

Justification and excuses

Law



Justification and Excuse Defenses of the of the Justification and Excuse Defenses There are it seems, no limits to humaningenuity. Booked for the crime of committing sexual abuse on various young boys while serving as Assistant Coach at Penn State University, Jerry Sandusky has been part of high profile media coverage over the last two years or so. He has been charged with 52 counts of sexual abuse of young boys over a 15-year period. Four of the charges were subsequently dropped. On June 22, 2012, Sandusky was found guilty on 45 of the 48 charges. According to legal experts, Sandusky will likely spend the rest of his life in prison.

In his defense, Sandusky's lawyers have put forth the unlikely and implausible excuse that he is suffering from a histrionic personality disorder, a condition since removed from the DSM-IV-TR itself. It has been described as " a pervasive pattern of excessive emotionality and attention seeking" that is " often characterized by inappropriate sexually seductive conduct. His lawyers tried to use this condition as an excuse for their client's behavior and to justify his actions. This justification is part of a defense based on circumstances and excuses, a broad set of defenses in which defendants claim a lack of responsibility for their criminal acts. (Lippman, 2010).

Jerry Sandusky has been accused of involuntary deviate sexual intercourse, indecent assault, criminal intent to commit improper assault, unlawful contact with minors, corruption of minors and endangering the welfare of children.

However Dr. Glen Gabbard, Clinical Professor of Psychiatry at the Baylor College of Medicine in Houston, and an expert on personality disorders states that histrionic personality disorder could in no way be seen as a reason or explanation for the abuse of children. " That diagnosis, if he has it, would be <https://assignbuster.com/justification-and-excuses/>

completely irrelevant to anything having to do with criminal responsibility for acts of pedophilia". Mr. Sandusky had no excuse or justification for his action, for the crime he committed he knew very well what he was doing to those boys, over a period of 15 years and he knew the consequences of his actions; and he used his respectable position in society to sexually abuse those kids. He deserves to be sentenced for life and is only plea bargaining because at his age settling for 12-15 years may give him some chance of living some of his life out of jail rather than dying in it.

I personally think that this kind of defense does not stand a chance and should be thrown out of court. Pleas for insanity or other mental conditions are not appealing to jurors because it is most often used as an excuse for evading responsibility for the crimes committed. On the other hand if it is indeed found that Sandusky is worthy of psychiatric treatment, he should be placed under it at the earliest opportunity but debarred from working anywhere in the future.

References

Begos, K. (2012). Experts cast doubt on Sandusky's Disorder Defense.

Accessed on 27 June 2012 at <http://news.yahoo.com/experts-cast-doubt-sanduskys-disorder-defense-225738506--spt.html>

Lippman, M. (2010). Contemporary criminal law: Concepts, cases, and controversies (2nd Ed.). Thousand Oaks, CA: SAGE Publications, Inc. ISBN: 978-1-4129-7254-3.