



Treatment
Advocacy
Center

Testimony by Sabah Muhammad, Senior and Legislative Policy Counsel for Treatment Advocacy Center

Submitted to Senate Finance Committee

Hearing regarding SB 0453: February 20, 2024, at 1:00 pm

POSITION: SUPPORT

Thank you for the opportunity to submit written testimony. I am writing as policy counsel for Treatment Advocacy Center, a national nonprofit focused on eliminating barriers to treatment for those with severe mental illness. I am also writing as an expert in criminal defense and racial and social justice.

Since my last testimony one year ago two Maryland family members lost loved ones who would have benefitted from AOT. There is no justifiable reason death and deterioration must be a catalyst for advancing mental health legislation. AOT is not controversial, it is law in 47 states.

As a former public defender, I represented clients who lacked the competency to participate in their own defense and in their own wellness. On all accounts they lacked the mens rea to be considered legally competent, they were not criminals, they were unwell, and found their way to me due to upstream volunteer only treatment options for individuals too sick to volunteer. My clients didn't simply need a lawyer, they needed a legally accountable treatment adherence team. That is what AOT offers. AOT won't flood Public defenders with new faces but will finally offer them a least restrictive and just tool to help the innocent individuals they are currently failing. AOT participants in New York reported an 87 percent reduction in incarcerations. Where there's a lack of upstream treatment options criminalization becomes the default. AOT can help to break that cycle.

The reality of Racism is a smog that sits over all of us. Over representation of BIPOC individuals in AOT is a reflection of their neglect earlier in the system. While I would love to see those disparities addressed, it should not be the excuse for failing to make this tool available to provide to those who have been left behind by our current system. We must take every single opportunity that we can to prevent people with mental illness from being pushed into our criminal legal system. In our broken mental health system AOT model law has built in protections against the harms that plague every part of American life. AOT model law features a participant bill of rights, legal representation, and the right for participants to file grievances. AOT is race neutral lifesaving treatment for individuals too sick to volunteer for treatment on their own.

Vote favorably for SB0453

Cordially,

Sabah Muhammad

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