

# MARYLAND PSYCHIATRIC SOCIETY



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January 17, 2025

The Honorable William C. Smith Jr.  
Senate Judicial Proceedings Committee  
2 East Miller Senate Office Building  
Annapolis, MD 21401

RE: Oppose – SB 90: Criminal Procedure - Incompetency to Stand Trial Dismissal

Dear Chairman Smith and Honorable Members of the Committee:

The Maryland Psychiatric Society (MPS) and the Washington Psychiatric Society (WPS) are state medical organizations whose physician members specialize in diagnosing, treating, and preventing mental illnesses, including substance use disorders. Formed more than sixty-five years ago to support the needs of psychiatrists and their patients, both organizations work to ensure available, accessible, and comprehensive quality mental health resources for all Maryland citizens and strive through public education to dispel the stigma and discrimination of those suffering from a mental illness. As the district branches of the American Psychiatric Association covering the state of Maryland, MPS/WPS represent over 1100 psychiatrists and physicians currently in psychiatric training.

MPS/WPS oppose SB 90: Criminal Procedure - Incompetency to Stand Trial Dismissal as the dismissal of charges, and therefore eligibility for civil commitment, should be based upon clinical status, not the nature of the crime or the victim's status. Thus, holding an individual incompetent to stand trial (IST) for ten years does not reflect the reality of clinical care. Almost every other state has a one-year statutory limit for individuals IST.

MPS/WPS would also like to note that the current wait list for transfer to a state hospital exceeds one hundred individuals. Couple that with a statutory time limit with fines if Perkins does not admit within ten days per law, you have an insurmountable problem.

MPS/WPS, therefore, ask this honorable committee for an unfavorable report on SB 90. If you have any questions regarding this testimony, please contact Lisa Harris Jones at [lisa.jones@mdlobbyist.com](mailto:lisa.jones@mdlobbyist.com).

Respectfully submitted,  
The Maryland Psychiatric Society & Washington Psychiatric Society  
Legislative Action Committee