

Are you insane? by cassidy meade

[Law](#), [Crime](#)



Are You Insane? by Cassidy Meade " The statistics on sanity are that one out of every four people is suffering from a mental illness. Look at your 3 best friends. If they're ok, then it's you" said Rita Mae Brown. The definition for ' insanity' is the state of being seriously mentally ill. There are most likely multiple different definitions, but this was the most broad. Insanity can, in a way, have benefits. For example, a person accused of a crime can admit that they committed the crime, but may claim that they are not accountable for the crime due to the fact they have a mental illness by pleading " not guilty by reason of insanity." The insanity defense mirrors a negotiation on the part of society and the law. Society believes that criminals should be punished for their crimes but society also believes that people who are ill should receive treatment for their illness. This is where the insanity defense comes in play. Essentially, it reflects the beliefs of society that the law should not penalize defendants who are incapable due to mental dysfunction and cannot control their conduct. In the 18th century, the authorized principles for the insanity defense were different. A lot of courts looked to see whether the defendant could make a distinction between moral and immoral, or good and evil. There were some courts that used that the defendant " did not know what he was doing." By the 19th century, it was normally acknowledged that insanity was a question of circumstance, and was left for the jury to choose. The insanity plea, also identified as the insanity defense, is a type of criminal defense employed by defendants, in order to weaken the offense that they have either committed or being accused of. In most cases, the defendant pleads guilty, but not at fault due to a mental disability. When a defendant brings the insanity plea into a case, they are claiming that the crime that

they have been accused of was not done on purpose but rather they cannot be held accountable for the offense due to the fact that they are legally insane. It is important to notice that there is a difference between insanity and a mental illness. A "mentally ill" individual will often have weakened accountability, but the insanity plea seldom reduces an individual's charge. If the insanity plea is going to work, the defendant must be confirmed legally insane by a doctor. The process of being examined to be considered mental insane requires an extensive medical checkup. In most trials, the defendant that has pleaded that they are insane will be expected to spend time in a psychiatric hospital. The insanity plea is a type of affirmative defense. An affirmative defense is a complete or partial defense to a civil or criminal claim based on facts other than those alleged by the plaintiff or prosecutor. When this type of defense is used, the defendant does not deny that the crime they are being accused of is false. The defendant actually admits that they are guilty of the crime. Here is when the insanity plea comes into play. The insanity plea proposes that the individual had a mental state that was not capable to recognize or control their behavior, or even ponder the penalties during the time that the crime was being committed. From the website Trial Laws with no stated author of the article published in 2013 stated, "If a defendant was not able to recognize the difference between wrong and right, than he/she cannot be held liable for the crime. In the United States, the insanity plea is not used to prove a defendant's innocence or dismiss his/her case. Instead, it is often used to reduce the severity of the conviction and sentence acquired by the defendant." There are many cases in which the insanity plea has been made, and as of late, it seems as though

it is being used more and more. This could be because it is becoming something that is getting other individuals dismissed from a crime, and is seen as an "easy-out." A case that I am sure that we are all familiar with is the theatre shooting down in Colorado. From the article, published in 2013, by Keith Coffman was this quote, "The judge overseeing the murder case in the Colorado movie theater massacre refused to overturn provisions of an insanity-defense law that attorneys for the suspected gunman say would violate the rights of the accused to avoid self-incrimination." The shooter, James Holmes, was not only charged with numerous counts of first-degree murder, but also attempted murder for the shooting during "The Dark Knight Rises" Batman movie. Holmes killed 12 individuals and injured 58 others in the Aurora, Colorado shooting. His lawyers filed motions for his trial stating that he was mentally insane. The state of Colorado requires a defendant who claims an insanity defense to have examinations done by court-appointed psychiatrists. His lawyers argued that this would be violating his Fifth Amendment, the guarantee of protection against self-incrimination. But Judge William Sylvester stated that the issues raised by defense lawyers were impulsive. From the previous stated article was this quote, "The Colorado appellate courts have confirmed that statements made during, or observations acquired from, a defendant's court-ordered mental examinations are admissible to prove the defendant's sanity." Former Colorado district attorney Bob Grant said the outbreak of pleadings filed by defense lawyers is common in potential death penalty cases. This shows that the insanity plea is used when there are serious consequences on the line. In closing, insanity can indeed benefit people. There are many steps in which

you have to take to plead insane and can even be seen as a joke. Is it worth it? To some, yes, to others not so much. " I would say any behavior that is not the status quo is interpreted as insanity, when, in fact, it might actually be enlightenment. Insanity is sorta in the eye of the beholder. " Said Chuck Palahniuk. Reference Page 1. Facts about the insanity plea. (2013). Retrieved from <http://trial.laws.com/plea/insanity-plea>

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