

## ABC NEWS

Jared Lee Loughner Mentally Incompetent to Stand Trial in Giffords Shootings  
By JACK CLOHERTY, PIERRE THOMAS (@PierreTABC) and THOMAS BALDERICK  
May 25, 2011

Jared Lee Loughner has been found mentally incompetent to stand trial in the Jan. 8 shooting rampage in Tucson, Ariz., that left six dead and 13 wounded, including congresswoman Gabrielle Giffords of Arizona.

Before being declared mentally incompetent today by federal judge Larry Burns, Loughner yelled: "Thank you for the freak show," "She died in front of me" and "You're treasonous." He was removed from the courtroom.

Loughner, 22, is paranoid schizophrenic, suffering from delusions and hallucinations, according to mental health professionals. His mental health evaluation also found that Loughner had an "irrational" distrust of his lawyers.

Loughner will be treated for his illness and reevaluated by the court in four months, but there is no guarantee he will improve enough to stand trial. Russell Weston, for instance, walked into the U.S. Capitol in 1998 and alleged killed two police officers. Twelve years later, he has yet to stand trial.

Loughner was tackled and disarmed by bystanders and has since been charged in a 49-count federal indictment. The charges include attempting to assassinate a member of Congress and the killing of a federal judge.

Loughner's mental health has been a subject of speculation since the shootings. Even before January, Loughner's troubled mental state had been noticed by former friends and classmates, as well as by the police at Pima Community College, where he was a student.

The legal question for Burns was straightforward: Can Loughner understand the proceedings against him and can he assist in his own defense? Burns ruled today that Loughner did not meet that minimum standard.

Joseph di Genova, a former U.S. attorney with experience in insanity defense cases, said it was unclear whether Loughner would ever be able to stand trial.

"The doctors will likely tell the court whether or not Loughner will be able to obtain competency with treatment, and how long that would likely take," di Genova told ABC News. "Then a treatment plan would be put in place"

Di Genova said the government would likely push to keep the possibility of a trial open "unless he is psychotic or delusional to the point that he can never be made competent."

Loughner has been in custody since being arrested at the scene of the shooting.