

HON. STACY A. MAYER
CIRCUIT COURT
JUDGE
BALTIMORE COUNTY
CHAIR

HON. RICHARD SANDY
CIRCUIT COURT
JUDGE
FREDERICK COUNTY
VICE-CHAIR



KELLEY O'CONNOR
ASSISTANT STATE COURT
ADMINISTRATOR
GOVERNMENT RELATIONS
AND PUBLIC AFFAIRS
P: (410) 260-1560

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MARYLAND JUDICIAL COUNCIL LEGISLATIVE COMMITTEE

MEMORANDUM

TO: Senate Judicial Proceedings Committee
FROM: Legislative Committee
Suzanne D. Pelz, Esq.
410-260-1523
RE: Senate Bill 782
Criminal Procedure – Verdict of Not Criminally Responsible –
Eligibility for Evaluation for Discharge
DATE: February 5, 2025
(3/4)
POSITION: Oppose

The Maryland Judiciary opposes Senate Bill 782.

The Judiciary understands the intent and purpose of the proposed legislation. However, the Judiciary has constitutional concerns. The bill mandates that an individual who is found not criminally responsible may not be released from commitment for at least ten years for the charges of murder in the first and second degrees. This language creates a penalty after a finding of not criminally responsible. This raises constitutional concerns by detaining individuals who have proven not to be a danger, as a result of the intellectual disability, but will be confined for at least 10 years under this bill.

cc. Hon. Paul Corderman
Judicial Council
Legislative Committee
Kelley O'Connor