

Thank you Rep. LaLonde,

Thank you for allowing me to clarify Dr. Ravven's perspective, please read my suggestions with an understanding I am trying to answer your questions as best I can.

Just wanted to preface that this issue is highly complex and that Dr. Ravven is one of very few people in the State with this specialized expertise, as well as in the region. What Dr. Ravven and what the APPL is recommending is in the best interest of the defendant. Which is where I think you and Dr. Ravven are aligned – if I am understanding you, your intention is to provide the defendant with both evaluations if they request it, as you want to ensure fair treatment.

Where I think the disconnection lies is, after the clinical decision (meaning a physician has evaluated their mental health state at that time) finds the defendant incompetent to stand trial, the psychiatrist wants to protect the person who needs treatment at this time from making illogical or incriminating statements of their motivations or involvement at the time of the crime, when they are in such a vulnerable state.

Remember you heard testimony from Deputy Commissioner Fox, Defender General Matt Valerio and Dr. Ravven that the bar for competency is extremely low. Meaning the defendant has a very low comprehension of what is happening around them at all, let alone of what is happening in the court proceedings.

What Dr. Ravven is recommending, and what we feel would protect the defendant, soon to be patient, in instances in which the defendant requests both evaluations is that the sanity evaluation report only be available for the defendant and the defendant's council – so that it can't be used by the prosecution or to influence the jury or the public against the defendant until their competency can be restored.

Understanding, that Vermont has some protections in place, it still seems like the most fair and protective course of action for the defendant is for them and their council to only have access to the sanity evaluation when they are in such a vulnerable state and that regardless that the competency and sanity evaluation reports should be separate – even if performed at the same time.

Physicians have a motto of "do no harm," and I think in this instance, the mental health professionals are trying to protect the defendant and not have the process do harm for them in the future when they regain competency and are better able to engage in their defense.

Hope that this helps,

Please reach out.

Thanks,

Jill



Jill Sudhoff-Guerin *(She/Her/Hers)*

Vermont Medical Society
Policy & Communications
Manager

www.vtmd.org



