

## **Legislative Council Staff**

Research Note

Version: Senate Judiciary

**Date:**ptemb2/15/2006 2:45 PM ED: September 18, 2020 8:49 AM

**Bill Number** 

**Sponsors** 

DATE FI

DATE FIL

Senate Bill 16-019

Senator Cooke Representatives Saine & Foote

**Short Title** 

**Research Analyst** 

Videotape Mental Condition Evaluations Jessika Shipley (x3528)

**Status** 

This bill is currently pending before the Senate Judiciary Committee. The research note reflects the introduced version of the bill.

## Summary

This bill requires audio-visual recording of court-ordered mental condition examinations. The recording must be preserved and provided with the examination report to all parties to the case and to the court.

## **Background**

Two different types of mental condition examinations are covered by the bill. A sanity examination is ordered by a court in a criminal case where the defendant enters a plea of not guilty by reason of insanity (NGRI). An impaired mental condition examination occurs when the defendant asserts the defense of impaired mental condition. Both types of examinations may take place at a state-run mental health facility, the place where the defendant is being held in custody, or another place designated by the court, with preference being given to the place where the defendant is being held.

The bill does not apply to competency evaluations, which determine, prior to entering a plea in a criminal case, whether a defendant is competent to proceed.

This research note was prepared by Legislative Council Staff, the nonpartisan research staff for the Colorado General Assembly. The research note is provided for informational purposes only and should not be relied upon as an official record of action by the General Assembly. Legislative Council Staff are not attorneys, and the research note is not a legal opinion. If you have legal questions about the bill, including questions about the meaning of the bill language or amendments, please contact the drafter Senate Bill 16-019