

Homeless Emergency Service Providers Association

April 10, 2018

Honorable Hannah-Beth Jackson
Chair, Judiciary Committee
California State Senate
Capitol Building, Room 2032
Sacramento, CA 95814

RE: SB 1045 (WIENER) (as proposed to be amended) – OPPOSE

Dear Senator Jackson:

San Francisco Homeless Emergency Service Providers Association (HESPA) is writing in opposition to **SB 1045**. This bill is scheduled for hearing in the Senate Judiciary Committee on April 17, 2018.

SB 1045 would establish, outside of the Lanterman-Petris-Short Act (LPS) and the Assisted Outpatient Treatment Demonstration Project Act (AOT), a new process for the appointment of a conservator for a person who is chronically homeless and incapable of caring for their own health and well-being due to acute and severe mental illness and a severe substance abuse disorder. An individual would meet the new criteria to be conserved if he or she is a high frequency emergency department user, has a history of high frequency jail detention due to behavior resulting from severe mental illness or substance abuse disorder, or a history of frequent placement under a 5150 involuntary hold as a result of a mental health disorder.

We are **OPPOSED** to SB 1045 because it: 1) needlessly expands involuntary care for individuals in a restrictive and confined environment beyond what is allowed in current law; 2) proposes a solution that does not meet the sponsors' goals of addressing homelessness and medical care; 3) is dangerously expansive at the expense of individual rights; and, 4) does nothing to ensure that those proposed to be conserved under the expansion will be provided with adequate housing, food, clothing, or medical and behavioral health care.

Nothing in this bill expands housing or access to medical and behavioral health services for individuals who are homeless and have behavioral and medical health treatment needs. Expanding voluntary services (e.g. Full-Service Partnerships, permanent supported housing) and access to quality, integrated medical care is more cost efficient, more effective, and more humane. Indeed, solutions that foster independence and self-direction are more successful than the forced and involuntary care this bill proposes.

We assert there is no point to more aggressive intervention if there is no place to house and treat the people who need help. Nothing in this bill expands services or creates more housing, or medical or mental health care, which is what the real problem is. There are already

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significant delays in receiving services, housing, and even emergency shelter in San Francisco and throughout the state -- ER, specialty services, substance abuse treatment, full service partnerships and transitional and supportive housing are not readily available. Which raises the question, if those services are available, why are they not being used now for those who do not need conservatorships or those that are conserved under LPS or AOT? If they are being used, for whom will services be reduced to accommodate these new conservatorships?

In San Francisco, homeless single adults seeking shelter must add their name to a [wait list](#) which currently numbers over 1,000 people, which represents a 4 – 6 week wait for a shelter bed. Involuntary treatment means the county has the duty to house and treat the conservatees, which includes making physical and mental health services actually available. This bill puts the cart before the horse since San Francisco County is already unable to provide adequate services and housing to the homeless population.

For these reasons, we respectfully oppose SB 1045. Please contact us if you have any questions about our position or if we can provide any further information.

Sincerely,

Kathy Treggiari

Co-Chair

Malea Chavez

Co-Chair

HESPA Members:

AIDS Housing Alliance/SF

AIDS Legal Referral Panel

Catholic Charities

Causa Justa :: Just Cause

Coalition on Homelessness, San Francisco

Community Awareness Treatment Services, Inc.

Compass Family Services

Curry Senior Center

Dolores Street Community Services

Episcopal Community Services

Eviction Defense Collaborative

GLIDE Foundation

The Gubbio Project

Hamilton Families

Homeless Advocacy Project | Justice & Diversity Center

Homeless Prenatal Program

Hospitality House

Larkin Street Youth Services

Lava Mae

MNHC/Mission Neighborhood Resource Center

Providence Foundation of San Francisco

Raphael House

Saint Vincent de Paul

St. Anthony Foundation

San Francisco SafeHouse

Swords to Plowshares

United Council of Human Services