

The Insanity Plea is a book about the Uses & Abuses of the Insanity Defense in various cases. The book is by William J. Winslade and Judith Wilson Ross. In this report, I will basically summarize the book and tell you different ways people have used and abused the Criminal Justice System using The Insanity Plea.

I will first talk about the case of Dan White. On November 18, 1978, Preliminary reports began broadcasting news of the events in a town called Jonestown, at first all that was known, was that people of a religious cult shot and may have even killed California Congressman

Leo Ryan. Then on November 27, 9 days after the news of the death of

Congressman Ryan another 2 deaths happened. George Moscone, the

mayor of San Francisco, and Harvey Milk, a city supervisor and the

leader of San Francisco's politically active gay community, had been

shot and killed at death in the San Francisco City Hall. The Police then

sniffed-out and charged Dan White with the murders of the 3 people.

In 2 years the trial ended with the verdict of guilty on the account of

manslaughter. He was later sentenced to 7 years and 8 months in a Prison, with a possibility of parole after 5. After the verdict there were

Riots breaking out in the streets because of the verdict. Before hand he

was elected a Supervisor and resigned because he didn't like the way

that Politics worked. The point before, that I may not have mentioned,

is that the defense argued that he was insane and that "a person with a

normal background who was brought up in a good home, something is

obviously missing." Since he was being charged on 3 accounts of

Murder in the 1st, they somewhat bought the insane defense so they

lowered his charges to 1 account of voluntary manslaughter, where he

received 7 years and 8 months with a possibility of parole after 5 years.

In the summer of 1978, Lyman Bostock seemed to have it made

very good. He was one of the 3 highest paid players EVER in the American League and he was highly regarded by fans and sportscasters

alike. Then one errie, summer night at 10:30 Lyman Bostock was gunned down at Fifth and Jackson in downtown Gary, Illinois while he

was riding in the back seat of his uncle's Buick with a twelve gauge

hot gun, that was fired by a Mr Leonard Smith. Leonard Smith was a

33 year old, unemployed Truck Driver, who lived in Illinois. He had

never met or seen Lyman Bostock, but if you think about it, if he actually sat down to think about it, a pro baseball player would obviously be very high. Leonard had dreamed about getting it as good

as Lyman, he dreamt about a wife, a kid, a dog, a nice house with a fence around it, and job security, but his attempts always failed because

of things like his wife, his employers, racial prejudice and life itself.

Although it was not lucky at all for Lyman to be on Fifth avenue and

having his skull blasted away with a gun, it became extremely more

lucky for Bostock because in 21 months after the shooting, he walked

out of jail after receiving 4 months of psychiatic treatment and three

months of evaluation. He was found not guilty of all charges due to the

plea of Insanity. To get that verdict he had to go through 2 trials. In

the first trial, that lasted 3 days, it ended in a hung jury. Dr. Frank Hoggle and Dr. Lee Michael testified in the 1st trial. Dr Hoggle saw

him on and off for about 3 months. Dr Perioclath only saw him twice and each of those times they were very brief. Both had testified, that

he was both legally sane. Dr Hogle was a little doubtful about his legally sane verdict but the other one was very certain of it. In the second trial that was held, they eventually got to the not guilty verdict

due to insanity and some time in a crazy phicility(is that a scientific term?).

The last case that I will tell you about in this report is the case of

Robert Torsney. Robert Torsney was a New York City Cop who always

carried around his gun. The killing occurred in daylight while he was

sober, working, alert, and paying attention to details. Torsney had a

stable job, was happily married and was in good physical health. On the

night of Thanksgiving, Torsney fired his gun at 15 year old, Randy

Evan's from a distance of about 20 inches, penetrating his skull then

penetrated his brain and he died. He left the kid laying there, dying on

the street as he casually walked back to the car with the 2 other officers

that were in the car. Needless to say, they arrested him and he was then

brought to court on the charges of 1st degree murder where he was

found not guilty due to the plea of Insanity. On Thanksgiving Day,

1976, Torsney had to work and was unhappy about it. At thirty-four

he had been on the force for about 8 years and he was sick and tired of

the conditions he had to work through. He would rather be at home

with his wife and kids at Thanksgiving, just like the average person in

America was doing. He made a note of the crappiness that he felt at

the top of his log book that read "Happy Working Felony

Thanksgiving." The police officer received a call from a residence of a

neighbor hood that a person with a gun was lurking around. Officers

Robert Faity, Matt Williams and Torsney were dispatched to the Cyprus

Houses. He searched the house and found nothing. He undid the leather to allow easy access to his gun as he came out of the building.

A group of black teenagers, including Randy approached the building

and shouted out to Torsney and asked if his apartment had been searched. Torsney immediately pulled his gun and shot him in the head. Torsney was found with 5 years in a Loony Bin with help from

other people.

The book itself only gave the plain hard facts on the case and the author did not say anything about his opinion on any case so I will expand my opinion. I think that the Insanity Plea is often mis-used,

ordinary people just like you and me get off with only 4 years in a mental home for killing people. Also the people who actually ARE insane sometimes get ruled down and are put in jail, where they commit

even more crimes.

So as you can see, sometimes the Insanity plea was put to good

use and some bad, well I guess that is just an opinion. There were more cases left in the book but those were the most important ones

in

the book, if I took the time to do all of them, This report would be
20

pages long. I thank you for reading it, adios.