

the examination, what the responsibility of the court should be in dealing with the doctors who have determined that he is competent or incompetent, and perhaps dealing with release procedures.

The CHAIRMAN. Much of this, as I understand it, is already covered by existing statutes in the District of Columbia.

Mr. PYE. That is correct.

The CHAIRMAN. Statutory law—and this is what you are examining in your judicial conference.

Mr. PYE. Yes, sir.

In substance we shall be in a position, if the conference approves the report, of making recommendations to this committee for such changes in the existing provisions of title 24301 of the District of Columbia Code as should be desirable.

It may be that we will recommend the same language which is in the present act.

I simply suggest that there is much in favor of the committee deferring action upon it until it has the benefit of a substantial staff study.

I have one further comment with reference to the language that a defendant who has been released from a hospital following a verdict of not guilty by reason of insanity should be put on a probation status.

I agree with the preceding witnesses that this language is undesirable, but for somewhat different reasons.

At the present time a person who is on a conditional release status is subject to a redetermination of his status by the court upon proper application by the Government. He is subject to supervision by the court.

The court usually imposes conditions that require him to report or undergo treatment from the hospital.

This, to my mind, is a better method than putting him on probation, if by probation we mean putting him under the supervision of a probation officer.

At the present time, in the District of Columbia, our officers have a caseload of over 84 cases a month. It is quite obvious that the extent to which they can supervise or provide treatment for people is limited.

When you have 84 of them a month to take care of, I think the hospital is a better place, and the direct supervision of the court is a better place from the point of view of the protection of society as well as for the rehabilitation of the individual than any transfer of this type of individual to the probation service.

Thank you, sir.

The CHAIRMAN. May I ask you just one further comment. A number of witnesses have commented on the jury instruction, found at page 13 of the bill. It reads as follows in the proposed bill before us:

The jury shall not be told by the court or counsel for the Government and for defendant the consequences of the verdict of not guilty or acquittal by reason of insanity.

My understanding of case law in the District of Columbia at the present time is that it is just the reverse, and that the jury is told the consequences of a verdict of not guilty or acquittal by reason of insanity.

Would you favor this or would you not?

Mr. PYE. I would oppose this, sir, for this reason: