



April 10, 2018

The Honorable Hannah Beth Jackson
Chair, Senate Judiciary Committee
State Capitol Room
Sacramento, CA 95814

RE: SB 1045 (Wiener) – Sponsor and Support

Dear Chair Jackson:

The City and County of San Francisco writes in proud sponsorship of SB 1045, authored by our State Senator, Scott Weiner. This bill creates a new conservatorship to serve our most at-risk residents—those experiencing the combined weight of chronic homelessness, serious mental illness, and substance use disorder. By offering a narrow but effective optional tool for counties to deliver services, treatment, and support to individuals unable to care for themselves, this bill helps counties address the multifaceted crisis on our streets.

We do not take lightly the request in this legislation, and agree that caution must be exercised in considering limitations to any individual's liberties. However, a small subset of San Francisco's population faces such profound challenges that they are unable to engage in voluntary services. We have well-documented records of our high-users of multiple systems, including 40-50 individuals who are frequently seen across our hospitals, jail, and crisis services. Witnessing these individuals endure repeated crises, their self-care deteriorating further as their time on the street increases, perpetuates trauma not only for them but for our city as a whole.

Yet, under current law, we cannot intervene sufficiently. The Lanterman-Petris-Short (LPS) Act allows conservatorships for people with serious mental illness, who are "gravely disabled" as a result of inability to feed, clothe, or shelter one's self. Passed decades ago, the LPS Act falls short in serving modern needs on two accounts. First, the law allows chronic alcohol use as a criterion for determining grave disability, while a history of other substance use disorder is not considered. The reality we face is that 55% of the individuals seen at our City's Psychiatric Emergency Services are homeless, and 67% among this group have a substance use disorder diagnosis. Methamphetamine-related diagnoses are the most common at 32%, compared to 13% for alcohol. Secondly, the LPS Act requires a series of progressive involuntary holds in the hospital. While these holds are appropriate for identifying persistent grave disability in individuals with serious mental illness, they can act as a revolving door for individuals whose crises are induced or worsened by severe substance use.



SB 1045 was initiated by former Mayor Ed Lee to reach the hardest to reach individuals. We have worked carefully to ensure that the proposed eligibility criteria are narrow, that services are available and do not detract from those available to other individuals, and that safeguards and protections are maintained to promote due process and an individual's right to contest conservatorship. For implementation, San Francisco can leverage substantial infrastructure: we maintain the largest per-capita supportive housing portfolio of any major city, have a robust system of county-provided behavioral health care, are developing a Coordinated Entry system, and are committed to improving health and housing outcomes for homeless individuals through our Whole Person Care pilot.

We implore you to set aside the arguments you may hear that more funding alone will solve the problem; and that current law is sufficient. The reality is that some individuals fall through the cracks, because we cannot interact with them for long enough to help them stabilize. San Francisco spends over \$300M/year to address homelessness alone. Despite how well the effort is financed, we need innovative tools to make real change and help us engage individuals whose ability to care for themselves is compromised by untreated mental illness and substance use disorder.

In SB 1045 we see an opportunity to assist our most at-risk individuals to stabilize, have a warm and safe place to sleep each night, and access to services they may be unaware they need. We stand prepared to provide appropriate placement, including service-rich housing to these individuals, because we know that getting people off the streets is the first step to stabilization. We are ready to partner with the Courts, the disability rights community and other critical stakeholders to change the trajectory of the lives of people unable to care for themselves. It is the right and humane choice we ask you to make.

Sincerely,

A handwritten signature in blue ink that reads "Mark E. Farrell".

Mark E. Farrell
Mayor

A handwritten signature in black ink that reads "Barbara Garcia".

Barbara Garcia
Director, Dept of Public Health

A handwritten signature in black ink that reads "Shireen McSpadden".

Shireen McSpadden
Director, Dept of Aging & Adult Services

A handwritten signature in black ink that reads "Jeff Kositsky".

Jeff Kositsky
Director, Dept of Homelessness & Supportive Housing

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors; BOS Legislation, \(BOS\)](#)
Subject: FW: Oppose Resolution In Support Of SB1045
Date: Monday, April 23, 2018 12:01:22 PM

From: Jordan Davis [mailto:jodav1026@gmail.com]
Sent: Saturday, April 21, 2018 8:07 AM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: Oppose Resolution In Support Of SB1045

All,

It has come to my attention that the resolution in favor of SB1045 is coming to the full board on Thursday. As a neurodivergent, formerly homeless person, I STRENOUSLY OPPOSE Wiener's legislation that will allow us to go back to the bad old days of institutionalization.

While I can support Breed's legislation to transfer conservatorships from DA to City Attorney, provided that similar protections exist, the Wiener legislation goes too far and, if it existed when I was homeless, could have resulted in me being locked up with no way out (the Wiener legislation applies to homeless, addicts, and those several hospitalizations).

Conservatorships are hard to get, rarely asked and rarely granted, and that's the way it should be. Believe it or not, there's not an evil, shadowy cabal that supports people screaming, taking off their clothes, and pooping in the streets, and we don't have neurodivergent homeless people using their benefits to buy politicians. The reason why it is hard to conserve people is we don't want to go back to the bad old days of "One flew over the cuckoo's nest".

I was one of those homeless people who sometimes acted out because of the circumstances. But I got services, shelter, housing, gender confirmation surgery, advocacy programs and now sit on a city task force. I did not need an unnecessary conservatorship to get better.

I must also point out that, as an LGBTQ advocate and as an advocate for survivors, it troubles me that a Catholic organization (St. Mary's) is given a contract to administer these conservatorships and to run facilities. I am worried about what LGBTQ people will face, especially transgender women, who might be forced into the men's side and exposed to abuse, as well as forced detransition and gender roles of all TGI people's.

This is a progressive city in a progressive state, and we must stand with neurodivergent peoples and oppose stripping people like myself of our civil rights.

Sincerely,
Jordan Davis