

SENATE FINANCE AND JUDICIAL PROCEEDINGS COMMITTEES

Senate Bill 412: Maryland Department of Health—Community Forensic Aftercare Program-- Established February 17, 2026

Position: Support with Amendments

Disability Rights Maryland (DRM) is the protection and advocacy organization for the state of Maryland; the federal mandate of the organization, part of a national network of similar agencies, is to advocate for the legal rights of people with disabilities throughout the state, including those with mental illness. DRM supports Senate Bill 412 with the sponsor's amendments. The bill would establish the Community Forensic Aftercare Program (CFAP), a program currently operated by the Maryland Department of Health without an enabling statute or regulations. The program monitors cases in which an individual is committed to the Department under Title 3 of the Criminal Procedure Article and released from the hospital to the community with conditions. Most often, these individuals have been found not criminally responsible (NCR) as a result of an intellectual disability or mental illness. The conditions imposed on these individuals are intended to ensure that they will remain compliant with treatment in the community.

Senate Bill 412 would, if enacted, clarify the role of the program's monitors and enable the Department to promulgate regulations that would standardize CFAP's practices. Additionally, enactment of the bill would allow individuals facing the CFAP process to authorize an agent, not their counsel, to attend meetings and represent their interests. It would also ensure that individuals' attorneys and advocates are provided with information about alleged program violations and records to allow them to understand and participate in meetings, and a community monitoring board that operates with transparency and due process. DRM strongly supports this provision, which will give individuals a voice in the CFAP process.

DRM appreciates the opportunity to support Senate Bill 412.

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