



Jessica Cruz, MPA/HS
Chief Executive Officer

Patrick Courneya, MD
Board President

Chief Joseph Farrow
1st Vice President

Jei Africa, PsyD, MSCP
2nd Vice President

Christina Roup
Treasurer

Paul Lu
Secretary

Cindy Beck
Member

Harold Turner
Member

Armando Sandoval
Member

Dr. Robert McCarron
Member

Lara Gregorio
Member

Andrew Bertagnolli, PhD
Member

Dr. Stuart Buttlair
Member

March 14, 2022

The Honorable Gavin Newsom, Governor
State of California
California Capitol
Sacramento, CA 95814

Re: CARE Court Framework – SUPPORT

Dear Governor Newsom:

NAMI-CA is in support of the Administration's CARE Court framework, which intends to deliver services to Californians with a serious mental illness or substance use disorder who too often languish – suffering in homelessness or incarceration – without the treatment they desperately need.

NAMI-CA is the statewide affiliate of the country's largest mental health advocacy organization, the National Alliance on Mental Illness. Our over 110,000 active advocates and 58 affiliates include many people living with serious mental illnesses, their families, and supporters. NAMI-CA advocates on their behalf, providing education and support to its members and the broader community.

NAMI-CA believes that all people should have the right to make their own decisions about medical treatment. However, we are aware that there are individuals with serious mental illnesses who have very high complex needs, at times, due to their illness, lack insight or good judgment about their need for medical treatment. In cases like this, a higher level of care may be necessary, but must be the last resort. Our members have been calling for reform for their loved ones for years.

NAMI-CA believes that the availability of effective, comprehensive, community-based systems of care for persons suffering from serious mental illnesses will diminish the need for assisted outpatient treatment. Before we reach the stage of last resort, we must fully fund, build and staff our community-based system, so all who need care can access it long before they reach a crisis level.

NAMI-CA urges the state to ensure that any services that are made available through the CARE Court model are also available as voluntary services in the community care continuum. There is currently no statewide standard that specifies that specific services be available to all people in all counties. We can no longer accept a fail-first system composed of partially realized solutions.

NAMI-CA deplores the higher rates of involuntary commitment and incarceration in penal facilities that occurs among communities of color with serious mental illnesses. We are thankful to have an Administration that understands that equity must be a top tenet of policymaking. Recognizing that communities of color and other underrepresented communities often suffer the unintended consequence of the court system serving as their behavioral health delivery system, the Administration must work closely with underrepresented communities to ensure that CARE Courts serve as an example of health equity in action.

NAMI-CA is heartened to see that accountability is one of the pillars of the CARE Court framework. We must hold the system accountable at all delivery points. We cannot take anything for granted in the implementation of a framework, as its effectiveness lies in the words that end up in statute, how it is implemented through the regulatory process, and to how each of our 58 counties will interpret the framework.

Additionally, more can be done to ensure the public (family members and consumers, in particular) and policymakers have the information they need to be assured that public programs treating people with serious mental illness are doing so effectively. In particular, little information is currently collected or shared about one of the most profound roles government plays in the mental health field – involuntary evaluation, treatment, and conservatorship under the LPS Act.

Many questions remain to be answered. What will the court process look like? What does success look like? If an individual has been diverted from legal proceedings, will their record be expunged upon completion of the CARE Court process? Who will qualify as a Supporter? What new resources will be directed to the proposal other than the preexisting federal, homelessness and county funds that were underscored in the framework? NAMI-CA looks forward to working closely with the Administration to implement the promise of the CARE Court framework.

I may be reached at jessica@namica.org or (916) 567-0163.

Sincerely,



Jessica Cruz,
MPA/HS
Chief Executive Officer

Cc: Ana J. Matosantos, Cabinet Secretary, Office of Governor Gavin Newsom
Dr. Mark Ghaly, Secretary, California Health and Human Services Agency (CHHS)
Stephanie Welch, Deputy Secretary, CHHS
Michelle Baass, Director, DHCS
Dr. Kelly Pfeifer, Deputy Director, Behavioral Health, DHCS
Stephanie Clendenin, Director, DSH
Mary Watanabe, Director, DMHC
Richard Figueroa, Office of the Governor
Tam Ma, Office of the Governor
Marjorie Swartz, Office of the Senate President Pro Tempore
Chris Woods, Office of the Senate President Pro Tempore
Agnes Lee, Office of the Speaker of the Assembly
Jason Sisney, Office of the Speaker of the Assembly
Joe Parra, Senate Republican Fiscal Office

Joe Shinstock, Assembly Republican Fiscal Office
Corey Hashida, Legislative Analyst's Office (LAO)
Ben Johnson, LAO