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WS

085735
2200
JL002
JL003-01
5T048

August 6, 1982

Dear Mr. Esposito:

Thank you for your recent letter and please forgive my delay in responding. In the midst of a busy summer, your letter was inadvertently misplaced in my files.

I appreciate your sharing your views regarding our criminal system. The Hinckley ~~decision~~, II believe, lead many to a careful review of our Criminal Code. I have taken the liberty of sharing your remarks with the Attorney General and Fred Fielding, Counsel to the President.

Thank you once again for bringing your views to my attention. Hurriedly, but with best regards.

Sincerely,

James A. Baker, III
Chief of Staff and
Assistant to the President

The Honorable Albert C. Esposito
Member of the House of Delegates
of the State of West Virginia
Charleston, W.V. 25305

cc: Central Files and incoming
JAB Chron ✓

Hinckley decision AND Need to enact a Law
Outlawing the INSANITY Plea



HOUSE OF DELEGATES

WEST VIRGINIA LEGISLATURE

STATE CAPITOL -- PHONE 348-3456

CHARLESTON 25305

ALBERT C. ESPOSITO
420-11TH ST.
HUNTINGTON, W. VA. 25701

June 23, 1982

Mr. James Baker
Advisor to the President
The White House
Washington, DC 20510

Dear Mr. Baker:

The country is stunned at the Hinckley decision and I feel that you as a leader in the White House have an obligation to the American people to speedily enact a law that outlaws the Insanity Plea in the Criminal Code of our country. I urge that a mandatory prison sentence be instigated for all those who would attempt assassination of the President, Congressmen, Judges of the Supreme Court or Federal Courts throughout the land.

I feel that we can no longer pamper the criminal and allow him to escape justice by insanity. We in the grass roots are appalled at the verdict in the Hinckley case and we urge every member of Congress to unite immediately to enact such a law.

With best wishes.

Cordially,

A handwritten signature in black ink, appearing to read "ACE".

Albert C. Esposito

ACE:vem

JUN 29 1982

085735

ID #

CU

JL 003

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

O - OUTGOING

H - INTERNAL

I - INCOMING

Date Correspondence Received (YY/MM/DD) 1/1

Name of Correspondent: Albert C. Esposito

MI Mail Report

User Codes: (A) _____ (B) _____ (C) _____

Subject: Henckley decision and need to enact a law outlawing the insanity plea

ROUTE TO:

ACTION

DISPOSITION

Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
<u>CW Holland</u>	^{DD} ORIGINATOR	<u>82106124</u>		<u>C</u>	<u>82107123</u>
<u>CW AT17</u>	^{DD} D	<u>82107112</u>		<u>C</u>	<u>82107123</u>
<u>CW FIEL</u>	^S S	<u>82107123</u>	<u>FF</u>	<u>A</u>	<u>82107123</u>
		<u>1 1</u>			<u>1 1</u>
		<u>1 1</u>			<u>1 1</u>

ACTION CODES:

- A - Appropriate Action
- C - Comment/Recommendation
- D - Draft Response
- F - Furnish Fact Sheet to be used as Enclosure

- I - Info Copy Only/No Action Necessary
- R - Direct Reply w/Copy
- S - For Signature
- X - Interim Reply

DISPOSITION CODES:

- A - Answered
- B - Non-Special Referral
- C - Completed
- S - Suspended

FOR OUTGOING CORRESPONDENCE:

- Type of Response = Initials of Signer
- Code = "A"
- Completion Date = Date of Outgoing

Comments: _____

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Prime Subject Code: JL 003 Secondary Subject Codes: JL 003.01
ST 048
HE 001.04

PRESIDENTIAL REPLY

Code	Date	Comment	Form
C	_____	Time: _____	P- _____
DSP	_____	Time: _____	Media: _____

SIGNATURE CODES:

- CPn - Presidential Correspondence**
- n - 0 - Unknown
- n - 1 - Ronald Wilson Reagan
- n - 2 - Ronald Reagan
- n - 3 - Ron
- n - 4 - Dutch
- n - 5 - Ron Reagan
- n - 6 - Ronald
- n - 7 - Ronnie

- CLn - First Lady's Correspondence**
- n - 0 - Unknown
- n - 1 - Nancy Reagan
- n - 2 - Nancy
- n - 3 - Mrs. Ronald Reagan

- CBn - Presidential & First Lady's Correspondence**
- n - 1 - Ronald Reagan - Nancy Reagan
- n - 2 - Ron - Nancy

MEDIA CODES:

- B - Box/package
- C - Copy
- D - Official document
- G - Message
- H - Handcarried
- L - Letter
- M - Mailgram
- O - Memo
- P - Photo
- R - Report
- S - Sealed
- T - Telegram
- V - Telephone
- X - Miscellaneous
- Y - Study

THE WHITE HOUSE

WASHINGTON

July 23, 1982

Dear Mr. Esposito:

This is in response to your letter of June 23, 1982, in which you stated your view that, in light of the Hinckley decision, the Administration has an obligation to act quickly to eliminate the "insanity plea in the Criminal Code of our country." You also urged that a mandatory prison sentence be established for all individuals convicted of assassination attempts on the President, Members of Congress, or of the Federal judiciary.

As you may know, the Congress is currently considering legislation that would abolish the insanity defense as it is now conceived and make mental illness, except in those cases where it negates an element of the offense, simply a factor to be considered at the time of sentencing. The Administration strongly supports this legislation; in fact the Attorney General recently testified before the United States Senate Committee on the Judiciary that this approach "is the best way to revise the law from the perspective both of ensuring the public safety and of improving the efficiency of criminal trials."

This year both Houses of Congress will consider comprehensive amendments to reform the criminal code. In view of the fact that mandatory prison sentences for assassination attempts on the President, Members of Congress or of the Federal judiciary would require a change in the present criminal code it is suggested that you address your concerns on this issue to the appropriate members of Congress.

Thank you for your views on these most important matters.

Sincerely,

Orig. signed by FFF

Fred F. Fielding
Counsel to the President

The Honorable Albert C. Esposito
House of Delegates
420 - 11th Street
Huntington, West Virginia 25701

MEMORANDUM

THE WHITE HOUSE
WASHINGTON

July 22, 1982

FOR: FRED F. FIELDING
FROM: SHERRIE M. COOKSEY *SMC*
SUBJECT: Correspondence from
Albert C. Esposito

Attached for your approval and signature is a response to correspondence to you from Mr. Albert C. Esposito, a member of the West Virginia House of Delegates.

Mr. Esposito wrote you to express his dismay with the Hinckley verdict, and to ask that you use your office to "speedily enact" legislation to revise the criminal code to outlaw the insanity plea. Mr. Esposito also urges that a mandatory prison sentence be established for any individual convicted of an assassination attempt against the President, Congressmen, and members of the Federal judiciary.

The response directs Mr. Esposito's attention to the fact that both Houses of Congress are considering legislation to revise the criminal code, revisions which would abolish the insanity defense as it is now conceived. Mr. Esposito is also informed that the establishment of a mandatory prison sentence for assassination attempts could only be achieved through a revision of the criminal code, and that he should bring his concerns and views on these issues to the attention of the appropriate members of Congress.

Attachment



HOUSE OF DELEGATES
WEST VIRGINIA LEGISLATURE
STATE CAPITOL -- PHONE 348-3456
CHARLESTON 25305

JUL 25 1982

085735 *CU*

ALBERT C. ESPOSITO
420-11TH ST.
HUNTINGTON, W. VA. 25701

June 23, 1982

*Get
to Sherrill
for draft
response
RMS*

Mr. Fred Fielding
Counselor to the President
The White House
Washington, DC 20510

Dear Mr. Fielding:

The country is stunned at the Hinckley decision and I feel that you as a leader in the White House have an obligation to the American people to speedily enact a law that outlaws the Insanity Plea in the Criminal Code of our country. I urge that a mandatory prison sentence be instigated for all those who would attempt assassination of the President, Congressmen, Judges of the Supreme Court or Federal Courts throughout the land.

I feel that we can no longer pamper the criminal and allow him to escape justice by insanity. We in the grass roots are appalled at the verdict in the Hinckley case and we urge every member of Congress to unite immediately to enact such a law.

With best wishes.

Cordially,

Albert C. Esposito

ACE:vem