



THE SENATE OF MARYLAND  
ANNAPOLIS, MARYLAND 21401

**Testimony of Senator Jill P. Carter  
In Favor of SB398 - Mental Health Law – Petitions for  
Emergency Evaluation – Procedures  
Before the Finance Committee  
on February 9, 2021**

**Madam Chairwoman, Mr. Vice Chair, and Members of the  
Committee:**

**This bill alters current law concerning emergency evaluation petitions. It does so by authorizing behavioral health professionals to transport individuals to emergency facilities for evaluation rather than law enforcement officers (“officers”).**

**Today, the law only authorizes officers to transport evaluatees to emergency facilities. Typically, this will involve an officer placing an individual who is believed to be suffering from a mental disorder, in handcuffs and in the back of a police vehicle. And according to data analyzed by the Treatment Advocacy Center, it also involves officers using deadly force disproportionately against these individuals.**

**According to the data, less than four percent (4%) of adults in the United States live with severe mental illness.**

**Unfortunately, at least 25 percent of all fatal law enforcement encounters involve individuals with severe mental illness, meaning that members of this population are 16 times more likely to be killed by an officer than the general population.**

**Everyone would agree that this is unacceptable. When a person is in crisis and someone files a petition for their wellbeing, the last thing we want to do is force anyone into an unsafe situation. Introducing an armed police officer into a situation that requires a skill set outside of their training, no matter how well-intentioned, can and does lead to tragic outcomes.**

**This bill seeks to reduce the probability of these outcomes by giving behavioral health professionals - persons best equipped to understand the dynamics of a given situation - the discretion to include or exclude the presence of law enforcement from the matter if they deem appropriate. Not only would this bill take the burden off of officers, it would also save lives.**

**Given this, I urge the committee to give a favorable report on Senate Bill 398.**

**Respectfully,**



**Jill P. Carter**