

(e) In addition to the penalties prescribed by subsections (a) and (b) above, any person who willfully violates any of the provisions of this subtitle, may be liable civilly, for damages sustained by any patient wrongfully admitted or detained against his will.

24.

(a) If the Department of Mental Hygiene shall report that in its opinion a defendant is not competent to stand trial within the meaning of Section 23, the Department shall include in its report, for the purpose of releasing the defendant for out-patient care, bail or recognizance, a full and complete supplementary opinion stating whether such person, by reason of mental disorder, would, if he becomes a free agent, be a danger to himself or to the safety of the person or property of others. If the court, after receipt of the report, shall find that the defendant is not, by reason of mental disorder, a danger to himself or to the safety of the person or property of others, it may (save in capital cases) set bail for the defendant or authorize his release upon recognizance. The court may at any time upon suggestion of the accused or upon its own motion and subject to the limitations as to frequency contained in Section [15 (g)] 22 (i), reconsider the question of the accused's competency to stand trial. If the court determines that the defendant is by reason of mental disorder, a danger to himself or to the safety of the person or property of others, it may in its discretion order the defendant sent to a facility designated by the Department until such time as the court is satisfied that the defendant is competent to stand trial or has ceased to be by reason of mental disorder a danger to himself or to the safety of the person or property of others. The defendant shall at any time after such order have the right to apply for his release pursuant to the provisions of Section [15] 22 of this article, the said order of committal to be treated as a hearing for purposes of determining the availability of subsequent review under that section. The fact that the defendant is found not competent to stand trial does not preclude his counsel, if he elects to do so, from making any legal objection to the prosecution which is susceptible of fair determination prior to trial and without the personal participation of the defendant.

27.

A person who has been found not guilty of any crime by reason of insanity at the time of the commission of the act, in the discretion of the court, may be committed to the Department of Mental Hygiene for confinement in one of the facilities of the State for examination and evaluation to determine, by the standards applicable to civil admission proceedings under Sections 11 and 12 of this article, whether such person by reason of mental disorder would, if he becomes a free agent, be a danger to himself or to the safety of the person or property of others. Upon the basis of the report by the facility, and any other evidence before it, the court may in its discretion, direct that the person be confined in a facility designated by the Department for treatment. He shall at any time after three (3) months from the date of his confinement of examination and evaluation have the right to apply for his release pursuant to the provisions of Section [15] 22 of this article. Upon a negative report by the facility, the court having jurisdiction shall order the person