SUPREME COURT OF THE UNITED STATES

Syllabus

SHANNON *v.* UNITED STATES

CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT

No. 92–8346. Argued March 22, 1994—Decided June 24, 1994

In the Insanity Defense Reform Act of 1984 (IDRA or Act), Congress made insanity an affirmative defense, created a special verdict of ``not guilty only by reason of insanity'' (NGI), and established a comprehensive civil commitment procedure. At his trial on a federal criminal charge, petitioner Shannon raised the insanity defense and asked the District Court to instruct the jury that an NGI verdict would result in his involuntary commitment. The court refused, and the jury returned a guilty verdict. In affirming, the Court of Appeals noted that, under its pre-IDRA precedent, juries were not to be instructed concerning the consequences of an insanity acquittal. Because there was no directive in the IDRA to the contrary, the court ``adhere[d] to the established axiom that it is inappropriate for a jury to consider or be informed about the consequences of its verdict.''

Held: A federal district court is not required to instruct the jury regarding the consequences to the defendant of an NGI verdict. Pp. 5–15.

(a) The principle that juries are not to consider the consequences of their verdicts is a reflection of the basic division of labor between the judge as sentencer and the jury as trier of fact. Providing jurors sentencing information invites them to ponder matters that are not within their province, distracts them from their responsibilities, and creates a strong possibility of confusion. Pp. 5–6.

(b) The IDRA does not require courts to depart from the foregoing principle. The text of the Act gives no indication that jurors are to be instructed regarding the consequences of an NGI verdict. The Court rejects Shannon's contention that Congress, by modeling the IDRA on D. C. Code Ann. §24–301,

impliedly adopted a D. C. Circuit decision that endorsed the practice of giving the instruction in question in the context of §24–301. Because Congress departed from the scheme embodied in §24–301 in several significant ways when it passed the IDRA, the canon of construction urged by Shannon—that adoption of the wording of a statute from another legislative jurisdiction carries with it the jurisdiction's judicial interpretations of that wording—is not applicable. The single passage in the legislative history endorsing the giving of the instruction in question is in no way anchored in the IDRA's text and is not entitled to authoritative weight. Pp. 6–10.

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(c) The instruction in question is not required as a matter of general federal criminal practice. Even if Shannon is correct that some jurors may harbor the mistaken belief that defendants found NGI will be released into society immediately, it must be assumed that his jury followed its instructions to apply the law regardless of the consequences and not to consider or discuss punishment. See *Richardson* v. *Marsh,* 481 U. S. 200, 206. Also unpersuasive is Shannon's contention that the instruction would allay the fears of such misinformed jurors. Indeed, because the only mandatory period of confinement under the IDRA is a maximum of 40 days between an NGI verdict and a required commitment hearing, an instruction of the type at issue might incline jurors to convict in order to eliminate the possibility that a dangerous defendant could be released after 40 days or less. In any event, the instruction would draw the jury's attention to the very thing—the possible consequences of its verdict—that it should ignore. Moreover, Shannon offers no principled way to limit the availability of such instructions to cases involving NGI verdicts, as opposed to the many other aspects of the criminal sentencing process with which jurors may be unfamiliar. Given the comprehensive nature of Congress' review of the insanity defense during the enactment of the IDRA, the Court will not invoke its supervisory powers to require an instruction that Congress chose not to mandate. Pp. 11–14.

(d) This decision should not be misunderstood as an absolute prohibition on instructing the jury with regard to the consequences of an NGI verdict. An instruction of some form may be necessary under certain limited circumstances to remedy a misstatement or error. That is not the case here, however, for there is no indication that any improper statement was made in the presence of the jury during Shannon's trial. Pp. 14–15.

981 F. 2d 759, affirmed.

THOMAS, J., delivered the opinion of the Court, in which REHNQUIST, C. J., and O'CONNOR, SCALIA, KENNEDY, SOUTER, and GINSBURG, JJ., joined. STEVENS, J., filed a dissenting opinion, in which BLACKMUN, J., joined.