



NEW YORK STATE SENATOR

Elaine Phillips

Senator Phillips Announces Measure To Make Kendra's Law Permanent Passes The Senate

ELAINE PHILLIPS March 26, 2018



Senator Elaine Phillips announced today that the New York State Senate passed a bill, which she co-sponsored, that would strengthen Kendra's Law and make its provisions permanent. The bill, S.516B, enhances public safety, improves the quality of care provided to the mentally ill, and makes Kendra's Law permanent.

"Too often, we hear tragic stories of individuals suffering from untreated mental illnesses causing harm to themselves or others," Senator Phillips said. By making this law permanent,

we not only help prevent those with mental illnesses from hurting others, but we provide essential treatment to those in need. Because family and household members often witness dangerous behavior first or know when a loved one is facing a serious personal crisis, this measure would provide a new avenue of support and care. In addition, by adding attempted suicide to the list of qualifying conditions, we are providing recourse for those who believe they have run out of options. I applaud my colleagues in the Senate for passing this lifesaving bill.”

Kendra’s Law was first enacted in 1999 following the tragic death of 32-year-old Kendra Webdale, who was shoved in front of a New York City subway train by a man with untreated schizophrenia. The law helps address the concerns about mentally ill people who are potentially a danger to themselves and society by allowing for court-ordered assisted outpatient treatment (AOT) for individuals who won’t voluntarily seek help.

Since Kendra’s Law was enacted, studies have found that patients given mandatory outpatient treatment and who were more violent to begin with were four times less likely than members of a control group to perpetrate serious violence after undergoing AOT. The studies also found fewer psychiatric hospitalizations, shorter lengths of hospitalizations, declines in the probability of arrest, higher social functioning, less stigma, and no increase in perceived coercion.

The law is designed to avert serious injury to the mentally ill person or others, but gaps exist in the present system that must be fixed to make it more efficient. The measure would not only make Kendra’s Law permanent, but includes several provisions to improve the current system of AOT, requiring:

- Follow-up for those who move during the AOT period to ensure that they receive their treatment;
- An assessment for AOT when mental health patients are released from inpatient treatment or incarceration so that people needing services do not fall through the cracks;
- Counties to notify the state 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; and
- 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.