

SOCA Undergraduate Symposium 2021
Department of Sociology and Anthropology
West Virginia University

Presentation 6

How the Insanity Plea Shapes Criminal Prosecution

Kailey Fenning
Criminology

ABSTRACT

The insanity defense is one of the most widely studied tool in the criminal justice system. From its history to its current form, the use and implication of its defense have tested how the court responds to this plea. In this paper, I will be examining all of the processes of this plea, ranging from the legal tests used to the psychological aspects, and argue how this plea is overused and only sets a defendant up for a guilty plea. Using case studies and psychiatric reviews, I have gathered enough data to prove that there needs to be reform in how the courts decide on these cases because of its use to shape guilty prosecutions.