

Alabama Rules of Criminal Procedure

Rule 25. Procedure after verdict or finding of not guilty by reason of mental disease or defect.

Rule 25.6. Orders.

(a) If, at the hearing held pursuant to Rule 25.3, the court finds that the defendant is not mentally ill and that his being at large does not pose a real and present threat of substantial harm to himself or to others, he shall be released from custody forthwith.

(b) If, at the hearing held pursuant to Rule 25.3, the court finds that the defendant is mentally ill and as a consequence of such mental illness poses a real and present threat of substantial harm to himself or to others, the court shall order the defendant committed to the custody of the commissioner or to such other public facility as the court may order.

Committee Comments

Rule 25.6 includes the provisions of Ala.Code 1975, § 15-16-43.