment Network (Apr. 2, 2001), available at <http://www.courtstv.com/trials/yates/docs/discharge3.html>; Texas v. Yates: Hospital Discharge and Assessment Records, Letter to the Honorable Gladys B. Burwell from Mohammed Saeed, M.D., Devereux Texas Treatment Network (Apr. 2, 2001), available at <http://www.courtstv.com/trials/yates/docs/discharge4.html>.

100. Roche, *supra* note 3, at 48.

101. Puryear interview, *supra* note 95.

102. SPENCER, *supra* note 2, at 182. Andrea was Dr. Saeed's patient at Devereux from Mar. 31, 2001 to June 18, 2001. State v. Yates, No. 88025 & 883590, Mohammed Saeed, M.D.'s Motion for Protection and Motion to Quash, at 1 (Dist. Ct., Harris County, Tex.) (Feb. 14, 2002); see also Texas v. Yates: Hospital Discharge and Assessment Records, Devereux Texas Treatment Network, Psychiatric Assessment, M. Saeed, M.D., Mar. 31, 2001, at 1, available at <http://www.courtstv.com/trials/yates/docs/discharge5.html> [hereinafter Psychiatric Assessment, M. Saeed, M.D.] (noting as an initial assessment that Andrea's "chief complaint" is that "I have been like this for a few months").

103. SPENCER, *supra* note 2, at 182; Psychiatric Assessment, M. Saeed, M.D., *supra* note 102, at 1.

104. SPENCER, *supra* note 2, at 182-83.

105. *Id.* at 184.

106. *Id.*

107. *Id.*

108. *Id.*

109. *Id.* Dr. Saeed's account of Andrea's condition appeared to be based entirely on Russell's description rather than from the psychiatrists who had treated Andrea in the past or from Andrea herself who, Dr. Saeed said, rarely spoke. See Roche, *supra* note 3, at 48-49. When Russell insisted that Dr. Saeed put Andrea on Haldol, a drug that had been helpful to her before, Dr. Saeed complied. However, Dr. Saeed discontinued the treatment shortly thereafter because, he said, Andrea's "flat face" seemed to be a side effect. *Id.* at 49.

110. SPENCER, *supra* note 2, at 184.

111. *Id.*

112. *Id.* at 185.

113. *Id.* Despite the fact that Andrea had attended only one day of partial hospital care – and did not see Dr. Saeed at all on that one day – Dr. Saeed's notes indicate that Andrea attended a "couple of days" of partial hospitalization. Dr. Saeed also commented that Andrea then began weekly outpatient appointments with him, although she did not see him at all from April 19 until May 4, 2001. *Id.* at 188. Later, Dr. Saeed would testify that, based on the little Andrea said, she did not seem

psychotic, never described the torment she was going through, and flatly denied experiencing hallucinations and delusions. Roche, *supra* note 3, at 49.

114. SPENCER, *supra* note 2, at 186.

115. *Id.*

116. Puryear interview, *supra* note 95.

117. Roche, *supra* note 3, at 49. According to Roche, Holmes indicated later that she thought Andrea had been re-possessed by the devil, an issue that both she and Andrea had talked about after Andrea's illness in 1999. *Id.*

118. SPENCER, *supra* note 2, at 187.

119. *Id.*

120. *Id.* at 188.

121. *Id.* at 189.

122. *Id.*

123. *Id.*

124. *Id.* at 190.

125. *Id.*

126. *Id.* at 190-91. According to Russell, the discharge seemed premature.

During that hospitalization they attended several family meetings. He said that Andrea just sat there and stared straight ahead and didn't say anything. He was amazed when she was discharged because she seemed only "65-75% functional" at discharge. She was able to do a few things around the house, but she was still "out of it."

Puryear interview, *supra* note 95.

127. See SPENCER, *supra* note 2, at 191 (noting that the topic of most group therapy sessions was alcohol addiction, which may explain why Andrea consistently reported that she had no issues to discuss).

128. *Id.* at 192.

129. *Id.*

130. *Id.*

131. *Id.* at 300; see also Carol Christian, *Judge Allows Yates Confession: Request to Omit Death Penalty Denied*, HOUS. CHRON., Dec. 5, 2001, at A1.

132. SPENCER, *supra* note 2, at 192.

133. *Id.* at 119-20.

134. Puryear interview, *supra* note 95 (noting Russell's comments that Andrea "did not say anything, she just sat there" when they both visited Dr. Saeed two days before the murders). Also, on June 18, Andrea "seemed 'agitated, unstable, and unsure of herself.'" *Id.*

135. SPENCER, *supra* note 2, at 119-20.

136. Roche, *supra* note 3, at 49.

137. *Id.* at 49-50.

138. *Id.* at 50; see also Paul Burka, *It's Crazy*, TEX. MONTHLY, July 2002, at 8 (noting that after Russell left, Andrea filled the tub to drown the children); Carol Christian, *Deciding Fate Takes Heavy Toll*, HOUS. CHRON., Mar. 10, 2002, at A1 (reporting the testimony of a pediatric pathologist who stated that four of the Yates children were still alive but unconscious when Andrea took them from the bathtub and put them in her bed).

139. Associated Press, *Mother Faces Jury for Drowning Five Kids*, Jan. 18, 2002, available at [http://www.courttv.com/trials/yates/021802\\_ap.html](http://www.courttv.com/trials/yates/021802_ap.html); *infra* Appendix 2: Andrea Yates's 911 Call [hereinafter App. 2]. While often hesitating and breathing heavily, Andrea requested police and an ambulance. She also informed the dispatcher that she was "ill." *911 Tape Reveals Unemotional Andrea Yates*, CNN.COM, Jan. 6, 2002, at <http://www.cnn.com/2001/US/12/10/yates.911>. Andrea's tone was considered "unemotional" in the 911 tape. *911 Tape Reveals Unemotional Andrea Yates, supra; infra* App. 2

140. Roche, *supra* note 3, at 44; *911 Tape Reveals Unemotional Andrea Yates, supra* note 139. Dateline NBC's interview with Russell Yates taped the following account: "Mr. R. YATES: She said, you know, like, 'You need to come home.' I said, 'Is anyone hurt?' And she said, 'Yes.' And I said—I said, 'Who?' And she said, 'The children.' And I sa—and she said, 'all of them,' and I—and I just—I mean, and

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my heart just sunk, you know?" Bob McKeown & Dawn Fratangelo, *The Stranger Within: Suzy Spencer Discusses Andrea Yates' Life and Postpartum Depression*, *Dateline NBC*, Mar. 17, 2002 (NBC television broadcast).

141. See *infra* Appendix 3: Transcript of Andrea Yates's Confession [hereinafter App. 3]; Jim Yardley, *Texas Jury Convicts Mother Who Drowned Her Children*, N.Y. TIMES, Mar. 12, 2002, at A23.

142. SPENCER, *supra* note 2, at 49-52.

143. *Id.* at 52.

144. *Id.* at 221-22.

145. *Id.* at 58-59.

146. *Id.* at 52, 58.

147. *Id.* at 68-75.

148. *Id.* at 62.

149. *Id.* at 222.

150. *Id.* at 84.

151. *Id.*

152. *Id.* at 120.

153. *Id.* at 239-40.

154. *Id.* at 240.

155. *Houston Mom Moved to Psychiatric Unit*, UNITED PRESS INT'L, July 25, 2001; see also Lisa Teachey, *Yates' Lawyers Plan to Enter Insanity Plea*, HOUS. CHRON., July 31, 2001, at A1.

156. SPENCER, *supra* note 2, at 239.

157. *Texas v. Yates: Hospital Discharge and Assessment Records, Affidavit*, Jean S. Powell, July 26, 2001, available at <http://www.court tv.com/trials/yates/docs/discharge10.html>.

158. Andrea was indicted for "intentionally and knowingly" causing "the death of Noah Jacob Yates by drowning the complainant with a deadly weapon, namely water, and intentionally and knowingly" causing "the death of John Samuel Yates by drowning the complainant with a deadly weapon, namely water." Andrea was also indicted for "intentionally and knowingly" causing "the death of Mary Yates . . . an individual under six years of age, by drowning [her] with a deadly weapon, namely water." SPENCER, *supra* note 2, at 96.

159. *Id.*

160. *State v. Yates*, No. 88025, Notice of Intent to Offer Evidence of the Insanity Defense (Dist. Ct., Harris County, Tex.) (July 30, 2001).

161. *In re Houston Chronicle Pub. Co.*, 64 S.W.3d 103 (Tex. App. 2001).

162. SPENCER, *supra* note 2, at 239.

163. *Id.* at 240.

164. *Id.* at 104-07.

165. *Id.* at 148.

166. *Id.* at 222-23.

167. *Id.* at 203; *Excerpts From Yates' Television Interview*, HOUSTONCHRONICLE.COM, Dec. 10, 2001, at <http://www.chron.com/cs/CDA/story.hts/special/drownings/1165191>.

168. SPENCER, *supra* note 2, at 203.

169. *Id.* at 218-19.

170. *Id.* at 208.

171. *Id.* at 219.

172. *Id.* at 216-17.

173. *Id.* at 219.

174. Associated Press, *Doctor Says Mother Accused in Deaths of Five Children Mentally Stable to Stand Trial*, Sept. 21, 2001, available at [http://www.court tv.com/news/2001/0921/yates\\_ap.html](http://www.court tv.com/news/2001/0921/yates_ap.html).

175. *State v. Yates*, No. 883590, General Orders of Court (Dist. Ct., Harris County, Tex.) (Sept. 22, 2001); see also *911 Tape Reveals Unemotional Andrea Yates*, *supra* note 139. The jury's decision to determine Andrea's competency would take substantially more time than it would take another jury to convict her of murder. As would be expected, the defense contended that Andrea Yates was incompetent to stand trial. *State v. Yates*, No. 88025, Motion for Hearing on Incompetency to Stand

Trial (Dist. Ct., Harris County, Tex.) (July 3, 2001); *State v. Yates*, No. 88025, Order for Psychiatric Examination: Competency (Dist. Ct., Harris County, Tex.) (July 6, 2001).

176. *State v. Yates*, No. 88025, Order for Psychiatric Examination: Competency (Dist. Ct., Harris County, Tex.) (July 6, 2001).

177. Sam Leith, *Mother Who Drowned Five Children Pleads Insanity*, DAILY TELEGRAPH (London), Feb. 20, 2002, at 2D; see also Flynn McRoberts, *Texas Mother Says 'Not Guilty'*, CHI. TRIB., Feb. 19, 2002, at 8.

178. Dora Yates described how Andrea would sit in bed for hours scratching her head. She also said that Andrea appeared "almost catatonic" and "would stare into space." Margaret Downing, *Other-Worldly: A Loving Mother Drowned Her Children: It's Hard to Believe No One Could Stop Her*, HOUS. PRESS, Feb. 28, 2002, at 12.

179. *Admitting Video Tape Debated at Mom's Trial*, DESERET NEWS, Feb. 21, 2002, at A5.

180. On the tape, Andrea explained in a monotone voice that she intended to suffocate her children to death, and stated how she chased her oldest son, Noah, before drowning him in the same water she used to drown the other children. Andrea also told Mehl that she intended to drown the children when she filled the tub two months earlier, but she didn't go through with it. Mehl asked Andrea how long she'd had thoughts "about wanting, or not wanting to, but drowning [the] children." She replied that she'd had such thoughts since she "realized" that she had been a bad mother, given that the children were not "developing correctly." The only question Andrea asked Mehl was when her trial would take place. Downing, *supra* note 178, at 12; *infra* App. 3.

181. *Mum Tells How She Killed Five Kids*, EVENING TIMES (Glasgow), Feb. 22, 2002, at 11.

182. *The Nation in Brief*, ARK. DEMOCRAT-GAZETTE, Feb. 23, 2002, at A4.

183. *State v. Yates*, No. 883590, General Orders of Court (Dist. Ct., Harris County, Tex.) (Feb. 22, 2002).

184. *A Sampling of the Testimony*, DALLAS MORNING NEWS, Mar. 13, 2002, at 11A; Anne Belli Gesalman, *A Dark State of Mind*, NEWSWEEK, Mar. 4, 2002, at 32. According to Dr. Ferguson, "[o]f all the patients I've treated for major depression with psychotic features, [Andrea] was one of the sickest." *Id.*

185. *Yates Was Insane, Psychologist Testifies*, L.A. TIMES, Feb. 27, 2002, at A11. Dr. Ringholz conducted an extensive evaluation of Andrea, including a thorough analysis of her medical history, "neurological and psychological tests," and interviews. He testified that Andrea's schizophrenia impeded her awareness of her actions and that he believed she was evidencing schizophrenia at the time she drowned her children. According to Ringholz, the symptoms of schizophrenia include impaired functioning, hallucinations, delusions, incoherence, and isolation. Carol Christian, *Vision of Knife, Voice of Satan Haunted Yates, Doctor Testifies*, HOUS. CHRON., Feb. 26, 2002, at A1.

186. Associated Press, *Psychiatrist Says She Warned Yates*, Feb. 27, 2002, available at [http://www.courtstv.com/trials/yates/022702-pm\\_ap.html](http://www.courtstv.com/trials/yates/022702-pm_ap.html). Dr. Starbranch said that the severity of Andrea's mental condition was troublesome. "If left to her own devices, she wouldn't have physically survived because she wasn't taking care of herself." *Id.* According to Dr. Starbranch, who has practiced for over twenty-five years and treated thousands of patients, Andrea "would rank up there with the five sickest patients I've ever seen." *Id.* About a year after Dr. Starbranch last saw Andrea on January 12, 2000, Russell informed her that Andrea was sick again after giving birth to a fifth child. Dr. Starbranch said that she made a note that Andrea needed to be admitted as soon as possible, but Andrea never returned. *Id.*

187. See Anne Belli Gesalman, *Clashing in Court: Husband and Best Friend at Odds Over Timing of Treatment for Andrea Yates*, NEWSWEEK, Mar. 1, 2002; see also Joel Anderson, *Andrea Yates' Best Friend Says She Saw What Husband Didn't*, NEWSWIRE, Mar. 1, 2002 (quoting Russell as saying, "At the time, I didn't think [Andrea] was dangerous; none of us did").

188. Megan K. Stack, *Religious Zeal Infused Yates' Lives, Testimony Shows*, L.A. TIMES, Mar. 1, 2002, at A16.

189. See *id.*; Gesalman, *supra* note 187. Debbie Holmes followed her sister's suggestion to document her interactions with Andrea "in case something bad happens." Stack, *supra* note 188. One time when Andrea was released from the hospital, Holmes said, Andrea "often paced through the house with no goal in mind . . . was dirty and smelled . . . wasn't eating or drinking . . . [and] looked like a cancer patient." Anderson, *supra* note 187.

190. *Psychiatrist: Yates Thought She Was Defeating Satan*, CNN.COM, Mar. 1, 2002, at <http://www.cnn.com/2002/LAW/03/01/yates.trial/index.html>. "She was out of contact with reality, did not know right from wrong, and in my opinion, clearly was within what's considered the legal definition of insanity," Dr. Steve Rosenblatt told reporters during a break in the trial. *Id.*

191. *Nation in Brief*, WASH. POST, Mar. 6, 2002, at A20.

192. *Psychiatrist: Yates Thought She Was Defeating Satan*, *supra* note 190. Although Andrea knew that killing her children was illegal, she felt that doing so was in their best interest because the state would execute her, Satan would be eliminated from the world, and the children would be saved. See Terri Langford, *Doctor: Yates Was Insane When She Killed*, DALLAS MORNING NEWS, Mar. 6, 2002, at 21A. In a taped interview admitted into evidence, Andrea told Dr. Phillip Resnick that she was frustrated by her children's lack of development. See Leon Harris, *Closing Arguments in Yates Murder Trial*, CNN Live Event, Mar. 12, 2002.

193. Associated Press, *Defense Addresses Psychosis Denial*, Mar. 5, 2002, available at [http://www.courttv.com/trials/yates/030502\\_ap.html](http://www.courttv.com/trials/yates/030502_ap.html); Associated Press, *Psychiatrist: Andrea Yates A Threat In Weeks Before Drowning of Her Five Children*, Mar. 4, 2002, available at [http://www.courttv.com/trials/yates/030402\\_ap.html](http://www.courttv.com/trials/yates/030402_ap.html). Under cross-examination, Dr. Ellen Allbritton told prosecutor Joe Owmbly that Andrea denied having any suicidal or homicidal thoughts but, "I wouldn't have trusted her to walk across the street." See Pam Easton, *Psychiatrist Says Yates Was Threat Weeks Before Killing*, CHATTANOOGA TIMES, Mar. 5, 2002, at A2. Dr. Allbritton said that Andrea only agreed to be hospitalized after Dr. Allbritton filed an emergency detention order. *Id.*

194. See *Doctor Saw No Signs of Yates' Psychosis*, NEWSDAY, Mar. 5, 2002, at A15. According to Russell Yates, Andrea did not receive adequate medical care during her two extended stays at Devereux, where Dr. Saeed was a unit medical director. Dr. Saeed has been removed as an administrator, though he still treats patients at Devereux. *Id.*

195. *Psychiatrist Says Yates Was in a Psychotic 'Fog'*, DESERET NEWS, Mar. 6, 2002, at A2. Dr. Debra Osterman testified that less than three weeks after the drowning deaths, Andrea seemed puzzled by a prophecy she had previously said had drove her to kill. "She recalled mentioning something about [Satan telling her to kill her children], but wasn't sure how it fit in with anything." *Id.* Dr. Osterman considered this confusion an indication that Andrea was emerging from a psychotic state. *Id.*

196. *Doctor Says Mother Was 'Driven by Delusions'*, N.Y. TIMES, Mar. 7, 2002, at A25. In a videotaped interview played in court, Andrea discussed with Dr. Puryear how she tried to block thoughts of harming 7-year-old Noah. Andrea "also talked about feeling overwhelmed as her family continued to grow while living inside a converted bus and how she attempted suicide in 1999 hoping it would prevent her from harming her children." *Id.* "There's an extreme amount of shame and guilt about having thoughts about harming your children," Dr. Puryear said, explaining why women who have such thoughts keep silent: "They don't want anyone to know." *Id.* When Dr. Puryear asked Andrea to recall her thoughts and emotions on the day of the drownings, Andrea "cried, rocked in her chair, paused and eventually said: 'I don't remember.'" *Tapes Suggest Yates Emerged from Psychosis*, MILWAUKEE J.-SENTINEL, Mar. 8, 2002, at 10A. Dr. Puryear testified that Andrea "experienced voices and delusions after the birth of her first son, but said she told no one because she feared Satan would hear her and harm her children. She also worried that some of her doctors might be Satan or be influenced by Satan[.]" Andrea "believed that if she said [her concerns] out loud, Satan would hear them and make them happen." *Psychiatrist: Yates 'Driven by Delusions'*, NEWSDAY, Mar. 7, 2002, at A16. Dr. Puryear told jurors that Andrea suffers from a psychotic disorder, most likely schizophrenia, and major depression that worsens in the postpartum period. "She was pretty consistently pregnant and/or breast-feeding with few breaks in between" and being taken off Haldol on June 7, two weeks before the drownings, caused Andrea to become "overwhelmingly psychotic." Associated Press, *Videotapes Show Two Sides of Yates*, Mar. 7, 2002, available at [http://www.courttv.com/trials/yates/030702-a\\_ap.html](http://www.courttv.com/trials/yates/030702-a_ap.html).

197. Terri Langford, *Two Faces of the Mum Who Drowned Her Five Children*, DAILY TELEGRAPH (Sydney), Mar. 8, 2002, at 32.

198. Carol Christian, *Key to Yates' Defense Disputed; Prosecution Doctor Says He Saw No Proof of Hallucinations*, HOUS. CHRON., Mar. 8, 2002, at A1. In the months before Andrea drowned her children, Terry Arnold testified, she became friendly with Andrea at the Home Education Partnership bookstore. According to Arnold, when she asked Andrea if she was going to have more

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children, "I felt like I hit a sore subject, there was a change in her demeanor very quickly. It was just sadness. I thought she was going to cry." Christian, *supra*; see also Terri Langford, *Doctor: Yates Knew Killing Was Wrong*, DALLAS MORNING NEWS, Mar. 8, 2002, at 35A.

199. *Mom Knew Actions Wrong, Witness Says*, DESERET NEWS, Mar. 8, 2002, at A8.

200. Terri Langford, *Yates Used Violent Force, Doctor Says*, DALLAS MORNING NEWS, Mar. 10, 2002, at 44A.

201. Mike von Fremd, *Andrea Yates Trial Closer to the Jury*, *Good Morning America* (ABC television broadcast, Mar. 11, 2002); see also Alan Bernstein & Leigh Hopper, *Acquittal Not Equal to Free for the Insane: Time in Hospital Could Have Been Life or Weeks*, HOUS. CHRON., Mar. 13, 2002, at A29.

202. *Defense Rests Case in Yates Murder Trial*, SEATTLE POST-INTELLIGENCER, Mar. 12, 2002, at A3.

203. *Closing Arguments to Start in Yates Trial*, SUN-SENTINEL, Mar. 12, 2002, at 3A.

204. *Closing Arguments Today in Andrea Yates Trial*, *CBS Morning News* (CBS television broadcast, Mar. 12, 2002).

205. *State v. Yates*, No. 883590, General Orders of Court (Dist. Ct., Harris County, Tex.) (Mar. 12, 2002). One of many issues in the Yates case was Andrea's attorneys' inability to explain to the jury the consequences of Andrea being found "not guilty by reason of insanity" because of the state's "unique" provision requiring that a defendant not be automatically released from the trial court's jurisdiction when acquitted under the insanity defense. See *State v. Yates*, No. 88025, Motion to Declare Article 46.03, Section 1(e) of the Texas Code of Criminal Procedure Unconstitutional (Dist. Ct., Harris County, Tex.) (Oct. 30, 2001) (declaring article 46.03, section 1(e) of the Texas Code of Criminal Procedure unconstitutional because "[t]he Statute precludes a juror in a case in which the insanity defense is raised from knowing that the trial court continues to maintain jurisdiction over the defendant after a finding of not guilty by reason of insanity"). Indeed, the trial court has the "continuing jurisdiction to impose involuntary commitment for a defendant acquitted by reason of insanity" as well as "maintain jurisdiction to involuntarily commit an acquitted defendant to the state mental hospital for the rest of the defendant's natural life." *Id.* at 2; see also Mike von Fremd, *Andrea Yates Convicted of Murder in Connection With the Deaths of Her Five Children*, *World News Tonight* (ABC television broadcast, Mar. 12, 2002).

206. Pam Easton, *Yates' Mother Begs For Daughter's Life*, CHATTANOOGA TIMES, Mar. 15, 2002, at A6.

207. Maher, *supra* note 204. George Parnham (Andrea's defense attorney): "The bell tolls for all of us, but we are a part of this system, and we are a part of mankind." Kaylynn Williford (Assistant D.A.): "This crime is a crime of the ultimate betrayal. The ultimate betrayal of a mother of her children. Those children never had a chance." Matt Bean, *Time to Think About It: Texas Mother Gets Life in Prison*, COURT TV.COM, Mar. 15, 2002, at [http://www.court tv.com/trials/yates/031502\\_ctv.html](http://www.court tv.com/trials/yates/031502_ctv.html). Williford described the steps Andrea took in preparing to drown the children and said it took about three minutes for Paul to lose consciousness. "I would ask that you take at least three minutes of silence, and sit there in silence and realize, realize how long it takes for a child to lose voluntary control of their body." *Jury to Decide Whether Andrea Yates Faces the Death Penalty*, CNN.COM, Mar. 13, 2002, available at [http://www.court tv.com/trials/yates/031302\\_cnn.html](http://www.court tv.com/trials/yates/031302_cnn.html).

208. *State v. Yates*, No. 883590, General Orders of Court (Dist. Ct., Harris County, Tex.) (Mar. 15, 2002).

209. *Id.* Under the capital felony statute, a life sentence is 40 years in the institutional division of the Texas Department of Criminal Justice before that defendant is entitled to be eligible for parole. TEX. CODE CRIM. PROC. ANN., art. 37.071, § 2(e)(2)(B) (Vernon 2002); see also Pam Easton, *Yates Gets Life Term: Kin Criticize Husband*, ADVOCATE, Mar. 19, 2002, at 2A.

210. *State v. Yates*, No. 883590, General Orders of Court (Dist. Ct., Harris County, Tex.) (Apr. 3, 2002).