

Davis v. State (1999)

Nature of the Case: Criminal Responsibility

Facts: On May 24, 1997, Mr. Larry Davis broke a window and entered the apartment of Joanna Kinne and Dolores Fenske. Mr. Davis stabbed Ms. Fenske in the head. When the knife broke in Ms. Fenske's neck, he grabbed another and continued to stab her. Ms. Kinne attempted to stop him and the defendant made an overhand stabbing motion towards her, realizing the blade had been broken. She ran out of the apartment and Mr. Davis fled the apartment as well. He was eventually located a few hours later. Mr. Davis was convicted of First Degree Murder and Attempted First Degree Murder. During the second phase of the trial, he put forth evidence of being committed as MI&CD at Anoka following several assaults. Upon his release two months later, he stopped taking his medication. His ex-girlfriend saw him the day of the offense and did not notice any bizarre behavior. He admitted to police his family was in hell and he would need to die to join them. He also reported hiding in the bushes because he knew police were looking for him. SPRTC staff determined Mr. Davis suffered from mental illness, he also feigned or exaggerated his symptoms, he did not present as preoccupied or disorganized, and he knew the nature and wrongfulness of his actions. Two defense experts disagreed. He was found guilty.

Issue: Was the evidence presented sufficient enough to support a conviction of attempted first degree murder? Did the trial court err in determining Mr. Davis failed to prove he was mentally ill at the time the crimes were committed?

Holding: No. There was sufficient evidence to support a conviction of attempted first degree murder and that he knew the nature and wrongfulness of his actions at the time of the offense.

Rationale: The Court ruled that intent to commit first-degree murder may be proved by circumstantial evidence (his/her conduct, character of the assault) and events occurring before/after the crime. When Kinne lunged at the defendant, he raised the knife and made an overhand stabbing motion. When he realized the blade was broken, he reached for another knife. When he heard noise coming from the back stairs, he "bolted." With regard to the second issue, Minnesota Statute allows both expert and lay testimony as admissible and that the fact finder has broad discretion to determine the appropriate weight to assign expert psychiatric testimony. The Court cited *State v. Wilson* in saying the trial court may also 'consider evidence that relates to

cognition, volition, and capacity to control behavior.” Although the court found Mr. Davis to suffer from Paranoid Schizophrenia and Antisocial Personality Disorder, the testimony provided by his ex-girlfriend and various treatment providers before and following the attack demonstrated he was not experiencing symptoms of psychosis and put higher weight towards the state experts’ opinions that Mr. Davis was feigning or exaggerating symptoms of mental illness.