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Plea for justice

The recent plea-bargaining that reduced the prison sentence of a convicted rapist of a Columbia College student reveals another aspect of just how threatening the AIDS epidemic has become to society. Not only are fellow human beings facing tragedy, but legal ethics are being compromised.

Reginald Darby, a former security guard at Columbia, pleaded guilty to the February rape of a McBain Hall resident. The execution of justice would have appeared straightforward. However, the victim, all too conscious of the risk of contracting AIDS, felt she deserved to know if her assailant indeed could have transmitted the disease. Therefore, in an act which compromised true justice, and unquestionably revictimized the woman, Darby's sentence was reduced in exchange for his submission to an AIDS test. This ill-manuevered example of plea-bargaining serves to discredit the plea-bargain process itself.

What this landmark example reveals is the flaw in New York State law, which does not presently require a rapist, who has either pleaded guilty or been convicted, to be tested for the AIDS virus. In the same way that victims deserve to know if their assailant had a sexually transmitted disease like syphilis, so are they entitled to know if they have possibly been exposed to AIDS. The justice served to victims should not be compromised for their fundamental right to ascertain the full extent to which they have been violated. AIDS testing must be made mandatory for convicted rapists.

Beyond the legal implications of this case are lessons which society must remember. The stigma of AIDS is not to be dealt with lightly. Testing rapists

only after their conviction protects their constitutional rights.

Rape is a serious crime which does not end with the court trial. Victims must deal with their rape for the rest of their lives, the same way they would have to deal with AIDS if they were unfortunate enough to contract the disease at the time of the rape.

The controversy over the plea-bargaining in this case has brought to Columbia's collective memory the tragic event of last February. It is our duty not to forget how destructive a force rape is in our society, and to exert whatever efforts we can, through education as well as influencing our legislators, to insure a safe society for all individuals.