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California Association of Mental Health Peer Run Organizations (CAMHPRO) Response to CARE Court Proposal

Governor Newsom's CARE Court proposal would create a new avenue for individuals living with serious mental health or behavioral health challenges to be referred for court-mandated treatment and services. The Governor describes the CARE Court as a new approach and a paradigm shift." CARE stands for "Community Assistance, Recovery, and Empowerment."

This plan is not a new approach and a paradigm shift. In fact, it resorts to the same old default of the behavioral health system – forced treatment. **A court order is forced treatment.** Also, force is force, whether in a hospital setting or located in the community, in a home.

"Coercion is the power to force compliance with authority using the threat of sanctions, including physical punishment, deprivation of liberty, financial penalty or some other undesirable consequence." (Geller et al., 2006)

Terms like recovery and empowerment are appropriated in the very name of CARE Court. Eduardo Vega, one of the founders of CAMHPRO and former board chair for several years, wrote, "Nothing is more disturbing than hearing the peer movement's words of recovery and empowerment being used in the context of forced treatment." Indeed, coercive treatment flies in the very face of the concepts of recovery and empowerment.

The Governor contends that the plan protects individual rights. To the contrary, the CARE Court subverts the rights protected in the Lanterman-Petris-Short Act (LPS), including its behavioral criteria for enforcing coercive treatment.

The CARE Court concept is based on the myth that the solution to treating mental health issues and to reduce homelessness is to expand forced treatment.

The facts are different from the myth:

- Voluntary, intensive services are the answer to mental and emotional distress. The expansion of forced treatment is not. The problem isn't that there are too few forced treatment options; the problem is that there are not enough person-centered, recovery based, culturally appropriate services. (Myrick & del Vecchio, 2016)
- The unsheltered and homeless population is NOT the result of mental illness. People with mental health issues are being scapegoated for economic and social problems that permeate our society. The problem is lack of affordable housing — and political will — not people diagnosed with mental illness (*Homelessness Task Force Report*, 2018).

- Scapegoating people with mental health issues is a political answer to public pressure to get rid of the homeless.
- The options should not be between homelessness and forced treatment, locked facilities, or jails. There is an array of alternative voluntary services that are currently available, beginning to be available, and must be imagined.¹
- The behavioral health system must think outside the conventional framework they have always used that has led to the current problems, to solve the problems.

CAMHPRO looks forward to participating in the community engagement and input on the CARE Court framework. We urgently request that mental health clients, peers who have been and are directly affected by the behavioral health system, be major participants in these discussions.

CAMHPRO is a nonprofit, statewide organization consisting of mental health consumer-run organizations, programs, and individual consumer members. CAMHPRO's mission is to transform communities and the mental health system throughout California to empower, support, and ensure the rights of consumers, eliminate stigma, and advance self-determination for all those affected by mental health issues, by championing the work of consumer-run organizations.

¹ Examples of voluntary methods research: *Whole Health Model* - Bouchery et al., 2018; *Crisis Respite* - Lyons et al., 2009; *Reduction in Coercion Model in Scandinavia* - Gooding et al., 2020; *Self-Managed Homelessness Shelters* - Huber et al., 2020; *Supportive Housing* - Cunningham et al., 2021; *Alternatives to Traditional Crisis Response Experiment* - Greenfield, 2008

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