

Supreme Court Case No.

**IN THE SUPREME COURT OF THE STATE OF CALIFORNIA**

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DISABILITY RIGHTS CALIFORNIA

PETITIONER,

V.

GAVIN NEWSOM, in his official capacity as Governor  
of the State of California; and MARK GHALY, in his official capacity as  
Secretary of the California Health and Human Services Agency.

RESPONDENTS

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**EXHIBITS IN SUPPOPT OF PETITIONER'S  
REQUEST FOR JUDICIAL NOTICE  
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## **Exhibit 23**

**Pages: RJN-0720 through RJN-0759**

**Certified Hearing Transcript of California  
Assembly, Floor Hearing, dated August 30,  
2022, re: SB 1388**

**Legislative History Report and Analysis for  
Senate Bill 1338 (Umberg & Eggman –  
2022) Chapter 319, Statutes of 2022**

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Community Assistance, Recovery and Empowerment  
(CARE)  
Assembly Floor (8/30)  
RE SB 1338 Bill

1 SPEAKER CHRISTOPHER WARD: Members, we  
2 will take up next File Item 184. This is SB  
3 1338. Clerk will read.

4 CLERK: Senate Bill 1338, by Senator  
5 Umberg and others, (indiscernible) mental health.

6 SPEAKER CHRISTOPHER WARD: And Assembly  
7 Member Gipson, you may open.

8 ASSEMBLY MEMBER MIKE GIPSON: Thank you  
9 very much, Mr. Speaker and Members. First of  
10 all, let me say I'm delighted to present Senate  
11 Bill 1338 by Senator Tom Umberg. This bill is  
12 the Governor's CARE bill, SB 1338. Propose a new  
13 framework to deliver mental health and substance  
14 use disorder services to the most severely  
15 impaired Californians, who suffer far too long  
16 and too often without treatment, the treatment  
17 that they deserve and absolutely need.

18 Permission to read, Mr. Speaker?

19 SPEAKER CHRISTOPHER WARD: Without  
20 objection.

21 ASSEMBLY MEMBER MIKE GIPSON: Thank you  
22 very much. I think it's befitting that I  
23 articulate and read the quote from our Governor,  
24 Gavin Newsom. And he says this, and I quote:  
25 "Sadly, the status quo provides support only

1 after criminal intervention or conservatorship.  
2 The CARE Act is a paradigm shift providing a new  
3 pathway for seriously ill individuals before they  
4 end up cycling through prison, the emergency  
5 room, and homelessness, and homeless  
6 encampments." The Governor goes on to say that,  
7 "In addition, the CARE Act is about meeting  
8 people where they are and acting with compassion  
9 to support the thousands of Californians living  
10 on the streets with serious mental health issues  
11 and substance use disorders." That's what our  
12 Governor said.

13 And specifically, this bill, the  
14 process connects a person in crisis with the CARE  
15 plan or an agreement for up to 12 months, with  
16 the possibilities of extending an additional 12  
17 months.

18 Over and over, we have seen these  
19 individuals not getting the treatment until they  
20 enter the criminal justice system, until they  
21 become so impaired that they end up in  
22 conservatorship.

23 There are countless stories of people  
24 being 5150 in the emergency room, only to be  
25 released onto the streets, without real help and

1 hope, after 72 hours.

2 The same is true for people cycling  
3 through our jails and our prisons. Let me,  
4 Members, if I can just one moment, talk about  
5 Paul. You know I like telling stories.

6 Paul struggled with physical and mental  
7 trauma as a child, but his family could not  
8 afford the resources to get Paul the kind of  
9 necessary help that he needs. His difficulty  
10 carried on in his teenage years, affecting his  
11 schoolwork. This may sound familiar. This may  
12 sound familiar to some people, even in your own  
13 community and your own districts in which you  
14 know of.

15 So Paul cycled this terrible cycle. He  
16 didn't finish school. He didn't get a diploma.  
17 And also, his job prospects was very limited. So  
18 Paul took to the streets and found illicit ways  
19 to making money, ending up homeless and then in  
20 prison.

21 In the first few years -- get this --  
22 the first few years of him being incarcerated, he  
23 was hospitalized for mental illness over a dozen  
24 times. Paul was so frustrated with his mental  
25 health issues, he cut his own wrists to help deal

1 with the pain that he felt inside. So, you see,  
2 the prison that Paul was in lacked services that  
3 he needed.

4 But Paul was transferred over three  
5 dozen times, Members, three dozen times. After a  
6 year waiting for services, like most people do,  
7 Paul ended up committing suicide. I want that to  
8 sink in for a moment. He ended up committing  
9 suicide. And while we're on this, Paul was also  
10 schizophrenic, bipolar, and he had a number of  
11 issues.

12 And I've said to many of you, when  
13 Senator Beyer had the Mental Health Caucus about  
14 my Godson, who mother and father -- watch this --  
15 both died of AIDS. And he was six years old. He  
16 lost both his mother and father at six years old.  
17 And we thought that he would receive the kind of  
18 mental health services that he needed to deal  
19 with the trauma of losing both parents at a young  
20 age. We found out later in life that he did not  
21 get that. So he spiraled out.

22 So when I leave from Sacramento and  
23 jump on Southwest Airlines, guess where I go? I  
24 go on Western ENGAGE. Why are you going on  
25 Western ENGAGE? Because he's in crack house.



1 And what do I do? I go into that crack house and  
2 I pull him out, and jeopardizing my career or  
3 that crack house being raided and me getting  
4 caught up in that kind of raid. But I care so  
5 much about him, I'm willing to put it all on the  
6 line.

7 But he's not the only one. He's not  
8 the only one who's going to the mental health  
9 conditions, whether it's trauma or substance  
10 disorder. He's on crystal meth. And I believe  
11 that this bill is the opportunity for us to write  
12 a new narrative.

13 This Governor already talked about a  
14 paradigm shift --

15 SPEAKER CHRISTOPHER WARD: Thirty  
16 seconds, Mr. Gipson.

17 ASSEMBLY MEMBER MIKE GIPSON: 1338 is  
18 that paradigm shift. I respectfully ask for a  
19 strong aye vote on 1338.

20 SPEAKER CHRISTOPHER WARD: Thank you,  
21 Mr. Gipson. And Assembly Member Bloom, you are  
22 recognized.

23 ASSEMBLY MEMBER RICHARD BLOOM: Thank  
24 you, Mr. Speaker. I rise this evening in support  
25 of SB 1338, a bill that was just aptly described

1 by my friend from Carson. And like many of you,  
2 I've set on many task forces and countless  
3 meetings in my many years of public service  
4 trying to solve homelessness. I have met with  
5 caseworkers, judges, street medicine doctors,  
6 nonprofit directors, and on and on.

7 In a previous role, I helped lead a Los  
8 Angeles nonprofit that serves the homeless. And  
9 in the course of this, I encountered and have  
10 spoken with countless un-housed individuals.

11 I've been appointed to not one, but two  
12 blue ribbon commissions to craft 10-year plans to  
13 end homelessness. Those 10-year plans, had they  
14 ever been implemented and funded, would have  
15 expired several years ago. But they weren't  
16 implemented and funded. Those plans sit on a  
17 shelf gathering dust somewhere.

18 It's self-evident that we have not  
19 ended homelessness. Far from it. So I speak  
20 with a certain amount of experience when I say  
21 that homelessness is our most difficult issue.  
22 Moreover, given the inordinate complexity of  
23 homelessness, it is obvious that there's not one  
24 way to solve it.

25 One thing I've learned is that always

1 looking for innovation and adopting best  
2 practices are the things that icing work best.  
3 In Santa Monica, for example, we implemented  
4 permanent supportive housing, Housing First, a  
5 data-driven vulnerability index; Project 10 and  
6 Project 50, that used that data to focus  
7 resources. We created a homeless court and much,  
8 much more.

9 What we couldn't do, unfortunately, is  
10 scale most of these programs up. But these  
11 innovations, these new ideas, tend to be helpful,  
12 but they need to be scaled up. And bringing the  
13 CARE Courts to scale is one of its key features,  
14 because it's not a pilot. This is not a small  
15 program. In a few short years, it will cover  
16 every county in our great state. Because every  
17 county will be required to have a CARE Court.

18 SB 1338 is an opportunity to try a new  
19 innovative program that is unique in the way it  
20 addresses the massive and growing mental health  
21 issues that every one of us is keenly aware of.

22 I've spoken with outreach and  
23 caseworkers, judges, mental health professionals,  
24 and many others, who are the true experts on this  
25 issue. All of them have said the same thing. We

1 need better strategies, resources, and of course,  
2 we need housing.

3 But Members, we know that an epidemic  
4 of meth and fentanyl is exacerbating a crisis of  
5 untreated mental health on our streets that cries  
6 out for new solutions.

7 Our homeless service professionals tell  
8 us that many unhoused individuals are simply too  
9 ill to even recognize their need for help and end  
10 up in crisis on the street in a downward cycle of  
11 despair. Many are self-medicating in an  
12 environment where they are extremely vulnerable.  
13 These individuals are at some of the greatest  
14 risk of perishing on the streets, and all too  
15 often, that's exactly what happens.

16 In my county, the 2020 homeless count  
17 identified almost 64,000 homeless individuals,  
18 and of that total, over 14,000 were recorded as  
19 having a serious mental illness, with an  
20 additional 15,000 suffering from substance use  
21 disorder, and many times, as you know, co-  
22 occurring.

23 The 15,000 individuals identified with  
24 substance abuse disorders represent a 109 percent  
25 increase since the 2019 homeless count. Of those

1 individuals, almost 18,000 suffering from serious  
2 mental illness, and 14,000 were suffering from  
3 substance use disorder and were unsheltered.

4 SPEAKER CHRISTOPHER WARD: Thirty  
5 seconds.

6 ASSEMBLY MEMBER RICHARD BLOOM:  
7 Members, we can't leave people to simply languish  
8 and suffer on the streets. We can't continue to  
9 turn a blind eye and hope that someone else will  
10 deal with this crisis. The CARE Court proposal  
11 can provide help to those in need and help them  
12 get healthy.

13 I respectfully ask for your aye vote.

14 SPEAKER CHRISTOPHER WARD: Thank you,  
15 Mr. Bloom. And Assemblywoman Quirk-Silva, you're  
16 recognized.

17 ASSEMBLY MEMBER SHARON QUIRK-SILVA:  
18 Thank you, Mr. Speaker. I rise to support SB  
19 1338. I've risen many times on this floor to  
20 talk about mental health and homelessness. And  
21 not every individual who is homeless has a mental  
22 health condition, but many do.

23 Many of us have shared stories here and  
24 many of our families have been touched by  
25 homelessness. Almost 12 years ago, as a City

1 Council Member in the City of Fullerton, we were  
2 touched by Kelly Thomas, who was a schizophrenic  
3 man who was wandering in downtown Fullerton. The  
4 police were called, an altercation occurred, and  
5 he was killed. The story became international  
6 news. Several police officers were tried for  
7 this murder. And it began a very, very  
8 horrifying experience as a Council Member in  
9 Fullerton, but set the stage for the work that I  
10 do today.

11 Kelly's parents didn't feel that they  
12 had options or opportunities. They didn't know  
13 about the mental health services. And even if  
14 they did, we know that our mental health services  
15 can be very, very difficult to navigate.

16 Three years ago, my own brother, Billy  
17 -- and I've shared this story -- Billy, who  
18 struggled with not only mental health issues but  
19 severe alcoholism, died on the streets of Orange  
20 County. And that was not because of a lack of  
21 family intervention. We know many families that  
22 do everything they can to pull their families  
23 from the street.

24 These are just two stories. And there  
25 are over 6,000 people in the County of Orange who

1 are on the streets. Forty people die a month on  
2 the streets of Orange County. And CARE Courts  
3 are yet another opportunity to help some of these  
4 people.

5 Not one of these types of pieces of  
6 legislation are the key. It's all of them  
7 combined. We have to do many things to treat  
8 people where they are.

9 It's innovative. It's for up to 12  
10 months. And it will ask counties, Orange County  
11 being one of those counties, to start as a pilot.

12 With that, I ask for your support for  
13 SB 1338.

14 SPEAKER CHRISTOPHER WARD: Thank you,  
15 Ms. Quirk-Silva. And Assembly Member Bennett,  
16 you are recognized.

17 ASSEMBLY MEMBER STEVE BENNETT: Thank  
18 you, Mr. Chair. I rise in support of SB 1338.  
19 And for those people here on the floor who are  
20 potentially still persuadable or undecided, I  
21 would just like to offer my personal experience  
22 of a couple of decades of working with people who  
23 are mentally ill, at a very personal level.

24 And the one important point that I  
25 think really needs to be made over and over again

1 is that when you have a physical illness, that  
2 physical illness sends messages to you that have  
3 a problem and you need to fix it. But for far  
4 too many people who have a mental illness, it  
5 does just the opposite. It sends the message  
6 that you're great, you don't need to fix this  
7 problem. Manic-depressive people. Schizophrenic  
8 people. The high that you get when you're manic  
9 after being depressed for a long period of time  
10 is so nice, when somebody comes to you and offers  
11 help, that's the last thing you want.

12 And so we have to recognize that unlike  
13 other illnesses where the person who is ill can  
14 make their own decision how much they want to do  
15 with that in terms of treatment, many, not all,  
16 but many people who are mentally ill simply don't  
17 have the ability to do that, and they need our  
18 kind, considerate, generous, caring help in the  
19 most professionally and appropriate way possible.

20 This author has worked hard with  
21 stakeholders to try to do that. There will be no  
22 perfect solution to this complicated problem, but  
23 this is better than doing nothing. And it is too  
24 easy in a democracy to kick a problem down the  
25 road and do nothing.



1 Thank you very much.

2 SPEAKER CHRISTOPHER WARD: Thank you,  
3 Mr. Bennett. And Assembly Member Waldron, you  
4 are recognized.

5 ASSEMBLY MEMBER MARIE WALDRON: Thank  
6 you, Mr. Speaker and Members. As someone who has  
7 worked in the mental health and substance use  
8 space for over 20 years, I am very supportive of  
9 SB 1338.

10 When I first heard about the CARE Court  
11 proposal, I was optimistic that we might be able  
12 to finally holistically deal with the critical  
13 issues of homelessness, mental health and the co-  
14 occurring disorder of drug abuse.

15 So many vulnerable people go without  
16 care or are underserved because care is not  
17 available to them. In many cases, they are so  
18 impaired they do not seek out treatment. Without  
19 services, facing legal barriers, and no care  
20 coordination, they cycle out of the criminal  
21 justice system with little to no accountability  
22 at various levels of the system, and end up  
23 living, suffering, and sometimes dying on the  
24 streets.

25 We need a coordinated care system to

1 connect people struggling with untreated mental  
2 illness with a court-ordered care plan.

3 I urge and I vote.

4 SPEAKER CHRISTOPHER WARD: Thank you,  
5 Ms. Waldron. And Assemblywoman Davies, you are  
6 recognized.

7 ASSEMBLY MEMBER LAURIE DAVIES: Excuse  
8 me.

9 MAN: Assemblywoman? Oh.

10 ASSEMBLY MEMBER LAURIE DAVIES: You  
11 just need to wait your turn.

12 Thank you, Mr. Speaker. As my  
13 colleagues have spoken, myself and my husband  
14 were a conservator of our sister-in-law many  
15 years ago, and she was manic-depressive  
16 schizophrenia.

17 And there was a time back in the 70s  
18 and 80s where you could actually get help, where  
19 we had state hospitals. We had Fairview in  
20 Orange County, where if something happened to  
21 her, we'd get a call. They got her back into  
22 medication. She was able to come back and  
23 actually do really well. Every now and then, she  
24 might slip off, but that opportunity was there.  
25 Then we saw laws change and basically, it took

1     that opportunity for us to be able to get them  
2     help.  Because when they're in this stage, as  
3     we're hearing, they're not able to make common  
4     sense decisions.

5             So, honestly, out of all the different  
6     bills we have passed over the last few years, I  
7     really feel that we're going to see a difference  
8     with this bill, because we can get them the help.  
9     We're not just saying, you know what?  It's your  
10    right.  You want to be in the street?  It's all  
11    up to you.  We have to help those that can't help  
12    themselves.

13            So I definitely support this.  I'm  
14    grateful for the author.  And I definitely ask  
15    for and aye vote for SB 1338.  Thank you.

16            SPEAKER CHRISTOPHER WARD:  Thank you,  
17    Ms. Davies.

18            ASSEMBLY MEMBER JIM COOPER:  :  Thank  
19    you, Ms. Davies.  And Assembly Member Cooper, you  
20    are recognized.

21            ASSEMBLY MEMBER JIM COOPER:  It's my  
22    turn now.  Okay.  I stand up in support of SB  
23    1338, and the biggest thing is, having spent 30  
24    years in law enforcement, I saw folks come to the  
25    jail and get on medication and get normal.

1 Jail's not a place for them. They belong  
2 somewhere else besides our jails.

3 What's frustrating is you get these  
4 groups out here that don't want to do anything.  
5 They want those people to have freedom. They  
6 would rather have them walking around outside, as  
7 we see downtown, with no clothes, eating out of  
8 the trash can, walking in and out of traffic, in  
9 the name of freedom.

10 Someone has to be the adult in the  
11 room. This is the first step in it. I think it  
12 should go further. But the number one issue is  
13 homelessness in our state. Number one issue.  
14 Public wants it solved.

15 I'm having a mental health crisis,  
16 where do I go? There's nowhere to go. If I skin  
17 my, I go to med clinic. I got a cough; I go to  
18 med clinic. But what do you do if you're having  
19 a crisis? They don't have that. They deserve  
20 that. And I would argue their life is much  
21 better, being responsible.

22 There was a bill a couple of years back  
23 where the emergency rooms wanted to be able to  
24 discharge patients early that came in on a mental  
25 health issue. It just doesn't work that way.

1 Like I said, I've seen so many folks get okay on  
2 medication, but it shouldn't be in jail, it  
3 shouldn't be in prison. There's got to be an  
4 alternative.

5 We've spent so much money on  
6 homelessness. When you talk about wraparound  
7 services, well, wraparound services is kind of  
8 light on the mental health aspect, and as some of  
9 my colleagues spoke, on substance abuse. Those  
10 are big issues. And when combined, you know,  
11 it's not one plus one, it's one plus one equals  
12 four or five.

13 So we've got to make sure those people  
14 have the ability to help themselves. And it's  
15 being the adult in the room.

16 So, for these naysayers that want them  
17 out here walking around naked, you are a bunch of  
18 fools. You're a bunch of fools. And we're  
19 taking our streets back and helping these people.  
20 It's the humane thing to do. It's inhumane to  
21 have them out there walking around. We see it  
22 day in and day out in our cities, especially in  
23 the Bay Area and SoCal. It is horrendous. We've  
24 got to do something.

25 So this is a start, and hopefully it's

1 the start of many things to come. But what we've  
2 been doing hasn't worked. So, let's do it. I  
3 urge your support. This is a great bill.

4 SPEAKER CHRISTOPHER WARD: Thank you,  
5 Mr. Cooper. And Assembly Member Flora, you're  
6 recognized.

7 ASSEMBLY MEMBER HEATH FLORA: Thank  
8 you, Mr. Speaker. I rise in support of SB 1338.

9 For a long time on this floor, we talk  
10 about what we can do different. And I want to  
11 applaud Senator Umberg, the Governor, for moving  
12 this forward. This is a great step.

13 The very definition of insanity is  
14 doing the same thing over and over again. This  
15 is different and it deserves our support. And I  
16 encourage that.

17 SPEAKER CHRISTOPHER WARD: Thank you,  
18 Mr. Flora. And Assemblywoman Valladares, you're  
19 recognized.

20 ASSEMBLY MEMBER SUZETTE MARTINEZ-  
21 VALLADARES: Thank you, Mr. Speaker. This is a  
22 phenomenal start, but it's just the beginning of  
23 real policy, of real solutions to address our  
24 homelessness crisis.

25 In LA County, in the San Fernando

1 Valley, 67,000 people are living and dying on our  
2 streets. And I when I drive down the streets in  
3 the San Fernando Valley or across LA, and I see  
4 people taking a dump in a bucket, and I see  
5 people walking around naked, and it is very clear  
6 that they have mental health problems or drug  
7 addiction, and it is very clear that they are not  
8 capable of making decisions for themselves, I  
9 look at that person and I think, they're really  
10 quite possibly going to be dead six months from  
11 now, a year from now.

12 This bill does something about it. My  
13 only wish is that we passed this bill and we  
14 passed this meaningful legislation 10 years ago.  
15 Because 10 years ago, my cousin, a Vietnam  
16 veteran, had been living in a tent in a homeless  
17 camp for over five years. And he lost that  
18 battle. I wish that my family had the tools that  
19 this bill is going to bring forward so that we  
20 might still be alive and with us.

21 This is going to save lives. It's  
22 about time. But let me remind you, there's more  
23 work to be done. This bill is great, but we need  
24 resources for the programs, for the services, for  
25 the workforce that doesn't currently exist.

1           For LA County, we're not going to see  
2   this come into fruition for two years. And for  
3   me, over the next two years, if we can put  
4   resources into this, we can save lives. And it's  
5   about time. And I urge your aye vote.

6           SPEAKER CHRISTOPHER WARD: Thank you,  
7   Ms. Valladares. And Assembly Member Muratsuchi,  
8   you're recognized.

9           ASSEMBLY MEMBER AL MURATSUCHI: Thank  
10   you very much. I'll be voting for this bill, but  
11   I am voting on this bill with very mixed  
12   feelings.

13           You know, when I -- I have no expertise  
14   in mental health care, but my point -- one of my  
15   points of reference is a college roommate of  
16   mine who went on suicide watch and had to be  
17   detained 5150. And I remember how, you know, he  
18   would describe that as one of the most traumatic  
19   experiences in his life.

20           And I think that really goes to, you  
21   know, a fundamentally philosophical dilemma that  
22   we have here where, you know, at what point does  
23   compassion end and, you know, our desire to just  
24   get people off the streets and out of our public  
25   sight begins.



1           And, you know, when I talked with the  
2     mental health care providers, they always say  
3     that -- they always say that the real solution is  
4     housing for everyone, especially all the mentally  
5     ill, combined with the services that they need.

6           And yet, you know, here on this floor,  
7     you know, when we talk about housing, we spend so  
8     much more time debating the difference between  
9     prevailing wage versus skilled and trained labor.  
10    You know, we're not talking about what it's going  
11    to take to actually get a roof over their heads  
12    of all the people on our streets who are  
13    struggling with mental health issues.

14           And so, you know, I'm not celebrating.  
15    I don't think this is a great bill. But it seems  
16    to be the best idea that we have at this point to  
17    try to improve a god-awful situation. I mean,  
18    clearly, you know, we keep on having these  
19    discussions about how in the day, you know,  
20    couple decades ago, we used to have these  
21    institutions where people would just be locked up  
22    out of public sight, and that somehow the  
23    beginnings of modern day homeless crisis began  
24    with the deinstitutionalization of the mentally  
25    ill. I mean, I know that it's much bigger than

1 that with the cost of housing, the cost of rents.

2 But as far as the mental health aspect  
3 of the homeless crisis, it seems like -- I'm  
4 afraid that we're taking the easy way out here.  
5 And so I'm not celebrating this bill, but I will  
6 be voting for it.

7 SPEAKER CHRISTOPHER WARD: Thank you,  
8 Mr. Muratsuchi. And Assembly Member Patterson,  
9 you're recognized.

10 ASSEMBLY MEMBER JIM PATTERSON: Thank  
11 you, Members. I rise to be a strong support and  
12 a strong voice for this vote.

13 We need to be thinking about ourselves  
14 with respect to what breaks the heart of God. To  
15 see what is happening on our streets is breaking  
16 the heart of God. And it needs to break our  
17 hearts.

18 We need to be touched deep in our soul  
19 and we need to be that good Samaritan that did  
20 not walk by that person in need but stopped and  
21 helped. Now, we can't stop and help every single  
22 one, but that's not really our job. Our job is  
23 to lead the state in an effort to do that very  
24 thing, but on a large and compassionate scale.  
25 It's too easy to walk by and say, isn't that a

1 shame and do nothing.

2 I believe that this is an effort to try  
3 to pull from us the very best in all of us. The  
4 decency and the goodness to see those who are  
5 broken, hurting, and see ourselves as their  
6 keeper, as their helper, as their rescuer. We do  
7 that where we are placed. And I think often  
8 times we need to remind ourselves that whatever  
9 our faith is, I think the Lord's put us here for  
10 something noble like this. Let's do it. Let's  
11 do it strongly.

12 But as other colleagues have set on  
13 this floor, this is the beginning. This is the  
14 beginning. This is going to take walking beside  
15 these folks, not just today when we push the  
16 button, but next week, next year, perhaps another  
17 decade or so. This is a big problem with a lot  
18 of heartbreak, but with a lot of people self-  
19 medicating.

20 And I just hope that we see this as the  
21 opportunity to have our hearts broken by what is  
22 breaking the heart of God, and not merely to say,  
23 isn't that too bad; somebody ought to do  
24 something about it. But to say to ourselves,  
25 what can we do?

1           To walk away and say we can't do  
2     anything, to basically say this is a good enough,  
3     is to in a perverse kind of way say, we really  
4     don't care. I think we care. Let's demonstrate  
5     that care by how we vote today. But let's also  
6     demonstrate that care by how we continue to walk  
7     alongside these people, the institutions, the  
8     organizations, the workforce that we need to do  
9     this day in and day out.

10           Because maybe there will come a time  
11    when we will start to see people getting help and  
12    we'll start to see the numbers on the street and  
13    the tents start to go down. That we'll start to  
14    hear the stories of help and healing, not the  
15    stories of death and destruction.

16           Let's make that choice today. Even if  
17    we think that this isn't all that needs to be  
18    done, nothing good happens until we make the  
19    first step. This is the first step. Let's make  
20    it together.

21           SPEAKER CHRISTOPHER WARD: Thank you,  
22    Mr. Patterson. And seeing no further members  
23    wishing to speak on this item, Mr. Gipson, you  
24    may close.

25           ASSEMBLY MEMBER MIKE GIPSON: Thank you

1 very much, Mr. Speaker. I want to thank my  
2 colleagues for rising and raising a microphone  
3 and speaking, not only truth to power, but also  
4 speaking from your heart and soul passionately  
5 regarding this issue.

6 Let me simply say, each and every one  
7 of us, we see homeless people. We see people out  
8 of their minds walking. This is a problem for  
9 California. California leads the way as it  
10 relates to homelessness. And I think we've spent  
11 a lot of money, and we'll continue to spend money  
12 in this area to address this growing population.

13 Unless you have a family member who has  
14 actually experienced it, you may not understand  
15 what's taking place. Unless you have actually  
16 spent the nights, like I have -- I've spent the  
17 night for five years of being on this green  
18 carpet, myself and my team, spending the night  
19 with homeless people, understanding that  
20 everybody who is on the streets don't want to be  
21 on the streets. They don't want to be homeless.  
22 But also realizing that we can build all the  
23 housing that we possibly can, but unless we deal  
24 with people's mental illness, all of that's for  
25 naught.

1           And this is a very thoughtful approach,  
2     and I believe -- and I beg to differ with my  
3     colleagues in terms of, you know, want to  
4     celebrate. I want to celebrate because I believe  
5     we're moving in the right direction for the first  
6     time that deals with people who are having mental  
7     illnesses and also substance disorders.

8           This is the first time since I've been  
9     on this green carpet that we're actually having a  
10    plan. And I want to thank the visionary, our  
11    Senator Tom Umberg and Dr. Eggman and our  
12    Governor, for having the forethought and the  
13    vision. Because I believe without a vision, the  
14    people perish. And I believe that 1338 pulls us  
15    all into the vision to try to solve and try to  
16    address this issue that we're dealing with here  
17    in California.

18           Don't let your children or your child,  
19    your grandchildren, fall into this vicious cycle  
20    of having some kind of mental illness or  
21    substance abuse that has put them on the streets  
22    here in California. This is a mega-step that  
23    we're taking today. And I think it's the right  
24    step.

25           And so again, I want to be able to,

1 one, sleep at night, and I will be able to sleep  
2 at night because we're doing something. We're  
3 doing something we hadn't done in the past.  
4 We're making a difference in the people's lives  
5 who absolutely depend upon us making the right  
6 decision. And the right decision is 1338.

7 I respectfully ask for a strong aye  
8 vote.

9 SPEAKER CHRISTOPHER WARD: Thank you,  
10 Mr. Gipson. The Clerk will open the roll. All  
11 those vote who desire to vote. All those vote  
12 who desire to vote. All those vote who desire to  
13 vote. The Clerk will close the roll, tally the  
14 votes. Ayes 62. Nos are 2. The bill is passed.

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C E R T I F I C A T I O N

I, Sonya Ledanski Hyde, certify that the  
foregoing transcript is a true and accurate  
record of the proceedings.

Sonya M. Ledanski Hyde

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Date: September 26, 2022



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[hospitalized - medicating]

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[substance - vulnerable]

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<b>want</b> 5:7 13:11	<b>write</b> 6:11
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<b>wanted</b> 17:23	5:15,16 7:3,15
<b>wants</b> 17:14	8:15 10:25 11:16
<b>ward</b> 2:1,6,19	14:8 15:15 16:6
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<b>went</b> 21:16	
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<b>willing</b> 6:5	
<b>wish</b> 20:13,18	

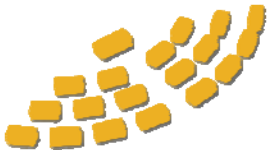
## **Exhibit 24**

**Pages: RJN-0760 through RJN-0763**

**Declaration of Anna Maria Bereczky-Anderson of the Legislative Intent Service, Inc., dated December 6, 2022**

**Legislative History Report and Analysis for Senate Bill 1338 (Umberg & Eggman – 2022) Chapter 319, Statutes of 2022**

Document received by the CA Supreme Court.



# LEGISLATIVE INTENT SERVICE, INC.

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## DECLARATION OF ANNA MARIA BERECZKY-ANDERSON

I, Anna Maria Bereczky-Anderson, declare:

I am an attorney licensed to practice in California, State Bar No. 227794, and am employed by Legislative Intent Service, Inc., a company specializing in researching the history and intent of legislation.

Under my direction and the direction of other attorneys on staff, the research staff of Legislative Intent Service, Inc. undertook to locate and obtain all documents relevant to the enactment of Senate Bill 1338 of 2022. Senate Bill 1338 was approved by the Legislature and was enacted as Chapter 319 of the Statutes of 2022.

The following list identifies all documents obtained by the staff of Legislative Intent Service, Inc. on Senate Bill 1338 of 2022. All listed documents have been forwarded with this Declaration except as otherwise noted in this Declaration. All documents gathered by Legislative Intent Service, Inc. and all copies forwarded with this Declaration are true and correct copies of the originals located by Legislative Intent Service, Inc. In compiling this collection, the staff of Legislative Intent Service, Inc. operated under directions to locate and obtain all available material on the bill.

### **EXHIBIT A - SENATE BILL 1338 OF 2022:**

1. All versions of Senate Bill 1338 (Umberg and Eggman-2022);
2. Procedural history of Senate Bill 1338 from the November 4, 2022 *Senate Weekly History*;
3. Analysis of Senate Bill 1338 prepared for the Senate Committee on Judiciary;
4. Material from the legislative bill file of the Senate Committee on Judiciary on Senate Bill 1338;
5. Analysis of Senate Bill 1338 prepared for the Senate Committee on Health;
6. Material from the legislative bill file of the Senate Committee on Health on Senate Bill 1338;

7. Two analyses of Senate Bill 1338 prepared for the Senate Committee on Appropriations;
8. Material from the legislative bill file of the Senate Committee on Appropriations on Senate Bill 1338;
9. Third Reading analysis of Senate Bill 1338 prepared by the Office of Senate Floor Analyses;
10. Analysis of Senate Bill 1338 prepared for the Assembly Committee on Judiciary;
11. Material from the legislative bill file of the Assembly Committee on Judiciary on Senate Bill 1338;
12. Analysis of Senate Bill 1338 prepared for the Assembly Committee on Health;
13. Material from the legislative bill file of the Assembly Committee on Health on Senate Bill 1338;
14. Analysis of Senate Bill 1338 prepared for the Assembly Committee on Appropriations;
15. Material from the legislative bill file of the Assembly Committee on Appropriations on Senate Bill 1338;
16. Two Third Reading analyses of Senate Bill 1338 prepared by the Assembly Committee on Judiciary;
17. Unfinished Business analysis of Senate Bill 1338 prepared by the Office of Senate Floor Analyses;
18. Material from the legislative bill file of Senator Tom Umberg on Senate Bill 1338;
19. Material from the legislative bill file of Senator Susan Talamantes Eggman on Senate Bill 1338;
20. Press Releases regarding Senate Bill 1338 from the Office of Senator Susan Talamantes Eggman, dated March 3, April 7, and May 25, 2022;
21. Post-enrollment documents regarding Senate Bill 1338 - (Governor Newsom's legislative files are under restricted access and are not available to the public.);
22. Press Release entitled "Governor Newsom Signs CARE Court into Law, Providing a New Path Forward for Californians Struggling with Serious Mental Illness," issued by the Office of the Governor on September 14, 2022;
23. Letter of Opposition regarding Senate Bill 1338 by Mental Health America of California, April 15, 2022;
24. News Release entitled "CA Counties Applaud Senate for Raising Key Questions During Vote on Work-in-Progress CARE Courts (SB 1338)," by the California State Association of Counties, May 25, 2022;
25. Letter of Support regarding Senate Bill 1338 by the California Hospital Association, June 10, 2022;
26. Article entitled "Behavioral health care legislation takes center stage at the State Capitol," by the League of California Cities, June 22, 2022;

27. Article entitled “Groups Are Uniting to Oppose Landmark California Mental Health Legislation,” from *The Observer*, June 23, 2022;
28. Article entitled “To help the homeless, we need CARE courts. Urge your representatives to vote yes on SB 1338,” from the *Desert Sun*, July 10, 2022;
29. Documents regarding Senate Bill 1338 from the California Health and Human Services Agency;
30. Press Release entitled “L.A. Area Chamber Applauds The State Legislature For Adopting SB 1338 (CARE Court),” by the Los Angeles Area Chamber of Commerce, September 1, 2022.

**EXHIBIT B – ASSEMBLY BILL 2830 OF 2022 (FAILED COMPETITOR):**

1. All versions of Assembly Bill 2830 (Bloom-2022);
2. Procedural history of Assembly Bill 2830 from the September 2, 2022, *Assembly Weekly History*;
3. Material from the legislative bill file of the Assembly Committee on Judiciary on Assembly Bill 2830;
4. Material from the legislative bill file of the Assembly Committee on Health on Assembly Bill 2830;
5. Press Release entitled “Assemblymember Richard Bloom Releases Statement on AB 2830 (Bloom) ‘The Community Assistance, Recovery, and Empowerment Act’ (CARE Courts),” from the Office of Assemblymember Richard Bloom, April 7, 2022;
6. Material from the legislative bill file of Assemblymember Richard Bloom on Assembly Bill 2830.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 6th day of December, 2022 at Woodland, California.



ANNA MARIA BERECKZY-ANDERSON

Document received by the CA Supreme Court.