



NEW YORK STATE SENATOR

Catharine Young

## Making Kendra's Law Permanent Protects Those with Mental Illnesses and the Public

CATHARINE YOUNG May 1, 2017

| ISSUE: **MENTAL HEALTH, CRIME AND CORRECTION, PUBLIC PROTECTION**

ALBANY – Repeatedly, the catastrophic results of people with untreated, serious psychiatric disorders falling through the cracks and inflicting harm on themselves and their communities has been felt across our state and the nation.

To help prevent future tragic incidents, Senator Catharine Young (R,C,I- 57th District) and her Senate colleagues have passed legislation that would strengthen Kendra's Law and make it permanent, and they are now urging the Assembly to act.

"Too frequently, the heart-wrenching consequences of people suffering from mental illness without receiving needed care and support becomes apparent at devastating costs. Of course, not all people with mental illness are violent, but when severe psychiatric issues go untreated, it can become a major contributing factor in violent acts or suicide. Before Kendra's Law, the system was flawed because it could allow people with the most serious mental health disturbances who pose a risk to themselves or others to deteriorate before they got help," said Senator Young.

"By strengthening and permanently implementing Kendra's Law, people with profound mental illness will get the court-ordered assisted outpatient treatment they need to prevent

violence, suicide, and incarcerations. It will protect the public while vastly improving the quality of life for those grappling with severe mental illness,” said Senator Catharine Young.

Kendra’s Law was originally signed by Governor Pataki in 1999, and allows court’s to issue assisted outpatient treatment (AOT) orders for individuals who will not voluntarily seek help for their illness, but are a safety threat to themselves or the public. The law is designed to prevent serious harm to the mentally ill person or others, but the current system is set to expire in June 2017, according to Senator Young.

The law is named in honor of Kendra Webdale, who grew up in the Village of Fredonia. On January 3, 1999, a man with a long history of schizophrenia stepped onto the 23rd Street subway station platform in New York City and abruptly pushed Kendra, 32, a journalist and photographer, into the path of an oncoming 400-ton N train. Witnesses would later testify that Kendra’s attacker, 29-year-old Andrew Goldstein, did not flee the scene. Instead, he stopped just a few feet from the subway exit, stating, “I’m crazy. I’m psychotic. Take me to the hospital.”

Highlights of Senator Young’s bill to strengthen Kendra’s Law ([S.516](#)) include:

- Making Kendra’s Law permanent.
- Providing more extensive follow up on those who move during the AOT period to ensure that they receive their treatment.
- Mandating an evaluation for AOT when mental health patients are released from inpatient treatment or incarceration in a non-state facility, so that people needing services do not fall through the cracks.

- Requiring counties to notify the Office of Mental Health (OMH) when an assisted outpatient is missing and thereby unavailable for an evaluation as to whether he or she continues to meet AOT criteria.
- Directing the Commissioner of OMH to develop an educational pamphlet on the AOT process of petitioning so that family members have information on how to file a report. Oftentimes, loved ones are at a loss and feel helpless about how they can help their mentally ill family member.

On Sunday, [New York Post](#) editorialized in support of Kendra's Law, saying in part, "Some in the Assembly and a few mental-health trade groups want only a 5-year extension of the existing Kendra's Law. That would be foolhardy. It clearly works, with no threat to civil liberties, as lawmakers once feared. That's why it's already been extended twice. Kendra's Law may have seemed an experiment two decades ago, but the experiment has proved an overwhelming success for public health and public safety."

Senator Young said, "Across the state, from New York City to Western New York, there have been hundreds of cases of untreated mental illness with tragic consequences during the past several years. This carnage must stop. For the sake of those with mental illness in our community, and the future of public safety, it is urgent that action is taken in the Assembly to make Kendra's Law permanent," Senator Young said.

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RELATED LEGISLATION

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## 2017-S516

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- Introduced
- - In Committee Assembly
  - In Committee Senate
- - On Floor Calendar Assembly
  - On Floor Calendar Senate
- - Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor
- 

Enhances the assisted outpatient treatment program and eliminates the expiration and repeal of Kendra's Law

January 03, 2017

In Assembly Committee

Sponsored by Catharine Young

Do you support this bill?

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