



**LEGISLATION & PUBLIC  
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January 11, 2018

Honorable Ricardo Lara  
Chair, Appropriations Committee  
California State Senate  
Capitol Building, 5050  
Sacramento, CA 95814

**RE: SB 215 (BEALL) – SUPPORT**

Dear Senator Lara,

Disability Rights California, a non-profit advocacy organization that advances and protects the rights of Californians with disabilities, **strongly supports SB 215**. This bill is scheduled for hearing in the Senate Appropriations Committee on January 16, 2018.

SB 215 is an important step toward recognizing that the population of inmates suffering from a mental disorder is growing and provides opportunities for the courts and communities to begin providing effective alternatives for treatment other than the woefully non-therapeutic environment in jails. The Senate Public Safety Committee staff noted in the analysis of SB 8 (Beall) that the growth of persons with mental disabilities is occurring in both the state prison system and county jails.

Additionally, people with mental illness are more likely to become involved with the criminal justice system and are more likely to be the victims of crime. Once incarcerated, people with mental illness tend to stay in detention longer. In Los Angeles County, for example, prisoners with mental illness were found to spend 2-3 times longer in jail than similarly situated prisoners without mental illness. Discrimination against people with mental illness is “baked in” to state and local policies and practices,

resulting in disproportionately high incarceration rates.

Another significant contributor to the excessive lengths of incarceration for prisoners with mental illness is that, without appropriate treatment and other supports, many find it difficult to understand and follow rules resulting in loss of good time credits, additional criminal charges, and extensions of their term. Their placement in jail sets them up to fail.

There is an urgent need for specific and targeted efforts to reduce the rates of incarceration of people with mental illness, and to facilitate successful diversion and reentry. The current situation is dire. Jails are not therapeutic environments. They are not designed to be mental health treatment centers. Prisoners with mental illness are significantly more likely than those without mental illness to be abused. They are more likely to commit suicide, the leading cause of death in jails. Further, it costs significantly more to incarcerate prisoners with mental illness than prisoners without this condition.

The over-incarceration of people with mental illness is directly at odds with California's stated commitment to providing treatment in the least restrictive manner appropriate, with respect for the right to "dignity, privacy, and humane care."

SB 215 provides a tool for trial courts to use in appropriate cases when diversion is the best option and treatment resources are available. It is crafted in a manner to ensure that treatment resources will be available and the best interests of the community are considered. Further, the bill recognizes that a crucial part of a successful treatment system is one that diverts individuals who can safely and effectively be treated and supervised outside of jail and prison settings. The diversion of criminal defendants with mental illness can improve both mental health and criminal justice outcomes.

For these reasons, we strongly support this bill. Please contact me if you have any questions about our position on this bill.

Very truly yours,

A handwritten signature in black ink, appearing to read "Curtis Child". The signature is fluid and cursive, with the first name "Curtis" and last name "Child" clearly distinguishable.

Curtis Child  
Legislative Director  
Disability Rights California

cc: Honorable Members, Senate Appropriations Committee  
Brendan McCarthy, Consultant, Senate Appropriations Committee  
Stella Choe, Counsel, Senate Public Safety Committee  
Honorable Jim Beall, California State Senate  
Carrie Holmes, Legislative Director, Office of Senator Beall  
Nick Stewart-Oaten, California Public Defenders Association