

INSANITY

Trial Court at Recommitment Hearing for Involuntarily-Committed Respondent Based on Verdict of Not Guilty by Reason of Insanity May Order Conditional Release As Alternative to Unconditional Release or Recommitment

In re Hayes, ___ N.C. App. ___, 681 S.E.2d 395 (18 August 2009).

The court ruled that the trial court at a recommitment hearing for an involuntarily-committed respondent based on a verdict of not guilty by reason of insanity may order conditional release as an alternative to unconditional release or recommitment.

Constitutional Law--capacity to stand trial--failure to sua sponte grant competency hearing

State v. Staten, 172 NCA 673 (2005)

The trial court was not required to sua sponte grant defendant a competency hearing during defendant's January 2003 trial for first-degree felony murder and armed robbery, because: (1) evidence before the trial court was not so substantial as to indicate defendant was mentally incompetent when throughout the trial proceedings defendant acted in a manner exhibiting competence; (2) in the instant case, with the exception of the initial screening, defendant had no evaluations finding him to be incompetent to proceed to trial; (3) neither defendant's behavior nor demeanor implicated the necessity of a bona fide doubt inquiry even though defendant suffered from mental retardation and intellectual deficiencies throughout his life with intermittent mental illness when defendant had the capacity to comprehend his position, to understand the nature and object of the proceedings against him, to conduct his defense in a rational manner, and to assist his counsel; and (4) where, as here, defendant has been examined relative to his capacity to proceed and all evidence before the court indicates that he has that capacity, he is not denied due process by the trial court's failure to hold a competency hearing.

Criminal Law--insanity--directed verdict

State v. Staten, 172 NCA 673 (2005)

The trial court did not err in a first-degree felony murder and armed robbery case by denying defendant's motion for a directed verdict on the issue of insanity because if evidence of insanity is offered by defendant, even if uncontroverted, the credibility of that testimony is for the jury and thus precludes the entry of a directed verdict for defendant on insanity.

Criminal Law--insanity--directed verdict precluded

State v. Sellers, 155 NCA 51 (2002)

The trial court did not err in an assault with a firearm on a law enforcement officer, assault with a deadly weapon inflicting serious bodily injury, and discharging a firearm into occupied property case by failing to grant defendant's motions to dismiss the charges based upon insanity as a matter of law even though four expert witnesses testified defendant did not know right from wrong at the time of the shooting, because evidence of insanity offered by defendant, even if uncontroverted, is for the jury to determine and precludes the entry of a directed verdict for defendant on insanity.

Clark v. Arizona, (US Sup. Ct. 2006)

The Court ruled that the Arizona's narrowing of the M'Naghten test on the issue of insanity did violate the Due Process Clause.

Criminal Law - insanity - expert testimony - credibility for the jury - no directed verdict

State v. Dorsey, 135 N.C. App. 116 (1999)

In a case involving assault with a deadly weapon with intent to kill inflicting serious injury, the trial court did not err by failing to direct a verdict of not guilty based on defendant's expert testimony stating defendant was insane because even if the evidence of insanity is uncontroverted, the credibility of that testimony is for the jury and thus precludes the entry of a directed verdict.

Criminal Law = 15 (NCI4th) - test of insanity

State v. Ingle, 336 N.C. 617 (1994) ___ S.E.2d ___

In order for a defendant to be exempt from criminal responsibility for an act by reason of insanity, he must prove to the satisfaction of the jury that at the time of the act, he was laboring under such a defect of reason caused by disease or a deficiency of the mind that he was incapable of knowing the nature and quality of his act or, if he did know the nature and quality of his act, that he was incapable of distinguishing between right and wrong in relation to the act.

Criminal Law = 669 (NCI4th) - insanity defense - sufficient evidence of sanity - directed verdict properly denied

State v. Ingle, 336 N.C. 617 (1994) ___ S.E.2d ___

In a prosecution of defendant for two first-degree murders wherein defendant's expert witness testified that defendant was in a psychotic state and was unable to distinguish between right and wrong at the time of the crimes, there was sufficient evidence of defendant's sanity to withstand his motion for a directed verdict of not guilty by reason of