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The Insanity Plea for Mass Shooters: A Harmful Scapegoat?

Mass shootings have been a huge issue in the United States during the entire 21st century. They have been the reason for many lives being lost in schools, nightclubs, and any public setting. Like many Americans would agree, mass shooters should be punished to the highest extent. Punished to the highest extent such as the death penalty or life in prison would be the best choice, but this is rarely given to them. Many mass shooters plead insane as a scapegoat, which can be harmful to those who actually suffer from mental illness every day. Mass shooters should not be able to plead insane in the American Criminal Justice System because it creates a scapegoat for them, therefore causing a negative mental health stigma. Mass Shooters are a danger to society, so letting them get off the hook with an insanity plea makes American citizens uneasy.

Insanity pleas are for those who have a direct and indirect relationship with their crime and mental illness the time the crime was committed. Peterson et al. states that a direct relationship is, “the specific influence of concurrent delusions or hallucinations on the criminal offense.” (440) In other words, this means that a person’s mental illness symptoms influenced them, at that specific time, to commit the act that they did. Indirect relationship is defined as, “any other symptom-based influence, such as confusion, depression, thought disorder, or irritability.” (Peterson et al. 440) This is saying that during the time that a mentally ill person

committed this act, they were confused, depressed, etc. Mass shooters most likely did not act on the actions of their mental illness because a mass shooting takes time to plan, such as weeks to even months to plan. A mentally ill person would not plan, instead they would just act. They would just act because according to direct relationship, it would have to happen fast. There is no way a mentally ill person is in that state of delusion for months on end.

If a mass shooter does not have direct or indirect relationship, which they likely do not, then it is harmful for them to say that they are insane because it makes it seem like those who are actually mentally ill have the same tendencies as mass shooters. This is harmful to those who are mentally ill because people will believe that every mentally ill person is just as violent and evil and mass shooters are. This is one of the reasons for the negative mental health stigma. The negative mental health stigma is still a huge thing in society, so seeing that mass shooters are pleading insane as a scapegoat, people will just believe that everyone that pleads insane (and is not a mass shooter,) is just as vile as the ones who commit those heinous acts.

Mental illness has been a topic that many people were and still are a bit ignorant about today. The mental health stigma when mass shootings first began were incredibly ignorant, but did somehow get better. Patrick Corrigan, Illinois Institute of Technology, et al. conducted an experiment over the years where the same people were interviewed as years passed. At first, people had very rude things to say, but eventually, as these individuals became more educated, they became a lot nicer and sensible. This makes sense because these people obviously had to do their own research on the topic after they were fed opinions by the media.

The public will have a negative mental health stigma if they see negative things being said about individuals who are mentally ill on television, read about in on social media, or if

they read it in a newspaper. Mass shooters being shown on television as a “lone wolf” or “bullied in high school,” only shows people that anyone bullied in school has the potential to be a mass shooter. McGinty, Emma et al. did a survey where two groups were interviewed. One group was given fictional stories about mentally ill people who committed mass shootings, while the other group was given nothing. The results indicated that the first group now had negative feelings against those with mental illness, while the other group had neutral feelings about them. This experiment proves that when people watch things on television about mass shooters being mentally ill, they then associate every mentally ill person with this group of people. Forty percent of people in the group who were given the fictional stories now believed that mentally ill people were a danger to society. This is an outrageous number compared to the other group who had neutral feelings.

The data stated previously shows that people will believe anything they see on news coverage, therefore, saying mass shooters have some kind of mental illness will only drive them to believe that all mentally ill individuals are just as violent as mass shooters. The news, newspapers, etc will tell people that the mass shooter was “bullied,” or “had a rough childhood,” which unintentionally justifies their actions. This has a very negative effect on mentally ill people because as stated before, this will only drive people to believe that anyone who was bullied has the intentions of a mass shooter. The news will forecast their views onto watchers, which causes them to form an opinion based on theirs. Mary Keller, University of Southern California Gould School of Law, claims that people watch the news for facts, so if they hear from a broadcaster that a mass shooter is mentally ill and rampant, they will believe them.

Putting mass shooters and those who are mentally ill in the same category only creates a

negative mental health stigma that affects those with mental illnesses in their normal everyday lives. Those who are actually mentally ill face negativity every day. Even before the news covered so much on mass shooters, they were seen as “psycho,” and “crazy.” Back in the 1800’s, there were mental institutions that conducted extremely horrible experiments on mentally ill patients. When the country began to get more educated on those who are mentally ill, they were still discriminated against. Just as the stigma began to get better, the news began broadcasting mass shooters as “criminally insane,” which only made people believe that all mentally ill individuals were criminally insane as well. Throughout history, those with mental illness have been discriminated against, which is completely unfair. The question is, what will have to happen for them to finally get the treatment they deserve?

Not every individual with a mental illness has the violent tendencies that a mass shooter has. Every mental illness is different, and many of them have little to no violent tendencies. There are people who believe that mental illness all include symptoms of psychosis and violence, which would cause them to commit heinous criminal acts. There are other mental illnesses like depression, which barely has any violent effects on a person. Going back to direct relationship, there are no symptoms in depression which would cause a person to commit a crime such as a mass shooting. Fred Markowitz, Northern Illinois University, states “delusional thinking and hallucinations are at an increased risk of violence.” This is not to downplay those who do have these symptoms, but not every mental illness has these symptoms, so it unfair to say that every person with a mental illness is violent. Another scholar, Van Dorn, Richard et al., states that those who are drug users, who are also in the definition of mentally ill, have more of a chance of being violent

than those who do not use drugs and are mentally ill. So using these statistics, it is easy to say that saying that all mentally ill individuals are violent.

Mass shooters are a danger to society and letting them off the hook with the insanity plea is an insult to those who are mentally ill and those who are not because it endangers both sides. It endangers both sides because by letting mass shooters off the hook, the Criminal Justice System is letting a violent criminal back into the streets. Who is to say that they will not commit another violent act like this again? There is no reason to believe that these people will not do this again, or even commit another offense, even if it is less worse than before. It endangers those who are mentally ill because as discussed before, it creates a negative mental health stigma. Studies show that mentally ill individuals are actually more likely to be a victim of a violent crime, rather than being the one that commits one. This might stem from the fact that people have more negative views against these people than positive ones. The fact that there is a negative stigma against these people already, they might be targeted because of the fact that they have a mental illness. There are mass shootings that are labeled as “hate crimes,” which means that a group of people or a person is targeted against because of their race, gender, sexuality, or mental state.

Although mass shooters should not be compared to those who are mentally ill, there are studies that show that they have some kind of paranoia that drive them to do what they did. Donald Dutton et al, University of British Columbia states, some famous mass shooters, such as one of the Columbine shooters said that he was tired of his peers making fun of him. He could have had some kind of mental illness that stemmed from being bullied in school. Mental illnesses such as Post Traumatic Stress Disorder, Bipolar Disorder, etc, could have been triggered because

of his experience in high school. His hate for his peers could have fueled his mental illness even further than before. This is not to say that being bullied is an excuse for killing many attendees of his high school, but it may have been a reason for him. This reason could have surely stemmed from a mental illness, such as paranoia.

Now, although mass shooters try to plead insane, it is very hard to actually be granted this. Steven Smith, California Western School of Law, states that 30-40% of people plead insane and less than one percent of them are granted not guilty by reason of insanity. This is a shocking statistic, because as many mass shooters that plead guilty, they are barely granted it. Them just pleading insane is what causes the negative effect because the news focuses so heavily on the plea part. It is so hard to prove the insanity defense because the defendant must prove to the court that they had a direct relationship with the crime and their mental illness. Because the defendant is the only one who can prove how they felt, or even did not feel at the time, it is hard to prove to either a judge, or jury.

To conclude, mass shooters should not be able to use the insanity defense as a scapegoat because it endangers those who are mentally ill, just as much as those who are not. Mentally ill individuals are discriminated against everyday because of the fact that mass shooters are able to plead insane. Them pleading insane only gets more news coverage, which gets everyday people to believe that all mentally ill people have the potential to be as violent as mass shooters. Those who are not mentally ill are endangered because they are the ones in society who are the victims of mass shootings (just like those who are mentally ill.) People should not have to fear being in public settings because mass shooters are let out of custody or given a short sentence because they were able to plead insane. In order to stop this from happening, mass shooters should not be

able to plead insane because all it does is put a bad name on those who need society's help the most: those who have mental illness.

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