

HOUSE REPUBLICAN STAFF ANALYSIS

Bill:	House File 2571	House Committee:	PASSED on February 12 (21-0)
Committee:	Judiciary	House Floor:	PASSED on March 24 (96-0)
Floor Manager:	Rep. Fett	Senate Floor:	PASSED on March 30 (45-0)
Date:	May 12, 2026	Governor:	SIGNED on April 9, 2026
Staff:	Amanda Wille (1-5230)		

Criminal Procedure Rules- Insanity

- Updates rules for when a person can be released after they have been found not guilty by reason of insanity.

Section by Section Analysis

Section 1 – Supreme Court- Rules of Criminal Procedure

Requires the Iowa Supreme Court to amend the rules of criminal procedure regarding those found not guilty by reason of insanity.

When a person has been found not guilty by reason of insanity, they should not be released solely because they have not posed a danger to themselves or others, especially when they have been kept in a highly structured environment.

When determining if a defendant is currently a danger to themselves or others, the court shall consider a variety of factors, including but not limited to:

1. Original Offense- The nature and circumstances around the original charge that led to the insanity acquittal.
2. Behavioral History- The defendant's past conduct, including any prior violent or dangerous acts.
3. Psychiatric History and Current Mental Status
 - o Current psychiatric condition.
 - o History of psychiatric treatment and adherence to treatments.
 - o Responsiveness to interventions.
4. Substance Use Disorder History
 - o History of substance use and its impact on the defendant's behavior.
 - o Prior substance use disorder diagnoses.
 - o Relationship between substance use and violent or dangerous conduct.
 - o Likelihood of relapse and the potential risk increase.
 - o Willingness to engage in treatment.
5. Institutional Behavior and Independent Functioning
 - o Ability and willingness to engage in social, educational, occupational, or vocational activities.
 - o Self-care and stability in less structured environments.
 - o Utilization of support systems.

- Compliance with rules and appropriateness of interactions in structured settings.
 - Record of any incidents signifying underlying dangerousness.
 - 6. Environmental Influence- How a highly structured or controlled environment may suppress problematic behaviors.
 - 7. Expert Testimony and Risk Assessment Reports
 - Contributions from qualified mental health professionals.
 - Use of validated risk assessments, including an understanding of their limitations when the patient is in a controlled setting.
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Amendment Analysis