



Empowering People to Lead Systemic Change
The Protection and Advocacy System for the State of Maryland

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HOUSE JUDICIARY COMMITTEE

HOUSE BILL 1308

Crime of Violence—Medical Facilities and Places of Worship—Penalty (Sacred Places Safety Act)

March 11, 2025

POSITION: Letter of Information

Disability Rights Maryland (DRM), Maryland's Protection & Advocacy agency, is mandated to advance the rights of people with disabilities statewide. DRM has been representing people with disabilities in a range of legal matters for nearly 50 years and writes this Letter of Information to address the unintended consequences of House Bill 1308.

DRM recognizes and supports the need for individuals to be safe when they access medical facilities and places of worship. Making a crime of violence in a medical facility a felony, potentially brings within its scope individuals with developmental or psychiatric disabilities who are hospitalized for treatment and who may engage in behavior that would cause them to be charged with a felony while they are in treatment. In our experience, individuals with developmental or mental health disabilities often have charges filed against them when they are dysregulated and in crisis; when agitated, they may push, threaten, or otherwise assault a staff member, who then presses charges. For hospitalized patients with disabilities to incur felony charges for behavior that results from their disabilities perpetuates disability discrimination and further criminalizes their disability. In addition, discharge from the hospital and return to the community becomes more difficult because of the felony criminal record.

Additionally, staffing shortages and bed shortages contribute to the problem; individuals with developmental disabilities or psychiatric disabilities may board in emergency rooms while waiting for a hospital placement to become available, and hospitalized patients may receive inadequate supports because of staff shortages, leaving them vulnerable to inadequate interventions if they experience a crisis. Further, due to the bed shortage in Maryland state hospitals, some acute care hospitals have encouraged their staff to file charges against such individuals when they are not able to discharge the individual due to the lack of available community supports for the individual. This results in the individual being held in a detention center until they can be transferred to a state hospital or state residential center for restoration of competency.

DRM hopes that the committee will consider this information as House Bill 1308 moves through the legislative process.

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Disability Rights Maryland Testimony: House Bill 1308

March 7, 2025

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Respectfully submitted,

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