Supplementary Online Content


eAppendix. 18 U.S.C. § 17

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eAppendix. 18 U.S.C. § 17

TITLE 18 - CRIMES AND CRIMINAL PROCEDURE

PART I - CRIMES

CHAPTER 1 - GENERAL PROVISIONS

§ 17. Insanity defense

(a) Affirmative Defense. — It is an affirmative defense to a prosecution under any Federal statute that, at the time of the commission of the acts constituting the offense, the defendant, as a result of a severe mental disease or defect, was unable to appreciate the nature and quality or the wrongfulness of his acts. Mental disease or defect does not otherwise constitute a defense.

(b) Burden of Proof. — The defendant has the burden of proving the defense of insanity by clear and convincing evidence.