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A Psychiatrist Urges Abolition Of Insanity Plea

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DENVER—Insanity as a defense should be eliminated and the psychiatrist should be taken out of the courtroom, Dr. John Macdonald, Denver psychiatrist, declared here at the 40th annual convention of the Central Neuropsychiatric Association.

"This would be in the best interests of society and rehabilitation of the sick man," Dr. Macdonald, director of inpatient service at Colorado Psychopathic Hospital, said. "Let's eliminate the defense of insanity. Lawyers will say it's unconstitutional, but the moment you suggest anything the lawyers don't like they say it's unconstitutional."

The only sure thing about insanity trials now, he remarked during a panel discussion on "Doubts and Misgivings About the Insanity Plea," is the expense of the proceedings.

"When people can get off punishment by pleading insanity, they will plead this more often," he said. "It would be unfortunate if we liberalized the rules and turned our mental institutions into penitentiaries," he said.

Dr. Macdonald proposed that when a defendant chose, a jury should hear psychiatric testimony concerning the accused person's mental state at the time of the crime.

If the defendant were found not criminally responsible, the state should be free to establish punitive or therapeutic measures as it determined best for both the defendant and society, he said.