

# The movie “nuts”

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



| Nuts | Reaction Paper #1 | | Teresa Chambliss | 2/4/2012 | The movie "Nuts" starring Barbara Streisand and Richard Dreyfuss was a great movie depicting a woman fighting in court to prove that she is competent enough to stand trial. Barbara Streisand (Claudia Draper) plays a call girl charged with first degree manslaughter. It is Richard Dreyfuss' (public defender) job to help Claudia prove that she is sane enough to go to trial. Claudia has a very short temper, outspoken, and doesn't trust anyone. She violently attacked her first attorney for merely trying to advise her that the best thing for her would be to be labeled incompetent to stand trial. Claudia is evaluated by two psychiatrist who both state that she is incompetent and need to be held in a mental facility to be treated. Claudia doesn't trust anyone because she feels that people just want to put her away, and are not willing to put their foot in her shoes. She was violated as a child by her step father, and abused by her husband of ten years. Claudia was able to prove that although her profession as a hooker, the fact that she is loud, obnoxious, and doesn't do well at adhering to rules, she is just as sane as a woman that marries for money, and has a miserable life. After proving herself to the judge that she is competent to stand trial, she was later acquitted on her charges. Competency to stand trial is a view that permits delay of a criminal proceeding for those individuals that are deemed incapable to partake in their defense due to a mental or a physical disorder (Roesch, 2004). Watching this movie was different for me. Mainly because, I have never seen a person have to argue that they are sane enough to stand trial. I would think that if they are assisting in their case, then they were more than capable of standing trial. The insanity defense began back in

1843 with Daniel M'Naghten. He killed a British Prime Minister and was acquitted of the charges because during the act he was considered insane (Jarvis, 2001). We now have the M'Naghten Rule due to this case. The M'Naghten Rule defines insanity as the defendant suffering from " a defect of reason, from a disease of the mind", and as a result, the defendant did not " know" the " nature and quality of the act that he was doing", and as a result, the defendant did not know that " what he was doing was wrong" (Fulero and Wrightsman, 2009). Insanity is a valid defense. You are considered insane if a mental disorder stops you from managing matters or obeying the law. John Hinckley's verdict of Not Guilty By Reason of Insanity created a big commotion among the public. Many felt that the verdict was being used as a means for criminals to avoid their prison sentence, and to await their time in a prison facility (Simon, and Aaronson, 1988). There needs to be evaluations given to the defendant by qualified psychiatrist to see if there is in fact " a disease of the mind". During the movie, Claudia was evaluated by two psychiatrists. Their findings were that Claudia needed to be in a mental facility because of several mental health issues, but failed to state that she did not know that the killing was wrong. There also seemed to be a difference in the evaluations, because one psychiatrist only evaluated her for 15 minutes, and refused to testify in court. An expert witness is a witness that is qualified as an expert by knowledge, skill, experience, training, or education. They can testify if the experts scientific, technical, or other specialized knowledge will help the trier of fact to understand the evidence or to determine a fact in issue, if the testimony is based on sufficient facts or data, if the testimony is the product of reliable principles

and methods, and if the expert has reliably applied the principles and methods to the facts of the case. If the witness is depending on his experience and his experience only, then they should be able to make clear on how their experience coincides with the conclusion that they have come, why that experience is good enough for their conclusion, and how that experience is reliably applied to the facts (Legal Information Institute, 1992). The expert testimonies for the two psychiatrists in the movie failed to mention how their experience was satisfactorily applied to the facts of the case. I believe that they thought there was a mental disorder, but she did not fit the category of the M'Naghten rule because she knew the difference between right and wrong. The process to be deemed Not Guilty By Reason of Insanity is not easy, and therefore is not used frequently in the United States. Research shows that less than one percent of criminal defendants used insanity defenses, and many states have substituted the Not Guilty By Reason of Insanity defense with guilty but mentally ill (Knowles, 2000). In summary, Claudia Draper's childhood was horrible. Her father left her at a young age, and her step father molested her until she was sixteen years old. She didn't feel loved by her mother, because of the fact that her mother allowed this to go on. Once grown, she married an abuser. Because her childhood was horrible, she did not dare want to raise a child, and she had an abortion. She began her job as a high priced call girl, remembering that her step father paid her for sexual acts as a child as well. One night a client did not want to leave, and began being abusive towards her. She was in a kill, or be killed situation, so she killed her abuser. The facts surrounding her childhood would leave anyone with a few problems, especially since the

situations were never address, and she didn't receive counseling as a child. And that is what Claudia Draper had, a few problems. She was crying out loud for help, but didn't really trust anyone to help her. Finally she was able to trust her public defender, and the healing process began. Should she have been found incompetent to stand trial? No. She proved to be very competent, and was even acquitted of the manslaughter charge. Fulero, Solomon, & Wrightsman, Lawrence. (2009). *Forensic Psychology* (3rd ed.). Belmont, CA: Wadsworth, Cengage Learning. Jarvis, Angela. (2001). The Insanity Defense- A Constitutional Right? Retrieved from [http://www.forensic-evidence.com/site/Behv\\_Evid/Finger\\_insanity.html](http://www.forensic-evidence.com/site/Behv_Evid/Finger_insanity.html). Knowles, Bryan. (2000). Is the Insanity Pleas Allowing Criminal to Avoid Justice? Retrieved from [http://speakout.com/activism/issue\\_briefs/1229b-1.html](http://speakout.com/activism/issue_briefs/1229b-1.html). Legal Information Institute. (1992). Rule 702. Testimony By Expert Witness. Retrieved from [http://www.law.cornell.edu/rules/fre/rule\\_702](http://www.law.cornell.edu/rules/fre/rule_702). Roesch, Ronald, Zapf, Patricia, Golding, Stephen, & Skeem, Jennifer. (2004). Defining and Assessing Competency to Stand Trial. Retrieved from <http://www.unl.edu/ap-ls/student/CST%20assess.pdf>. Simon, R. and Aaronson, D. (1988). The Insanity Defense In The Columbia Electronic Encyclopedia (6th ed., p. 1).