

## **MEMORANDUM IN SUPPORT**

### **A. 10790 (Ortiz); S 7254 (Morahan)**

*AN ACT to amend chapter 408 of the laws of 1999 constituting Kendra's Law, in relation to extending the expiration.*

The Schuyler Center for Analysis and Advocacy (SCAA) strongly supports this legislation which would extend the expiration date of Kendra's Law.

Kendra's Law was first passed in 1999 as a way to provide court-ordered, out-patient mental health treatment for certain individuals. We have learned over the years that many people seek voluntary treatment when it is offered to them and that the court-order is not always necessary. It is important to note that half of the people accept treatment voluntarily when it is offered to them. In the time since the original law was passed, more options are available in communities and new treatment methods have been developed. Extending the sunset date will allow for additional research on the impact of the law and the treatments available.

Studies have also determined that patterns of racial and geographic disparity exist in the way the law is implemented. This is a very worrisome for advocates and one that also requires additional research. No law should be implemented differently based on race or location. However, it is necessary to learn more before changes can be made to policies, treatment options or the law so that the situation can be improved.

When it was enacted, Kendra's Law was an untested approach to mental health care using court-ordered, out-patient treatment for certain individuals. The mental health community, patients and their families, the courts and law enforcement have all had to learn the best way to provide treatment, engage people and assess the impact of the law. More must be done to ensure that people are receiving the care they need, fairly and in the most appropriate setting. Extending the law will allow government, the mental health system and advocates additional time to develop additional options for providing the best treatment possible.

For these reasons, SCAA supports this legislation.

Sincerely,



Karen Schimke  
President and CEO  
April 2010