

## LPS Reform Task Force II

17602 17th St. #102-281  
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**Email Alert Archive**

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March 31, 2013

### **Mental Health Treatment in California's Prisons**

Columnist Dan Morain presents an astute accounting of the sorry state of mental health care in our prisons in today's [Sacramento Bee](#). California has nearly 34,000 inmates with mental illness, more than 6,000 of whom are severely mentally ill. They compose nearly 30% of the prison population. The column discusses the history of our handling of these inmates, including the efforts going on today to improve matters.

\* \* \*

March 4, 2013

### **Bills to Watch in 2013**

There are five bills in the California legislature that merit close observation:

**AB 1367** (Mansoor) clarifies that MHSA funds can be used for Laura's Law and provides outreach to school children who may be a threat to themselves or others.

**AB 1265** (Conway) allows that an initial court order for a Laura's Law recipient may extend for up to 12 months (rather than the current six months); requires that each person discharged from a hospital be "considered" for AOT in the counties that have implemented it.

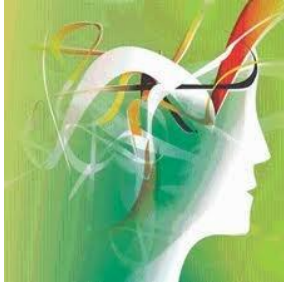
**SB 664** (Yee) removes the requirement that each county board of supervisors pass a resolution prior to implementing assisted outpatient treatment; clarifies that Mental Health Services Act (MHSA) funds can be used for Laura's Law; acknowledges that counties can cap the number of people under the program.

**SB 585** (Steinberg) confirms that MHSA funds can be used to pay for Laura's Law services.

And finally, **SB 364** (Steinberg) would ensure equal protection for all persons who are subject to involuntary detention and for those services to be provided in the least restrictive setting consistent with the needs and stability of the person, as well as making technical changes to existing LPS law.

It is virtually certain that one or more of these bills will be amended. The language of SB 364 is not final and it has been introduced as a spot bill.

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February 10, 2013

### **Laura's Law, the LPS Act, Prop. 63, and the Push to Change the Laws**

The *Sacramento Bee* published an [article](#) today that recounts the unfortunate tale of Matthew Herrera, a young man whose mental illness has transported him on many occasions to jails and state hospitals. Matthew, like many others, is a prime candidate for Laura's Law, but doesn't live in Nevada County, the only county in which Laura's Law is in effect.

The article shares the good news that there will be a push this year to pass a law that would allow Prop. 63 funds to be used for Assisted Outpatient Treatment, a treatment considered "involuntary" by the state. This is just one of the new bills we'll be seeing this year, in addition to bills that would begin to revamp the nearly half-century old LPS Act.

This LPS Alert list will keep subscribers apprised of the bills and the actions taken on them. And as always, if you know of someone who'd like to stay informed on these matters, have them sign up at [www.lpsreform.org](http://www.lpsreform.org).

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January 10, 2013

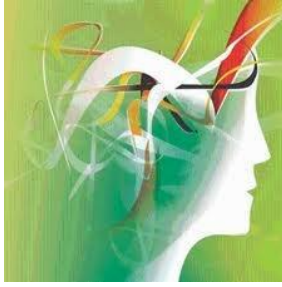
### **Senator Yee to Introduce Bill to Help Counties Implement Laura's Law**

Today is the 12<sup>th</sup> anniversary of the Nevada County shooting that ultimately led to the formation of Laura's Law. And today, Senator Leland Yee announced legislation that will help California counties implement the law.

The legislation is intended to remove barriers that counties have encountered in trying to implement the law, such as the requirement of a vote by the county board of supervisors.

For more details, see [Senator Yee's website](#).

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December 17, 2012

### **Calls for Implementation of Laura's Law Resound Around the State**

In the wake of the horrific massacre this past week in Connecticut, people have been (predictably) pushing for harsher gun control. However, in more and more quarters, people have also been pushing for stronger mental health treatment options.

An article in the [San Diego Union-Tribune](#) suggests that "Laura's Law Might Help Stop Future Massacres." But it's not just in San Diego County that people are speaking up; it's nationwide. Witness the viral explosion of Liza Long's article, "[I Am Adam Lanza's Mother,](#)" and all the support for (and backlash against) it.

The push for mental health reform is the silver lining to this pitch black cloud. Please take this opportunity to contact your Board of Supervisors and urge them to implement Laura's Law. [Click here](#) to find contact information for your county supervisors.

Helpful tips from The Treatment Advocacy Center: Be sure to personalize your message. For example: "My daughter may not have committed suicide if Laura's Law had been available" or "The man I see every morning on my way to work may not be homeless when Laura's Law is implemented." Below are some talking points that may be helpful:

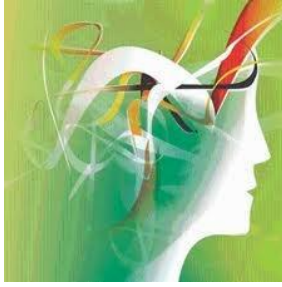
- Laura's Law helps those for whom community services are not working.
- Laura's Law will stop the tragic and costly revolving door of jail and hospitalization.
- Laura's Law will reduce costly inpatient hospitalizations.
- Laura's Law will reduce costly arrests.
- Laura's Law will reduce costly jailing mentally ill people.
- Laura's Law will reduce tragic consequences of untreated mental illness (homeless, violence, etc.).
- Laura's Law will reduce suicides.

\* \* \*

October 31, 2012

### **Laura's Law in Kern County / A Father's Struggle for His Mentally Ill Son**

Attorney Fawn Kennedy is determined to get Laura's Law enacted in Kern County. Her daughter, now 30, has suffered from mental illness since childhood. She's up against Kern County Mental Health, which points to a study done by a task force that declared Laura's Law to be not feasible for Kern County. More on [BakersfieldNow.com](http://BakersfieldNow.com).



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Also, check out [Frayed](#), featured in *Orange Coast's* November issue. David Haldane tells the unfortunately familiar story of his son, who has been bounced around California's mental health system for years, a victim of patients' rights laws and bureaucratic mismanagement.

\* \* \*

October 18, 2012

### Reforms that Harm

The *Washington Post* this week featured a story by Paul Gionfriddo about his experiences serving as a member of the Connecticut House of Representatives in the 80s. Like California, Connecticut passed a series of reforms that emptied the state hospitals and put in place laws affecting their soon-to-be-former residents. The article points out the numerous misjudgments made by the legislators and the sad consequences that followed... consequences that affected the author directly when his son was diagnosed with schizophrenia. The article's title says it all: "[My son is schizophrenic. The 'reforms' that I worked for have worsened his life.](#)"

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October 4, 2012

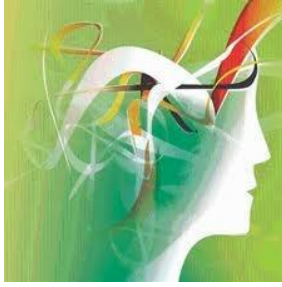
### Childhood Mental Illness

Recently, the *Huffington Post* published a fascinating article: "Is Mental Illness a Bigger Threat to Kids than Physical Illness?" The article is by Lisa Firestone, Ph.D., who is the Director of Research and Education at [The Glendon Association](#). Disturbing, but important, reading.

Earlier this year, SAMHSA hosted the annual National Children's Mental Health Awareness Day. You can see a recording of their live broadcast [here](#). For a more clinical focus, NIMH also had a webcast on treating the developing brain, which can be seen [here](#).

Incidents of child abuse have increased over the past few years, and as we all know, where there is physical abuse, there is mental suffering. Children's mental health should therefore be given more attention.

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September 24, 2012

### **Laura's Law Extended / Suicide Prevention**

Among the many bills signed by Governor Brown over the weekend was AB 1569. This means that the authority in the Laura's Law statute for a county to operate, establish or continue a program of Assisted Outpatient Treatment, which was due under the current law to expire on December 31 of this year, has been extended until December 31, 2017. Thank you to everyone whose actions supported this important legislation.

And speaking of supporting things, your humble webmaster participates each year in the fundraising walks for the American Foundation for Suicide Prevention. In Sacramento, this year's walk is being held on October 6. If you'd care to donate to this worthy cause, you can do so [here](#). And if you're local to Sacramento and would like to participate, you can join his team [here](#). Thank you!

\* \* \*

August 26, 2012

### **Task Force Members Featured in Article on Pilot Police Training / Excellent Article on Rampage**

Two members of the LPS Task Force, Randy Beckx and Reza Karkia, were featured in an article in the Orange County Register this weekend. The article is titled, "[Pilot program trains police on how to handle homeless struggling with psychological disorders,](#)" and illustrates the profound need for such training.

Also of interest is an article in the North County Times: "[Don't leave dangerous mentally ill unattended.](#)" The article touches on Laura's Law and the need for reform of our current treatment laws.

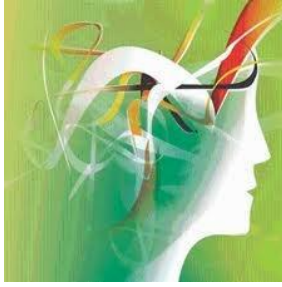
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August 20, 2012

### **Mentally Ill Numbers Increasing in Prisons / LPS Task Force Presentations**

Jocelyn Wiener (California HealthCare Foundation's Center for Health Reporting) wrote a disturbing article detailing the rise in numbers of mentally ill in our state's jails and prisons. The article reports on mentally ill inmates waiting often for half a year before state hospital beds become available for them. In Stanislaus County, the local jails show an increase in mentally ill by nearly fifty percent over the last six years.

The article has much more information, personal stories and possible solutions, including proposed legislation. You can read the [complete article](#) on the Sacramento Bee website.



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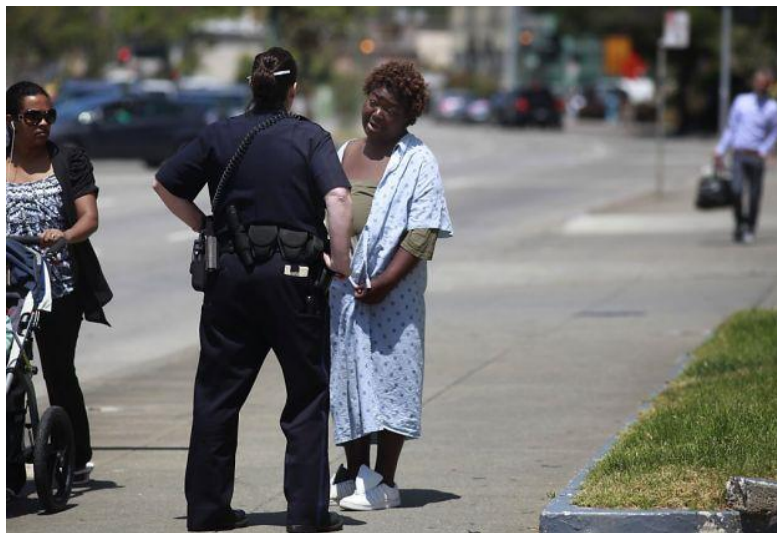
Also, the LPS Reform Task Force made a presentation on the Separate but Not Equal report on Aug. 17 at the NAMI California conference. They will also be doing a presentation on Sept. 20 at the Public Guardians Association conference, to be held in Orange County, and a presentation to the County Counsels' Association (LPS and Probate County Counsels section) on Oct. 18 in Monterey. If any of the Task Force members have access to other association meetings where presentations could be made, please email [info@lpsreform.org](mailto:info@lpsreform.org).

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August 13, 2012

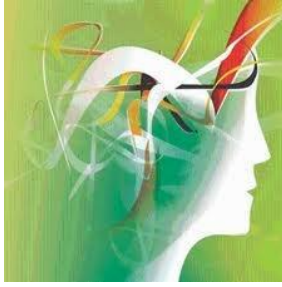
### **When Will the Deaths Stop?**

The case of [Daniel Dewitt](#) illustrates in heartbreaking detail the need for implementation of Laura's Law. In February, the 23-year old man – who had been in and out of psychiatric hospitals for four and a half years – was bested by his paranoid demons. He is now a patient at Napa State Hospital, incompetent to stand trial for the bludgeoning death of a 67-year old man. Dewitt's last psychiatric hold was two months previous, but he was released when he invoked his legal right to fight the hold.



Pictured here is a police officer evaluating a woman who was reported as possibly needing involuntary hospitalization. The officer, however, declined to take her in because the woman “kind of had a plan” to care for herself, and was not dangerous to herself or others.

Laura's Law allows court-ordered outpatient treatment for those with a record of mental health hospitalizations and violence. But at the core of the Dewitt case – indeed, at the core of the fight for



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Laura's Law itself – is the question of where we draw the line between individual rights and giving people the care they need but don't want or don't believe they need. In March, mental health advocates made several proposals, including the idea of lengthening holds and expanding the definition of "gravely disabled" to include an inability to make informed medical choices.

The road to reforming California's mental health laws will be long and rocky. But as Daniel Dewitt's case illustrates, reform is badly needed.

\* \* \*

July 31, 2012

### **Psychiatric Treatment: We Need to Do More With Less**

Recent articles illustrate one of the frustrating quandaries of California's mental health system. In her [July 19 article](#) in the Los Angeles Times, Lee Romney reports on the reduction of state hospital psychiatric beds and references the recent report from the Treatment Advocacy Center, [No Room at the Inn](#), which speaks of the need for more inpatient treatment. The [July 20 article](#) in California Healthline similarly reviews the problem of psychiatric bed loss and reductions in treatment.

It is important to note that the report from the Treatment Advocacy Center refers to state hospital beds, which in California are now generally available only to forensic patients. Yet, both those beds and civil beds continue to decrease as homelessness, criminalization and related tragedies increase. [This report](#) from the California Hospital Association illustrates the decrease in civil inpatient psychiatric beds available to the general public since 1995.

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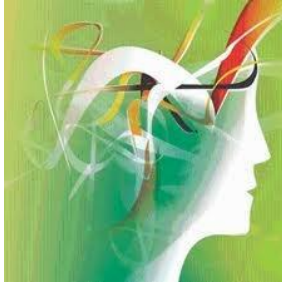
**July 20, 2012**

### **Treatment Advocacy Center Releases Report on the Consequences of Closing Public Psych Hospitals**

The number of beds in state hospitals is roughly what it was 160 years ago, according to the Treatment Advocacy Center. Its report, "No Room at the Inn: Trends and Consequences of Closing Public Psychiatric Hospitals," lays out the drops in beds nationwide from 2005 to 2010.

Nationwide, there were barely more than 14 public hospital beds for each 100,000 people in 2010, a far cry from the minimum of 50 beds per 100,000 that is deemed to be the minimum number for providing adequate treatment.





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In California, state hospital beds are almost exclusively for forensic patients who have committed crimes, and are unavailable for public use.

The Treatment Advocacy Center's report can be seen [here](#).

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July 10, 2012

### **Task Force Member's AOT Publication; Award Given for Laura's Law Reporting**

LPS Reform Task Force II member Gary Tsai, M.D., has had an article published in [The Residents' Journal](#), a publication of The American Journal of Psychiatry. "Assisted Outpatient Treatment: Preventive, Recovery-Based Care for the Most Seriously Mentally Ill" appears on page 16 of the publication. Congratulations, Dr. Tsai!

And speaking of articles on AOT, the L.A. Press Club has given health care reporter Stephanie O'Neill of Southern California Public Radio a 2nd place award for feature reporting for her [feature article on Laura's Law](#). And [here is her recent article](#) concerning the recently-released Nevada County Grand Jury report. Congratulations, Stephanie!

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June 23, 2012

### **Nevada County Grand Jury Issues Report on Laura's Law Implementation**

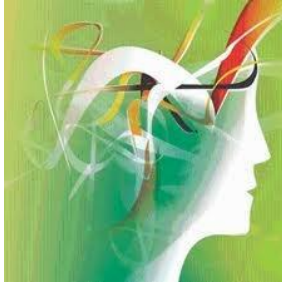
The Nevada County Grand Jury has issued its assessment of the County's implementation of Laura's Law. The report, titled "Laura's Law in Nevada County: A Model for Action – Saving Money and Lives," gives a positive review of Laura's Law, citing cost savings and reductions in hospitalizations and incarcerations.

A direct link to the 7-page report is here:

<http://www.nevadacountycourts.com/documents/gjreports/1112-HEV-AB1421LaurasLaw.pdf>. The report is also linked to from the LPS Reform website.

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June 11, 2012

### **S.F. Chronicle Understands the Problems**

One of the most broken pieces of our mental health delivery system in California is the fact that there is no accountability. Emergency Departments are overwhelmed; individuals in need of treatment are instead walking the streets. Laura's Law will help, but will not fix everything. More is needed. And that's what LPS Reform is about: adding accountability to the system.

The San Francisco Chronicle clearly understands this. An editorial published today, titled, "Homelessness in S.F.: Issue that won't go away," states very well the problems that come of having no accountability. Please read this excellent column here: <http://sfgate.com/cgi-bin/article.cgi?f=/c/a/2012/06/10/INLN1MO1QE.DTL>.

We need your help to make a difference. Write letters in support of Laura's Law. A good place to begin is the Health Committees. Write to the members c/o State Capitol, Room 2191 (for Senate Health Committee) or Room 6005 (for Assembly Health Committee), Sacramento, CA, 95814. Follow up with letters to newspapers in order to bring attention to the public eye. Again, Laura's Law will not fix everything, but it may be a step toward implementation of the recommendations in the LPS Report.

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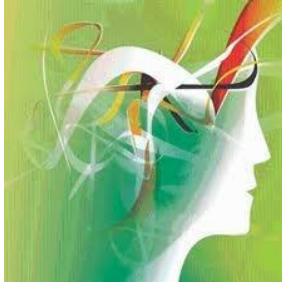
### **Initial Welcome Email**

Greetings, and welcome to the LPS Reform email list. You are receiving this message because you have requested to receive information related to the efforts to reform mental health law in California by way of rewriting the LPS Act. (Please visit our website: [www.lpsreform.org](http://www.lpsreform.org).)

The Lanterman-Petris-Short (LPS) Act is a California law governing involuntary civil commitment for psychiatric treatment. It was named for its co-authors - Assemblyman Frank Lanterman (R) and Senators Nicholas C. Petris (D) and Alan Short (D) - and signed into law in 1967 by Governor Ronald Reagan. The Act went into full effect on July 1, 1972.

The goal of the LPS Act was to end inappropriate lifetime commitment of people with mental illness and firmly establish the right to due process in the commitment process while significantly reducing state institutional expense.

Many things have changed in the 45 years since the law was written. Scientific advances have given us a better understanding of mental illness that can be utilized to facilitate improved treatment, care, and support. Additionally, the Act itself has been amended numerous times over the years, transforming the



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Act into an expensive, contentious law that is difficult to administer. There is a lack of clarity to the definitions provided in the Act resulting in frequent misinterpretation and inconsistent application of the law from county to county.

With this view in mind, the LPS Reform Task Force was formed and produced, in 1999, a report titled, [A New Vision for Mental Health Treatment Laws](#). The report included several recommendations for revisions to the LPS Act, with a focus on the involuntary treatment law as it pertains to adults with severe and persistent mental illness.

More recently, the LPS Reform Task Force II convened to refine the 1999 recommendations, to review California's system of involuntary psychiatric treatment and to identify what is working and what is not. The report resulting from this task force is called [Separate and Not Equal: The Case for Updating California's Mental Health Treatment Law](#).

Since the release of this report, more than thirty articles have appeared in print regarding the Task Force's efforts or regarding recommendations within the report. For example:

The San Francisco Chronicle, March 11, 2012. [Editorial: 'Laura's Law' must be extended, implemented.](#)

The San Francisco Chronicle, March 11, 2012. [Insight Section: Laura's Law extension will help save lives.](#)

The San Francisco Chronicle, March 11, 2012. [Insight Section: About Laura's Law.](#)

The San Francisco Chronicle, March 11, 2012. [Insight Section: Extending Laura's Law.](#)

The Sacramento Bee, March 18, 2012. [Editorial: State needs to overhaul its dated mental health law.](#)

The Los Angeles Times, April 8, 2012. [Task force seeks to change California's mental health commitment law.](#)

In the months to come, this list will keep you apprised of the progress being made toward reforming the Act, and will also share with you selected items of interest pertaining to involuntary mental health treatment in California.

We urge you to invite others to join this list, should they be interested. Signing up can be done on our website at [www.lpsreform.org](http://www.lpsreform.org).