

We Do Not Need CARE Court

August 11, 2022

The Honorable Governor Gavin Newsom
California State Capitol
1021 O Street, Suite 9000
Sacramento, CA 95814

Dear Governor Newsom:

The undersigned individuals and national organizations are collectively dedicated to promoting equity and justice for people with mental health disabilities, people experiencing homelessness, Black, Indigenous, Latinx, and other People of Color (BILPOC), and others who will be disparately impacted by your proposed Community Assistance Recovery and Empowerment (“CARE”) Court system. We all share the goal of a California, and an America, where no one has to face mental health issues while living without adequate housing. But CARE Court will not solve the complex issues of homelessness in California, nor will it meet the needs of unhoused people with mental health disabilities – primarily because the investment of funds is in a new court system. Evidence shows unhoused people with mental health disabilities need community-integrated, deeply affordable, accessible housing with voluntary services.

The CARE Court bill would create a new civil court system with mechanisms to force involuntary medical treatment and loss of autonomy and liberty in addition to the collective loss of other human and civil rights. Concerningly to us, because of California’s nationwide leadership role, a harmful policy like CARE Court is likely to be replicated across the country. As the Governor of California, with a highly visible national role, you have a moral imperative to lead in protecting and promoting human and civil rights. We call on you to stop promoting the CARE Court legislation and to redirect your energies toward creating the trauma-informed, evidence-based solutions of integrated housing and voluntary services at the scale needed to serve all of California’s residents.

In April of 2021, following the verdict in the Derek Chauvin trial, you stated that “We must continue the work of fighting systemic racism and excessive

use of force.”¹ Yet, we already know that because of systemic racism in the housing, economic, medical, and law enforcement systems, the use of CARE Court will disproportionately fall on BILPOC, and LGBTQ+ people with disabilities.² CARE Court would pour millions of dollars into a new coercive civil court framework, while ignoring the State’s desperate needs for deeply affordable housing and supportive services. Further, it will only lead to institutionalization and criminalization of those already isolated in the streets and increase stigma, discrimination, and the likelihood of abuse and exacerbation of current abuse experienced by people with mental health disabilities. The Governor of California should not be in the business of systemically furthering the loss of bodily autonomy, when our own state history demonstrates that systems like these not only ultimately fail, but cause generational harms.³ Let your legacy as Governor be one that takes active pro-human rights, anti-racist steps to reduce state-imposed violence against unhoused BILPOC with disabilities, not one that further embeds and perpetuates racist and ableist structures.

We know that you recognize the need for leadership on bodily autonomy: just two months ago, you signed the Abortion Accessibility Act, with First Partner Jennifer Siebel Newsom emphasizing, “California will continue to lead by example and ensure all women and pregnant people have autonomy over their bodies and the ability to control their own destinies.”⁴ Just as we know that forcing pregnant people to carry fetuses to term has many harmful effects, evidence shows that involuntary, coercive treatment is not only ineffective, but harmful.⁵ We need you to again lead by example

¹ <https://www.gov.ca.gov/2021/04/20/governor-newsom-statement-on-chauvin-trial-verdict/> “Return to Main Document”

² See the most recent [opposition](#) of CARE Court by Disability Rights California and other California advocates. “Return to Main Document”

³ California’s dark history includes the forced sterilization of 20,000 people with mental health disabilities, and denying people a right to make their own healthcare decisions. These programs were “[d]riven by prejudiced notions of science and social control,” and aimed at “controlling ‘undesirable’ populations.” Ko, Lisa, *Unwanted Sterilization and Eugenics Programs in the United States*, PBS SoCal, Jan. 29, 2016. Available at: <https://www.pbs.org/independentlens/blog/unwanted-sterilization-and-eugenics-programs-in-the-united-states/>. “Return to Main Document”

⁴ <https://www.gov.ca.gov/2022/03/22/governor-newsom-signs-legislation-to-eliminate-out-of-pocket-costs-for-abortion-services/> “Return to Main Document”

⁵ Joseph P. Morrissey, Ph.D., *et al.*, *Outpatient Commitment and Its Alternatives: Questions Yet to Be Answered*, *Psychiatric Services* 2014:812 at 814 (2014). S.P. Sashidharan, Ph.D., *et al.*, *Reducing Coercion in Mental Healthcare*, *Epidemiology and Psychiatric Sciences* 2019: 28, 605-612 (All forms of coercive practices are inconsistent with human rights-based mental healthcare); Daniel Werb, Ph.D., *et al.*, *The Effectiveness of Compulsory Drug Treatment: A Systematic Review*, *International Journal of Drug Policy* 2016: 28, 1-9 (Because evidence, on the whole, does not suggest improved outcomes related to compulsory drug treatment approaches and some studies suggest potential harms, non-compulsory treatment modalities should be prioritized by policymakers seeking to reduce drug-related harms). “Return to Main Document”

to protect the bodily autonomy of your unhoused residents with mental health disabilities, not create systems of oppression.

In the alternative, we strongly urge you to implement policies that uphold the human rights to housing, healthcare and equality by investing in a robust infrastructure to house individuals who live on the streets, and to provide the comprehensive mental health services needed to achieve stabilization. Community- and evidence-based practices show a combination of Housing First principles and robust treatment services are the answer to ending homelessness and promote equitable outcomes. With investment in permanent, affordable, and accessible housing alongside voluntary treatment, you can help California lead our nation's efforts to achieving and maintaining dignity, liberty, and integrated communities for people with disabilities.

Respectfully,

California Organizations

ACLU California Action
Affordable Housing Advocates, San Diego
Bay Area Legal Aid
Black Men Speak, Inc.
Caduceus Justice
Cal Voices
California Association of Mental Health Peer-Run Organizations
California Black Health Network
California Foundation for Independent Living Centers
California Institute of Behavioral Health Solutions
California Homeless Union Statewide Organizing Council
California Pan-Ethnic Health Network
Calloway Holistic Peer Concepts
Centro Legal de la Raza
Community Advocates for Just and Moral Governance (MoGo)
Community Legal Aid SoCal
Coalition on Homelessness
Corporation for Supportive Housing
Depression and Bipolar Support Alliance – California
Disability Rights California
Elder Law and Disability Rights Center

Escuchen mi voz
Housing and Economic Rights Advocates, Oakland
Housing California
Housing is a Human Right, Orange County
Immigrant Defense Advocates
Justice2Jobs Coalition Sacramento
Law Foundation of Silicon Valley
Law Office of Robert Rootenberg
Mental Health Advocacy Services
Mental Health America of California
Mental Health Association of San Francisco
National Association of Social Workers (NASW) California Chapter
National Lawyers Guild, San Francisco Bay Area Chapter
North Valley Radical Mental Health
People's Homeless Task Force, Orange County
Public Counsel
Public Interest Law Project
Racial and Ethnic Mental Health Disparities Coalition
Sacramento Homeless Union
Sacramento Loaves & Fishes
Sacramento Regional Coalition to End Homelessness
Safe Black Space
Salinas/Monterey County Homeless Union
San Diego Tenants Union
San Francisco Pretrial Diversion Project
San Francisco Public Defender's Office
Stanford Sierra Youth & Families
Starting Over, Inc.
SURJ Sacramento
Venice Justice Committee
We Are Not Invisible
Western Center on Law and Poverty

National Organizations & Organizations Outside of California

504 Democratic Club, New York
Alabama Disabilities Advocacy Program
American Association of People with Disabilities
American Civil Liberties Union

Arizona Center for Disability Law
Center for Public Representation
Community Legal Aid Society, Inc., Disabilities Law Program, Delaware
Connecticut Legal Rights Project
Crip the Vote
Disability Law Center of Alaska
Disability Law Colorado
Disability Rights Advocates
Disability Rights Arkansas
Disability Rights Center of Kansas
Disability Rights Center – New Hampshire
Disability Rights Connecticut
Disability Rights Education & Defense Fund
Disability Rights Florida
DisAbility Rights Idaho
Disability Rights Iowa
Disability Rights Maine
Disability Rights Maryland
Disability Rights Michigan
Disability Rights Mississippi
Disability Rights Montana
Disability Rights Nebraska
Disability Rights New Mexico
Disability Rights New York
Disability Rights North Carolina
Disability Rights Oregon
Disability Rights Pennsylvania
Disability Rights Rhode Island
Disability Rights South Carolina
Disability Rights South Dakota
Disability Rights Texas
Disability Rights Vermont
Disability Rights Washington
Human Rights Watch
Indiana Disability Rights
Justice in Aging
Keep the Promise Coalition, Connecticut
Kentucky Protection & Advocacy

Mental Health America
National Asian Pacific American Families Against Substance Abuse
National Association for Rights Protection and Advocacy
National Disability Rights Network
National Health Care for the Homeless Council
National Homelessness Law Center
National Union of the Homeless
Native American Disability Law Center, New Mexico
Northern Marianas Protection & Advocacy Systems, Inc.
The Asian Americans with Disabilities Initiative
The Coelho Center for Disability Law, Policy and Innovation
The Harkin Institute for Public Policy and Citizen Engagement
Western Regional Advocacy Project

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Raoul G., Unhoused Individual, Los Angeles, CA
Rebecca Gonzales, National Association of Social Workers (NASW) California Chapter, Sacramento, CA
Rebecca Basson, San Jose, CA
Rebecca Moskowitz, Oakland, CA
Rev. Liz Weber, Concord, MA

Richard Gallo, Cal Voices, Santa Cruz, CA
Richie E., Unhoused Individual, Los Angeles, CA
Richmond S., Unhoused individual, Los Angeles, CA
Ril Werstler, Chico, CA
Robert Rootenberg, Law Office of Robert Rootenberg, Joshua Tree, CA
Robert McCloskey, Fresno Homeless Union, Fresno, CA
Robert Coplin, Sacramento Homeless Organizing Committee, Sacramento, CA
Robin Murphy, Disability Rights Maryland, Baltimore, MD
Robyn Gantsweg, Disability Rights California, Crestline, CA
Robyn Ayred, Sacramento, CA
Rocky Nichols, Disability Rights Center of Kansas, Topeka, KS
Ronald Coleman Baeza, California Pan-Ethnic Health Network, Sacramento, CA
Rosenda Valle, Thermal, CA
Rosy Tellez, Woodland Hills, CA
Rowen Kade, Everett, WA
Ruby Rodriguez, St. Mary's Center, San Leandro, CA
Rufus L., Unhoused individual, Los Angeles, CA
Russ R., Unhoused Individual, Los Angeles, CA
Ruth Roofless, @roofless, Los Angeles, CA
Ryth Haney, Scotts Valley, CA
Sabina Holber, Santa Cruz, CA
Sandra Rives, Transitions- Mental Health Association, Santa Maria, CA
Sandra R., Unhoused individual, Los Angeles, CA
Sandra Galindo-Navarro, San Diego Tenants Union, Chula Vista, CA
Sandra Simon, Contra Costa Health Services, Antioch, CA
Sandra G., Unhoused individual, Los Angeles, CA
Sandra A., Unhoused Individual, Los Angeles, CA
Sandra Smith, Disability Rights California Board President, Sacramento, CA
Sandy Perry, Affordable Housing Network of Santa Clara County, San Jose, CA
Sara Connor, Sacramento SURJ, Rancho Cordova, CA
Sara Shortt, Treatment on Demand Coalition-SF, San Francisco, CA
Sarah Millhoff, San Diego, CA
Sarah Lee, Garden Grove, CA
Sasha Ellis, Bay Area Legal Aid, Oakland, CA
Scott Hewicker, San Francisco, CA

Sean Betouliere, Los Angeles, CA
Sean Jackson, Disability Rights Texas, Austin, TX
Senator Tom Harkin, Former US Senator and co-author, Americans with Disabilities Act
Sergio H., Unhoused Individual, Los Angeles, CA
Sharifah Rosso, CA
Sharon Rapport, Corporation for Supportive Housing (CSH), Los Angeles, CA
Sharon A., Unhoused Individual, Los Angeles, CA
Sheerin D., Unhoused individual, Los Angeles, CA
Shelby Wayment, Berkeley Law, Berkeley, CA
Sherrie Caldwell, CA
Shiba Bandeeba, HomeRise-SF, San Francisco, CA
Shirley Strand, Lompoc, CA
Shishoney P, Unhoused Individual, Los Angeles, CA
Silvia Brandon-Perez, Oscar Romero and Simone Weil Catholic Worker House, Hayward, CA
Skittles, Unhoused individual, Los Angeles, CA
Sky Ross, Depression & Bipolar Support Alliance, Pasadena, CA
Stacie Hiramoto, Racial and Ethnic Mental Health Disparities Coalition, Oakland, CA
Stanislav Kirdey, San Jose, CA
Stephanie Patrick, Disability Rights Center - NH, Concord, NH
Stephanie R., Unhoused Individual, Los Angeles, CA
Stephen Ruderman, Sacramento, CA
Steve Perry, Laguna Niguel, CA
Steven Kong, Yucca Valley, CA
Susan Gallagher, Cal Voices, Fair Oaks, CA
Susan Henderson, Disability Rights Education & Defense Fund, Berkeley, CA
Susan Haas, Hopewell, OH
Susan Mizner, ACLU, San Francisco, CA
Tania Diaz, Disability Rights Nebraska, Lincoln, NE
Tania Collins, Stockton, CA
Tanya A, Unhoused individual, Los Angeles, CA
Tanya Glosson, Arcata, CA
Tatum Tricarico, YO (youth organizing) Disabled and Proud, San Diego, CA
Taylor Wisham, , Los Angeles, CA
Teresa Palmer M.D., San Francisco Gray Panthers, San Francisco, CA

Teya Looney, Democratic Socialists of America, Fresno, CA
Theo Cedar Jones, Wood Street Commons, West Oakland, CA
Therese Yanan, Native American Disability Law Center, Farmington, NM
Thomas Zito, Disability Rights Advocates, Berkeley, CA (organization's residence)
Tiffany Elliott, Adelanto, CA
Timothy Clune, Disability Rights New York, Albany, NY
Timothy Schneider, Homeless Survival: Rights2Survive, Oceanside, CA
Timothy Neyhart, Disability Rights South Dakota, Pierre, SD
Tom Behrendt, Oakland, CA
Tom Masseur, Disability Rights Arkansas, Little Rock, Arkansas
Tom Lee, Unhoused individual 4 years, Stockton, CA
Tony DePalma, Disability Rights Florida, Tallahassee, FL
Tony G., Unhoused individual, Los Angeles, CA
Tony Coelho, Former US Congressman and co-author, Americans with Disabilities Act
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Trixxie Smith, Cal Voices, Jackson, CA
Tyler Kyser, Coalition on Homelessness, San Francisco, CA
Ute Saito, Portland, OR
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Vera Calloway, Calloway Holistic Peer Concepts, Inglewood, CA
Vesper Moore, Kiva Centers, Worcester, MA
Victor F., Unhoused Individual, Los Angeles, CA
Virginia Knowlton Marcus, Disability Rights North Carolina, Raleigh, NC
Virginia Barnes, Fresno, CA
Wes White, Salinas/ Monterey County Homeless Union, Salinas, CA
Wes Mukoyama, Retired, Santa Clara, CA
William Brown, San Clemente, CA