

Recently Mr. Glen Meyer, a 62-year-old farmer, was convicted of having bashed another farmer in the face with a truck fuel pump during an argument. Mr. Meyer could have been sentenced to 2 to 10 years in prison. Instead the judge, taking into account that Mr. Meyer had an elderly mother at home with him, gave him probation, but confined him to his home for a year, allowing him only to keep doctor's appointments and to attend church. In addition, Mr. Meyer had to pay a \$7,500 fine and the victim's medical bills, amounting to nearly \$10,000. Finally, Mr. Meyer was required by the judge to post for thirty months a large sign at the end of his driveway, visible to drivers along the road into town, which reads, "Warning: A Violent Felon Lives Here. Travel at Your Own Risk." Mr. Meyer has challenged the imposition of the sign in court.

Is the judge's requirement that Mr. Meyer post the sign morally justifiable? If so, why? If not, why not?

MODERATOR'S ANSWER: The punishment is justified. Mr. Meyer's punishment would be unjustified if the judge had imposed it solely for the purpose of humiliating Mr. Meyer without due regard for whether the phrase "dangerous felon" truly applies to him, or whether this punishment is reasonably designed to accomplish deterrence or rehabilitation. In this case, however, the nature of Mr. Meyer's offense, as well as his past criminal record indicates the descriptive accuracy of the phrase "dangerous felon" when applied to him. As for deterrence or rehabilitation, public humiliation was widely used as a form of punishment in the past (e.g., in colonial New England), and arguably could serve as an effective device for deterrence or rehabilitation even today in communities that resemble places like colonial New England in the respect of being relatively small and closely knit. Such appears the case in Mr. Meyer's community.

Case from the February 26, 1998 Intercollegiate Ethics Bowl. Copyright Robert Ladenson, Center for the Study of Ethics at the Illinois Institute of Technology, 1998.