

Discussion Board Post: Analyzing Justifiability in Self-Defense Scenarios

In the tragic case of traveling nurses, the complexities of self-defense laws raise critical questions about the justifiability of their actions. To analyze her case effectively, it is paramount to distinguish between "justifiable" and "excusable" actions within the self-defense framework. Justifiable actions are lawful under certain circumstances, whereas excusable actions acknowledge mistakes without assigning criminal liability (Bennett and Hess, 2018). The nurse's belief that she was acting in self-defense brings several important factors into consideration.

First, a **reasonable perception of threats** is fundamental. State self-defense laws allow the use of deadly force if an individual reasonably believes that it is necessary to prevent imminent harm (Dressler and Garvey, 2020). In this context, the nurse might have perceived a threat upon entering the victim's apartment; however, without any aggressive behavior from the victim, her use of lethal force was not objectively warranted.

Second, the **duty to retreat** is present in many jurisdictions and requires individuals to avoid using deadly force if they can safely retreat (Miller et al., 2019). The nurse had alternatives, such as retreating or seeking assistance, rather than immediately resorting to gunfire.

Finally, **mistakes in factual** concepts play a crucial role. While the nurse's belief that she was defending herself was genuine, it did not automatically exonerate her from liability. Courts often assess the reasonableness of such mistakes and weigh them against the consequences of the mistakes (Bennett & Hess, 2018).

Given these considerations, her reaction may not be justified or excusable. In terms of criminal classification, a charge of **manslaughter** may be appropriate because of her emotional disturbance, potentially stemming from exhaustion (Dressler & Garvey, 2020). Conversely, a **murder** charge could depend on whether the perpetrator's actions display a reckless disregard for human life (Miller et al., 2019). Ultimately, I advocate for manslaughter, emphasizing the necessity of a thorough evidence assessment by the courts.

I encourage my peers to reflect on the following questions: What additional factors should be considered when justifying self-defense cases? How should individual safety be balanced with societal responsibilities? Should concealed carry laws be reformed in light of such situations?

References

Bennett, W. F., & Hess, K. M. (2018). *Criminal justice*. (10th ed.). Cengage Learning.