

**To: Senator Caroline Menjivar, Chair, Health Committee
Senator Thomas Umberg, Chair, Judiciary Committee**

RE: First Annual Community Assistance, Recovery, and Empowerment (CARE) Act Report. *Overview and Mapping the Landscape*

My name is Anita Fisher from San Diego County. I am the mother of an adult son who has lived with Serious Mental Illness & Substance Use Disorder (Co-Occurring) for 25 years. I have worked for and currently facilitate mental health family education courses and support groups for the National Alliance on Mental Illness (NAMI). What I am sharing today is not only about my journey with my son but many others in my county and across the state.

In 2022 When I stood with Governor Newsom in support of CARE Court and shared the reason we needed it in California on 60 minutes, I did so because I believed it could finally give families like mine a structured way to help our loved ones get the care they need, when THEY need it. I still want to believe that we can make the CARE ACT serve those living with Serious Mental Illness, who during crisis typically end up on our streets and in the jails.

On Thanksgiving Eve 2023, I filed a CARE Petition for my son in San Diego County, about six weeks after the program launched. With 25 years of experience navigating local BH services with my son, I anticipated a different result this time. Over this almost 2-year period, while my son was not dropped from CARE Court, he only accepted support sometimes for food and shelter that he was unable to maintain. He did not accept any treatment for medication (which works for him) or clinical treatment. He became highly addicted to street drugs (Meth & Fentanyl) and survived an overdose. He ended up arrested 4 times and lost every housing situation multiple times due to acting out his untreated behavioral health symptoms.

Families have tried to use CARE Court to support loved ones before they face incarceration, homelessness, or death. However, options remain limited to voluntary measures, as before the CARE ACT was passed.

We need the CARE Court Judge to have authority to include involuntary treatment options of CA WIC 5150- [California Code, WIC 5150](#). and WIC 5200 [California Code, WIC 5200](#).

The following statement was included in the original 2022 CARE Court/ACT Framework and remains absent from the current statewide implementation of the CARE Act.

ACCOUNTABILITY IN CARE COURT GOES BOTH WAYS

***“If a participant cannot successfully complete a Care plan, the individual may be referred by the Court for a conservatorship, consistent with current law. For individuals whose prior conservatorship proceedings were diverted, those proceedings will resume under the presumption that no suitable alternatives to conservatorship are available.*”**

- **Provide immediate crisis care, including involuntary treatment without stigma.**
- **Add a mandate for an LPS evaluation if a person “fails to engage” in the CARE Court process or is unable to sustain their engagement leading to the termination of their Care Plan and remains acutely gravely disabled . A county can detain the person under WIC 5150 while a determination is sought and the evaluation is completed.**
- **The CARE Judges and courts lack authority to mandate treatment. I wonder about the point of having a "court" with no real power. That funding could be better used for supportive housing, increased staffing, and other supports.**
- **Without pre-designated supportive housing, simply providing shelter often leads to failure, as un-stabilized individuals struggle to function successfully.**
- **If family members or supporters are petitioners, they should stay involved in the process, as they are often responsible for supporting loved ones when setbacks occur.**

I want to offer my sincere appreciation for you taking the time to read my letter. There are urgent amendments that need to happen to the CARE ACT/Court to make it effective for the individuals it was designed to treat.

Respectfully,

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