

MARYLAND PSYCHIATRIC SOCIETY



January 21, 2026

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

Oppose Senate Bill 67: Criminal Procedure - Incompetency to Stand Trial Dismissal

Dear Chairman Smith & 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 1200 psychiatrists and physicians currently in psychiatric training.

MPS/WPS oppose SB 67: 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. If an incompetent defendant is released they can't be required to take medication and there is no outpatient competency restoration program. The state's attorney's office was pushing this version of the bill specifically because it allowed defendants to be released to the community and would have no effect on bed waiting lists.

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.

For these reasons, MPS opposes SB67. If you have any questions regarding this testimony, please contact MPS lobbyist, Lisa Harris Jones at lisa.jones@mdlobbyist.com.

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