

Maryland, the two steps of a not criminally responsible defense are establishing the crime and establishing the defense of insanity. [1, 2]

Step 1: Establish the crime [1, 2, 3]

- The state must prove beyond a reasonable doubt that the defendant committed the crime

Step 2: Establish the defense of insanity [1, 2]

- The defendant must prove by a preponderance of the evidence that they were not criminally responsible by reason of insanity

What is the defense of insanity? [4]

- The defense of insanity is Maryland's equivalent to an insanity defense
- It's a rare defense that's supposed to be limited to extreme circumstances
- The defense must prove that the defendant had a mental disorder or developmental disability

What happens if the defense is successful? [3, 5]

- If the jury agrees with the defense, the defendant will be committed to a mental health facility for an indefinite time

What happens if the defense is unsuccessful? [3]

- If the jury rejects the defense, the defendant will be found guilty and sentenced

