

## Week Three Essay

**Introduction**

In considering a verdict of not guilty by reason of self-defense in the trial of a woman who had murdered her batterer-husband in his sleep, it would be important to consider various factors such as the facts and circumstances, history, and context surrounding the incident. Due to the complicated nature of domestic violence cases, examining these variables is necessary to assess any self-defense claim accurately.

The court needs to consider how long the abuse has been occurring, how frequent it was, or if there were any other incidents of abuse prior to this one (Constanzo & Krauss, 2018). The court should also consider whether evidence could corroborate any claim being made about an ongoing pattern of repeated physical and/or psychological abuse (Pantell et al., 2017). This includes assessing the abuser's history of violence and intimidation, as well as any physical or emotional trauma inflicted on the victim that may have prevented them from leaving the abuser (TED Talk, 2013). Accordingly, it is important to consider any attempts the victim had made to report abuse and whether or not those attempts were unsuccessful due to lack of resources or fear of retribution. Furthermore, the court needs to examine the facts and circumstances surrounding the incident to determine whether a valid claim of self-defense exists.

**Body  
(Major  
Content)**

The Insanity Defense could play an important role in cases involving domestic violence, as it can be argued that victims of domestic violence may suffer from diminished capacity due to their past traumatic experiences (Constanzo & Krauss, 2018). In addition, courts should consider any evidence surrounding stressors and/or provocation experienced by the defendant at the hands of her batterer-husband prior to his death (Pantell et al., 2017). Finally, courts must consider any other factors that could have led up to this particular incident such as its timing and location,

threats made in the past, and any other evidence that could be used to support a claim of self-defense (TED Talk, 2013).

In conclusion, before rendering a verdict of not guilty by reason of self defense in such cases, courts must carefully consider all relevant facts and circumstances surrounding the incident. They should take into account all evidence presented related to the ongoing pattern of abuse or the history of domestic violence between the parties involved. Courts should also consider the state of mind of those involved at the time and any potential stressors experienced prior to this specific incident. Through careful consideration of all these factors, courts can make an informed decision in a case such as this and ensure justice is served to both the victim and the accused.



College Essays

### References

Costanzo, Mark, and Daniel Krauss. *Forensic and Legal Psychology: Psychological Science Applied to Law*. Third edition. New York, NY: Worth Publishers, 2018.

Pantell, Robert H., COMMITTEE ON PSYCHOSOCIAL ASPECTS OF CHILD AND FAMILY HEALTH, Michael Yogman, Thresia Gambon, Arthur Lavin, Gerri Mattson, Jason Richard Rafferty, and Lawrence Sagin Wissow. "The Child Witness in the Courtroom." *Pediatrics* 139, no. 3 (March 1, 2017): e20164008.  
<https://doi.org/10.1542/peds.2016-4008>.

TED. *Why Domestic Violence Victims Don't Leave* | Leslie Morgan Steiner, 2013.  
<https://www.youtube.com/watch?v=V1yW5IsnSjo>.