

Week 7 didcussion 1

Law



Week 7 Discussion How the courts perspective on the crime of sexual assault or sexual battery has changed over the years and what might be done to improve convictions and enforcement.

As a result of high profile on the crime concerning sex, the courts have taken a transformational perspective with regard to punishments, registration requirements, and defenses. Many state rulings do not allow promiscuity as a defense, except for extreme minute circumstances. This is a fundamental change in defenses regarding sexual assaults. Consent is a common defense in sexual assault cases. Many states have reckoned that certain ages of children cannot consent thus apply the Romeo and Juliet defense. The sex offender registration varies relative to the crime severity. The lower level sexual offenders register for short periods, while more violent sexual assault offenders register for life. Many states have stiffened the punishments regarding sexual offenses, where some have attempted evaluating the death penalty for particular sexual assaults. Enforcement and convictions might be improved through capacity of the DNA analysis within the public crimes laboratories. Provide finances to local and state crime labs to help eradicate casework backlogs. The funding should abolish the database of the convicted offender and initiate aggressive programs to amass exhibits from the convicted offenders. Failure to comply with the requirements of registration should result in the filing of new charges. The sexual battery or sexual assault information should be posted online to enhance publicity (Buzawa, 2002, p. 78).

Sexting should be restricted to protect possible viewing by minors.

The use of sexually explicit materials such as films, photographs, computer, videos, and other visual depictions is sexual abuse, which can cause

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psychological or physical harm to the minors involved. Besides shielding individual minors, regulating the child pornography, which gets produced by self, helps the state and congress to regulate child pornography to protect society and children (Zhang, 2010, p. 257). The fact is that, sexting of minors via any form of pornographic images affect all children deleteriously through a perception that children are sex objects. This can lead to further sexual exploitation and abuse of children. Sexting of minors generates an unwholesome atmosphere. The mental, emotional, and psychological development of children gets affected, thus destabilizes the parent's efforts to encourage the sound, emotional, moral, and mental development of children.

References:

Buzawa, C. (2002). *Domestic Violence: The Changing Criminal Justice Response*. Beverly Hills, Calif: Sage Publishers.

Zhang, X. (2010). Charging Children with Child Pornography-Using the Legal System to Handle the Problem of " Sexting". *Computer Law & Security Report*, 26(3), 251-259.