

# Death penalty for the mentally insane

[Law](#), [Death Penalty](#)



Mental illness is defined as “ any various conditions characterized by impairment of an individual’s normal cognitive, emotional or behavioral functioning, and caused by social, psychological, biochemical, genetic or other factors, such as infection or head trauma” (Fiack). The mentally insane have a brain condition which directly effects wellbeing and actions. Mental insanity can be described as an incomplete development of the brain which can have an impact on conduct and social effectiveness.

Congressman should not allow the death penalty on the mentally insane because giving the death penalty to the mentally insane is an abomination. Congressmen might consider issuing the death penalty to the mentally insane because all punishments should be equal no matter the individual, but the mentally insane are not always in control of their actions and they are not always in a stable condition in which they know what they are doing. A troubled history or childhood can provide a diminishing value (“ Court”).

Not all mentally insane are brought up in stable environments which could lead to rage and violence. The rage and violence cannot be controlled by the mentally insane patient because do to over exposure to abuse they rely on the rage and violence for self-defense. Over thirty percent of male and eighty percent of female mentally insane inmates have reported sexual or physical abuse (Fiack). A vast majority of the mentally insane have experienced some sort of abuse which may cause mixed emotions and instability.

This instability causes the mentally to go crazy and take everything out on the nearest guardian they see and the mentally insane should not be penalized for being put into a state of craziness. The mentally insane

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receiving the death penalty is an abomination. All abominations have similar characteristics. Like crime in the United States, inflicting the death penalty on the mentally insane is a negative characteristic of the judicial system. Every abomination has a consequence. Jail might be a consequence considering the severity of the offense, such as murder.

America sells all types of guns and like enforcing the death penalty on the mentally insane, guns are fatal. Guns are the causes of many deaths and just like the death penalty, many lives are taken away from innocent and mentally insane civilians. Like gangs, the death penalty of the mentally insane affects everyone and is not community oriented. Gangs are a threat to everyone in a community and the death penalty is a threat to every citizen of the United States. Using the death penalty to kill the mentally insane is not for the community and ruins the closeness and bond a community shares among the children and adults.

Smuggling in weapons, illegal narcotics and the use of drugs is a disgrace to the youths of America just like the use of the death penalty on the mentally insane. The death penalty is an abomination because in the last thirty years, more than sixty people with a mental illness have been executed (Fiack). Putting these mentally insane to rest because of an action they probably did not have control over is completely unnecessary and un-just. If Congressmen wish to punish a mentally insane person they could place them in an insane asylum to learn to control their anger and violence towards others.

A consequence now exists because of all the insanity pleas within the last thirty years. The " M'Naughten Test" is now given to show if the defendant was unable to understand what he or she was doing and if there is a <https://assignbuster.com/death-penalty-for-the-mentally-insane/>

substantial lack of capacity to understand ones conduct (Fisanck). If the mentally insane patient can pass this test and the test clearly shows they had no control of their action and did not recognize the crime they were committing, giving them the death penalty would be unlawful. The court gave Darrell W.

Ferguson the death penalty, an inmate with an apparent unclear thought process. The courts rejected the claim, not thoroughly considering mental health issues ("Court"). Although abominations are not community oriented, a group called "Murder Victims' Families for Reconciliation" travels around North Carolina helping raise awareness and trying to gain support to get a bill passed against the death penalty of the mentally insane ("Murder"). The issue with bringing a mental illness case into court is the jury members do not always understand how the brain is affected by this disease. Jury members with a misunderstanding of mental illness cause the mentally insane to die on death row because they do not realize the challenges of raising a mentally insane child or grown adult nor what they are capable of without the patient even being aware of his actions. As a result, the jury tends to lean more towards a guilty verdict convicting the mentally insane before truly understanding how a diseased brain works. This process can be unfair to the victim and if the jury is not clear of the mental illness the defendant has.

To solve such a problem, each individual should be informed of the exact mental illness present before the court is in session or should not be a part of the jury. Congressmen should not promote the death penalty of the mentally insane because the death penalty of the mentally insane will lead to public

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outcry and angered families, disassembly of moral value, and will aid in the first steps to the disintegration of human life and self-worth. Over thirty years ago John Hinckley shot Ronald Regan in the chest but was not given the death penalty because he plead insane (Vatz).

Instead of giving him the ultimate punishment there is to offer he was sentenced to a mental hospital, which is what happens in most cases of the mentally insane. " In 2006, The American Bar Association passed a resolution calling for the exemption of those with serious mental illness from imposition and execution of the death penalty" (Fisanck). Congressmen should present a law to protect the mentally insane in death penalty situations. Works Cited " Court Reject Mental Health Claims Of Inmate Who Sought Death Penalty. " Mental Health Law Report. 66, June 2006.

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