

Defendant's mental condition. They are at liberty to articulate their findings and opinions without artificial, arbitrary testimonial restrictions.

The dire predictions by some at the time *Durham* was announced have been proven baseless. Although there has been an increase in the number of insanity pleas, the number of acquittals by reason of insanity is still relatively negligible. According to statistics compiled by the Office of the United States Attorney, only 7 persons were found not guilty by reason of insanity in 1957, and in 1958 only seventeen.¹⁰ In other words, less than 3.3% of all the terminated criminal proceedings in the District Court in 1958 resulted in an acquittal on grounds of insanity. Moreover, each of these individuals has been committed to Saint Elizabeth's Hospital for treatment. The protection of the community has been guaranteed by the mandatory requirement incorporated in a statute (D.C. Code § 24-301, Supp. VI, 1958) that individuals found not guilty by reason of insanity must be committed to Saint Elizabeth's. Such persons cannot be released until the Hospital Superintendent has certified and the District Court has found that the De-

¹⁰ Fiscal Years Ending June 30	Verdicts of Guilty	Not Guilty Verdicts & Judgments of Acquittal	Verdicts of Not Guilty by Reason of Insanity
1951	382	197	0
1952	359	170	3
1953	462	180	3
1954	433	190	7
1955	357	87	10
1956	334	93	15
1957	362	103	7
1958	398	121	17

SOURCE: Office of United States Attorney, as quoted in 58 Columbia L. Rev. 1253, 1266 (1958).

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