



Senate of Pennsylvania

MEMO

TO: All Senators

DATE: January 6, 2011

FROM: Senator Lisa M. Boseola

SUBJECT: Co-sponsorship of Legislation

In the near future, I plan to reintroduce legislation removing the verdict of 'not guilty by reason of insanity' and instead allowing a person to be found 'guilty, but insane.'

Far too often, we have seen murderers, as well as other serious offenders take advantage of the insanity defense in order to avoid responsibility for their criminal actions. My legislation would establish that a person's mental soundness cannot be used as a defense for serious criminal offenses.

This bill refines the definition of "legal insanity" to establish that one is legally insane if, during the commission of an offense, the person is laboring under such a defect of reason from disease of the mind as not to know the true nature and quality of the act. It would also go further to remove the verdict of "not guilty by reason of insanity" from consideration before the criminal court.

I believe this legislation is an attempt to reasonably balance the rights of those defendants who truly are insane, while protecting the law-abiding citizens of our Commonwealth from those who would feign a mental illness in order to avoid paying for their crimes.

This is a reintroduction of Senate Bill 794 from the previous legislative session. Co-sponsors included Senator Alloway.

If you are interested in joining me as a co-sponsor of this important legislation, please contact Julie Carraghan in my office at 787-4236 or by e-mail at jcarraghan@pasenate.com.