

Please find Dr. Ravven's response below:

In reference to question on 4/21/21 House Judiciary Committee Hearing on S.3.

Can the defendant ask to have competency and sanity together if the defendant requests it?

The American Academy of Psychiatry and the Law offers guidance on this issue.

The American Academy of Psychiatry and the Law (AAPL), the professional society of forensic psychiatrists issues guidelines for the practice of forensic psychiatry. AAPL Practice Guideline for the Forensic Psychiatric Evaluation of Competence to Stand Trial recommends that in a combined Competence to Stand Trial and Criminal Responsibility Evaluation, that the evaluation be suspended if the evaluator's recommendation is Not Competent, and a Criminal Responsibility evaluation *only* be performed if the psychiatrist is working for the defense and under the attorney-client privilege, in order to protect the defendant who lacks capacity to make decisions regarding his or her legal case. This issue is addressed at the top of p. S21, second column. (Mossman et al 2007. )