

**House Judiciary Committee
HB0312-Criminal Procedure-Incompetency to Stand Trial
Oppose**

**Dorothy Plantz
Community Advocate
District 12A
10128 Spring Pools Lane, Columbia, MD 21044
Dorothy.greenthumb@gmail.com
410 262-8458**

I join the Arc of Maryland and other disability organizations in opposing **HBO3123**. This is a repeat bill which was not passed last year and has not changed substantially. This bill would alter the time period after which a court is required to dismiss a charge against a defendant who is found incompetent.

The bill is not supported by social science research or shows opportunity for those with co-occurring developmental disabilities. As noted from last year's DRM testimony, "The purpose of Maryland's laws related to incompetency is to provide restoration services to permit an individual to become competent to stand trial on criminal charges. The weight of the social science research concludes that an individual who is found Incompetent to Stand Trial (IST) and not restored to competency within 5 years is not likely to be restored to competency in 10 years. It is important to remember that such individuals have not been found guilty for any crime by a court of law. Further, it is particularly inappropriate when the person has a co-occurring developmental disability, a traumatic brain injury, or dementia that increases the challenge of restoring the individual to competency to stand trial. Extending the period of time a person can be held as IST before charges can be dismissed will not rectify this problem."

Thank you for considering this information in your deliberations regarding these bills.

Best,

Dorothy Plantz