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Advocates Demand that Governor Restore Funding for Homeless, Mentally Ill or Face Lawsuit

Several state and national advocacy groups today demanded that Gov. Arnold Schwarzenegger restore a highly effective program for homeless, mentally ill adults. The Governor eliminated the funds through a line-item veto and counties and mental health providers are scrambling to help individuals with mental illness get critical services and stay off the streets. The groups say that if the Governor does not respond, they will file a lawsuit against him and the state Department of Mental Health.

The state legislature authorized the funds for the program – about \$55 million annually – in 2000 under Assembly Bill 2034, and the program has been fully funded each year since. The funds pay for housing and support services for adults with severe mental illness. The program currently serves nearly 5000 people in the state, and has had proven success in reducing homelessness, incarceration, and hospitalization.

Not only inhumane, but illegal

“Balancing the budget by depriving these individuals of services that are so critical to their well-being is not only inhumane, it is illegal,” said the advocates in a letter sent today to both the governor and Stephen Mayberg, Director of the state Department of Mental Health. The advocates represent: the Mental Health Association in California; the California Network of Mental Health Clients; and NAMI California. “On behalf of our clients, we demand that you immediately restore funding to these mandated programs. If you refuse to do so by October 23, 2007, we will have no choice but to take immediate legal action,” the letter said.*

“This program is a foundation that the Mental Health Services Act was intended to build on,” said Laurel Mildred, executive director of the California Network of Mental Health Clients. “The Mental Health Services Act was intended to add funds to this program, not to replace them. Elimination of this program is a breach of the public’s trust as well as a violation of the law.”

“It’s not like the governor is cutting funding for an ineffective or wasteful program. This program has been a godsend for this population, providing much needed mental health and other supportive services,” said Patrick Gardner, Deputy Director of the National Center for Youth Law. “It is vital to the people it serves.”

Organizing against the Governor's veto

On August 24, Gov. Schwarzenegger eliminated all AB 2034 funding through a line-item veto. Many counties and local mental health service providers are now exploring how to replace that funding. Some are using money provided through Proposition 63 – the Mental Health Services Act – to continue services. In an attempt to lessen the blow of the governor's veto, the Department of Mental Health announced that it would make a one-time \$64 million in unspent Prop 63 administrative funds available to counties. The counties may use the money to provide services to those individuals who had been served by AB 2034 programs.

Advocates for AB 2034 strongly disagree with this solution. They say Prop 63 was intended to expand mental health services and expressly prohibits the kind of actions taken by the Governor and Department of Mental Health – namely the blatant elimination of state funding for mental health programs that already exist. In addition, the \$64 million is a stop-gap measure, available only for one year, according to Ralph Nelson, President of the Board, NAMI California.

Counties have \$55 million less for mental health services

“The release of additional Prop 63 funds in no way compensates for the Governor's elimination of the 2034 program,” said Rusty Selix, Executive Director of the Mental Health Association in California. “This money would have to be released to the counties anyway and counties still have \$55 million less to spend on mental health services than they had before,” he said.

It is expected that in a number of counties, people will lose the essential services that they previously received, said Dan Brzovic, an attorney with Protection & Advocacy, Inc.

The letter was sent by Protection and Advocacy Inc., Oakland, CA; Western Center on Law & Poverty, Los Angeles, CA; Mental Health Advocacy Services, Los Angeles, CA; National Center for Youth Law, Oakland, CA; and the law firm Howard Rice Nemerovski Canady Falk & Rabkin, San Francisco, CA.