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Regional

Dirks-Linhorst looks at different angles of the law

While the law is something that we all deal with, its interpretation is always a source of controversy. Someone who studies those issues on a daily basis is Ann Dirks-Linhorst, an associate professor in the department of sociology and criminal justice at Southern Illinois University Edwardsville.

Born in Kansas City, Mo., she obtained her bachelor's degree in criminal justice administration at Central Missouri State University, her degree in law from the University of Missouri-Kansas City, a master's in criminology and criminal justice from the University of Missouri-St. Louis and her doctorate in criminology and criminal justice, also at the University of Missouri-St. Louis.

After working as a trial lawyer for a while, she moved to a state agency where she found herself, "Doing all of their training and designing all their curricula for their psychologists and psychiatrists, because I happened to work for a department of mental health. I thought maybe this was directing me down a little bit different path where I can teach, but I can still use my law degree," she said.

From her experience working for the Missouri Department of Mental Health, she found out that there is a lot of controversy about how to differentiate between common criminals and those who are mentally ill.

"The tension between the intersection of criminal justice and mental health has been ratcheting up for the last 10 to 20 years," she said. "Partially it started with the criminal justice system's 'Get Tough on Crime' approach that started in the early to mid-90s. When that happened the public was saying, 'We are not going to accept or be very happy about defendants offering an insanity defense,'" Dirks-Linhorst explained.

The insanity defense says that a person is not responsible for criminal conduct by reason of mental disease or defect at the



Photo by Ana Roa

Professor Ann Dirks-Linhorst in an animated conversation with one of her students.

time of the crime. "The public has a lot of misperceptions," she said. "I think the public believes that this is used all the time." In fact, she explained, the insanity defense is only attempted in one half of 1 percent of all criminal trials, and is only successful about 25 percent of the time.

She said that she thinks that the case of John Hinckley (who tried to assassinate President Ronald Reagan) created a lot of

misperceptions about the insanity defense issue. "After that attempt every state in the United States changed its insanity laws," she said. "It had a tremendous impact on the system. People thought, 'Shouldn't this person be held accountable?' Even today there is public outrage when he asks for passes to spend the weekend with his parents."

Another issue that Dirks-Linhorst stud-

ies is the relationship between mental health and the criminal justice system as it impacts the high level of incarceration among minorities, particularly African-Americans. "What we have pretty much seen is that there are a lot of similarities between the disproportionate representation of particularly African-American individuals both in the criminal justice system and over in the mental health system as well," she said.

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"Some states that have a higher Hispanic population are also seeing disproportionate minority representation from those ethnicities in their insanity defense issues. So race definitely appears to be a factor."

Dirks-Linhorst teaches courses in juvenile justice at SIUE. This area of the law is also fraught with controversy, particularly in terms of when minors should be tried as adults. "There has been some recognition that 14-year-old juveniles are not all the same and that is actually probably a good thing," she said. "Because kids at that age do have different developmental levels. I think courts are trying to accommodate that and to figure out what the developmental status is for those kids. However, it still creates again a public safety issue because the original intent of this system was that the best interest of the kids are paramount, so it has a rehabilitation focus."

In addition to her courses and research, Dirks-Linhorst advises pre-law students at SIUE, which has become a harder job, as lawyers are actually being laid-off from law firms due to the nation's economic situation.

"I have not seen less interest, but what I have seen is a lot more anxiety about whether or not they can really pay back student loans if they are in debt for \$150,000," she said. "I think I spend about as much time having financial discussions with them as whether or not law school is a good fit."

Aldemaro Romero is the Dean of the College of Arts and Sciences at Southern Illinois University Edwardsville. His show, "Segue," can be heard every Sunday morning at 9 a.m. on WSIE, 88.7 FM. He can be reached at College_Arts_Sciences@siue.edu.