

CARE AND TREATMENT RECOMMENDATIONS FOR PATIENTS FOUND INCOMPETENT TO STAND TRIAL

Across different DMH and DOC (i.e., Bridgewater State Hospital) facilities, there are different practices regarding the roles of the forensic evaluators and the clinical treatment team in recommending need for care and treatment (including hospitalization) of defendants being re-evaluated under sections 17a or 16b/c. In some facilities, the forensic evaluator addresses the need for care and treatment in the evaluation which addresses current competency to stand trial. In other facilities, the forensic evaluator addresses only competency issues in his/her evaluation and the decision about whether to seek commitment is made by the treatment team. The Committee agreed that both models represent acceptable practice.