

DISSECTING THE FELONY MURDER RULE AND THE MENTALLY ILL DEFENDANT

Nadine W. Mathieu

This Article analyzes the felony murder doctrine in Florida and how it affects mentally ill defendants and defendants who plea affirmative defenses, such as insanity and duress. Section II introduces the many criticisms of the felony murder rule. Section III examines how the felony murder rule came into existence and introduces its many limitations and restrictions, such as the inherently dangerous felony limitation, the independent felony limitation, the agency approach, and the proximate causation approach. Section III also analyzes the felony murder doctrine and its purpose. In Section IV, the insanity defense is analyzed, including the several different methods for defining legal insanity. Section V examines the court cases of Anthony A. Hall, Calvin Carlos Campbell, and Ivonne Rosso, and how the insanity defense is considered in each of their convictions. Section VI provides a comparison of how juvenile defendants are affected by the felony murder doctrine and how the mental capacity of a juvenile

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can be compared to a mentally ill defendant. Section VII considers the role of the duress defense in felony murder. In Section VIII, the constitutionality of the felony murder rule is examined. Then in Section IX, a conclusion is provided on whether the felony murder doctrine should be abolished in Florida.