

1 H.207

2 Introduced by Representative Satcowitz of Randolph

3 Referred to Committee on

4 Date:

5 Subject: Criminal procedures; acquittal by reason of insanity

6 Statement of purpose of bill as introduced: This bill proposes to require the
7 court to inform the jury in criminal cases that a defendant acquitted by reason
8 of insanity and found dangerous to self or others will be committed to the
9 Department of Mental Health, and to change the name of the insanity verdict to
10 “guilty, but insane.”

11 An act relating to acquittal by reason of insanity in criminal cases

12 It is hereby enacted by the General Assembly of the State of Vermont:

13 Sec. 1. 13 V.S.A. § 4819 is amended to read:

14 § 4819. ACQUITTAL BY REASON OF INSANITY

15 (a) When a person tried on information, complaint, or indictment is
16 acquitted by a jury by reason of insanity at the time of the alleged offense, the
17 jury shall state in its verdict ~~of not guilty that the same is given for such cause~~
18 that the defendant is “guilty, but insane”.

19 (b) Before the case is submitted to the jury, the court shall inform the jury
20 that if the defendant is acquitted by reason of insanity and is determined to be

1 dangerous to self or others, the defendant will be committed to the custody of
2 the Department of Mental Health and will not be released until it is determined
3 that the person is no longer dangerous.

4 Sec. 2. EFFECTIVE DATE

5 This act shall take effect on passage.