

**Testimony**  
**Engrossed House Bill 1116 – Department of Human Services**  
**Senate Judiciary**  
**Senator Hogue, Chairman**  
**March 18, 2013**

Chairman Hogue, members of the Senate Judiciary Committee, I am Alex C. Schweitzer, Director of Field Services for the Department of Human Services (Department). I am here today to testify in support of Engrossed House Bill 1116, which was introduced at the request of the Department.

Engrossed House Bill 1116 would remove the Department's regional human service centers (HSCs) from the statute as required providers of court-ordered fitness to proceed examinations.

Currently, a court may order the detention of a defendant for the purpose of an examination by a psychiatrist or a license clinical psychologist. This detention must be in the least restrictive appropriate setting, including the State Hospital at Jamestown, the Developmental Center at Grafton, or other suitable facility for a reasonable period of time, not to exceed 30 days, to allow for the fitness-to-proceed examination to be conducted.

The Department is asking for the removal of the regional HSCs from the statute, as the current practice is for these examinations to be completed at the State Hospital or the Developmental Center. The State Hospital, with four licensed clinical psychologists, and the Developmental Center with one licensed clinical psychologist, has the most expertise, resources, and time to perform these examinations. In addition, the institutions have the greater

capacity to address the concerns of safety and security that are often required for these individuals.

HSCs currently do not have the resources needed to complete these examinations.

House Bill 1116 was amended by the House of Representatives to permit an evaluation at the regional HSCs, as long as an inquiry has been made to the regional HSC to ensure they have appropriate resources to complete the evaluation.

Thank you. I would be happy to answer any questions.

