

Mental state of woman accused of killing twins in question

Posted: Sep 20, 2011 5:43 PM CDT Updated: Sep 20, 2011 08:39 PM CDT

Reported By Tracee Tolentino, Reporter

GALLATIN, Tenn. – A Hendersonville woman accused of killing her newborn twin sons was released from jail on a \$250,000 bond, though her mental state still remains in question.

Lindsey Lowe left the Sumner County jail with her family and lawyer Tuesday evening. The 25-year-old woman confessed to killing her infants moments after they born last week at her parents' home.

According to police affidavits, she suffocated the babies with her bare hands so her parents would not discover them. Now that Lowe is out on bond, she faces a long uphill legal battle.

While the reason Lowe killed her newborn baby boys may never be known; Nashville attorney David Raybin, who is not representing Lowe, told Nashville's News 2 her mental stability could become the focus in this horrific crime.

"Simply because a person does not have an institutional record of mental problems, doesn't mean that mental problems haven't existed for a long time," said Raybin.

In a bond hearing Monday, family and friends described the Lowe as a model daughter, kind, and honest and never in trouble with the law. Lowe was placed on suicide watch while in jail and now free, she will undergo a mental evaluation and mental treatment.

"With these young girls sometimes the pregnancy impacts their hormones, impacts their thinking, there are a host of psychological variables that play here," said Raybin, "The defense indicated they're going to be looking at psychological testing, that sort of thing, which is probably where this case is going to go."

The results of these evaluations may determine if Lowe could enter a plea of insanity for the killings.

"A plea of insanity means that at the time of the offense, is that the person was not aware of what they were doing was criminally wrong," Raybin explained, "If they didn't have the capacity to distinguish between the wrongfulness of their conduct, given the mental disease then the law permits an acquittal by reason of insanity."

Lowe's mental condition is something her attorney will have to prove. "Once you have appropriate medical evidence, if in fact it does exist, then it certainly is possible that could be the defense in the case and if accepted by the jury that could be the verdict," said Raybin.

Raybin told Nashville's News 2 that it may be up to a year before Lowe's case goes to trial. If acquitted by reason of insanity, Lowe could one day be a free woman.

"If a person is acquitted by reason of insanity; they're immediately committed to a mental institution," said Raybin, "They're not released from the mental institution until the psychiatrist and ultimately the court determines that it's the appropriate thing to do."

