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S. Lynn Martinez
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October 9, 2007

Sent via facsimile and U.S. mail

Governor Arnold Schwarzenegger
First Floor State Capitol
Sacramento, CA 95814
Fax: (916) 445-4633

Stephen W. Mayberg, Director
Department of Mental Health
1600 Ninth Street #151
Sacramento, CA 95814
Fax: (916) 654-3198

Dear Governor Schwarzenegger and Director Mayberg,

We are writing on behalf of our clients, the Mental Health Association in California, the California Network of Mental Health Clients, NAMI California, and several individuals.

In November 2004, California voters passed Proposition 63, the Mental Health Services Act, to expand mental health services in the state. In so doing, voters approved an additional tax on the portion of annual incomes over one million dollars to fund new and/or expanded mental health services. To ensure that these funds are not used simply to replace existing funds, Proposition 63 requires the state to maintain the levels of spending on mental health services that were in existence in the year before the passage of the Act. In particular, Section 5891 of the Welfare and Institutions Code, enacted by Proposition 63, specifically requires that the state "continue to provide financial support for mental health programs with not less than the same entitlements, amounts of allocations from the General Fund and formula distributions of dedicated funds as provided in the last fiscal year which ended prior to the effective date of this Act."

This August, Governor Schwarzenegger vetoed the appropriation for the Integrated Services for Homeless Adults with Serious Mental Illness programs, also known as AB 2034 programs. The Governor's veto eliminates AB 2034 mental health services and puts the health, hopes, and in many cases, lives of 4,700 Californians at immediate risk. Moreover, ending AB 2034 programs and services directly violates section 5891 of the Welfare and Institutions Code and frustrates the will of California voters who passed Proposition 63.

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While we understand that since the time of the veto, the Department of Mental Health has committed to allocate \$64 million in unspent MHSA administrative funds to the counties which they can elect to use for similar services, this one-time stop-gap action does not cure the violation of section 5891 and does not provide a meaningful solution to the elimination of the AB 2034 programs. Without the AB 2034 programs and funding, there will be less MHSA funding available for expansion of mental health services in this state.

AB 2034 programs are highly successful programs that provide integrated services designed to prevent homelessness, incarceration, and hospitalization of people who have been diagnosed with severe mental illness. Balancing the budget by depriving these individuals of services that are so critical to their well-being is not only inhumane, it is illegal. On behalf of our clients we demand that you immediately restore funding to these mandated programs. If you refuse to agree to do so by October 23, 2007, we will have no choice but to take immediate legal action. Of course, if you believe this can be resolved without the necessity of litigation, we would be happy to meet with you. If you have any questions regarding this letter, please contact Jen Flory at (213) 235-2634.

Sincerely,

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