

Evaluations in Criminal Cases

1. **Definitive Pretrial Evaluations of Competency to Stand Trial and Criminal Responsibility (Circuit Court):** These full evaluations usually are referred by the Circuit Court and are performed by the regular Medical Services Division staff. Cases requiring further evaluation at a state psychiatric facility usually are referred on the same court order. The Medical Services Division, or the facility will request an extension, if necessary, to complete the evaluation.

Referral process: Please send the court order and Medical Services Division Request for Evaluation form directly to the Medical Services Division through interdepartmental mail. They may also be faxed, or can be hand delivered to the Medical Services office. Please include the Application for Statement of Charges, and other printed information. The fax number is (410) 625-2766.

2. **Pretrial screening of Competency to Stand Trial and Criminal Responsibility (District Court):**

The Medical Services Division provides screening services for District Court cases in its role as a unit of the Community Forensic Screening Program. This statewide program is funded by the Office of Forensic Services, Maryland Department of Health and Mental Hygiene (DHMH). The purpose of screening is to provide rapid evaluations without unnecessary and costly hospitalization in state facilities, but at the same time safeguarding the mentally disordered defendant who needs additional treatment when hospitalization is indicated. Medical Services Division staff facilitates admission of appropriate defendants to psychiatric hospitals.

Referral process: Please call Ms. Yvonne Davis, Director/Coordinator of Pretrial Screening or Karla Cromartie, Administrative Assistant, to relay initial referral information to enable her to fill out the referral form. Her direct telephone number is (410) 396-3357. The Court Order should be faxed directly to Ms. Yvonne Davis. Please include the Statement of Probable Cause, Statement of Charges, Charge Summary or Application for Statement of Charges. The fax number is (410) 625-2766. The original Court Order is then sent to Ms. Yvonne Davis via U.S. Mail.

3. **Emergency Evaluations of Competency to Stand Trial:** The Court can request a brief evaluation to determine if a defendant is competent to participate in an ongoing trial. The doctors, when available, will go directly to the courtroom. **(Evaluation of Criminal Responsibility cannot be accomplished on an emergency basis).** Please note that the program schedules competency evaluations several mornings a week, so the defendant can usually be seen the next day if a doctor is not available at the time of the trial.

Referral process: Please telephone Yvonne Davis, LCSW-C or Dr. Lawrence D. Heller, Ph.D., at (410) 396-5013. A referral form and Competency Court Order should be filled out and given to the doctor upon arrival.

4. Evaluations concerning Termination of Court Ordered Conditional Release after a finding of Not Criminally Responsible:

Referral process: Please telephone Shelly Scruggs with Medical Services (410)396-5013. There are no standard referral forms necessary for a referral by the Court.

5. Pre-Sentence Psychiatric Evaluations: These evaluations are performed for the Court after the defendant has been found Guilty. The report describes mental health diagnoses and recommends practical solutions. The evaluators provide mental health recommendations, jail recommendations, or parole/probation recommendations to assist the Judge in sentencing. When possible the evaluator will provide specific treatment facilities based on the individual's address.

Referral process: Please send the Court Order and the Medical Services Division Request for Evaluation form directly to the Medical Services Division through interdepartmental mail. These may also be faxed or hand delivered to the Medical Services office. The fax number is (410)625-2766. Please include the Statement of Charges and the Offense Report, along with other relevant information.

6. Post-Sentence Psychiatric Evaluation: The Court requests these evaluations after the defendant has been sentenced. Usually, the Court has received new information that may influence the previous disposition plans.

Referral process: Please send the Court Order and the Medical Services Division Request for Evaluation Form directly to the Medical Services Division through interdepartmental mail. These may also be faxed or hand delivered to the Medical Services office/ Suite 100 East. The fax number is (410)625-2766. Please include the Statement of Charges, Arrest Report, and the Offense Report if available.