



NEW YORK STATE SENATOR

William Larkin

Senator Larkin Passes Legislation to Make Kendra's Law Permanent

WILLIAM LARKIN March 27, 2018



Senator Bill Larkin (R,C,I – Cornwall-On-Hudson) voted to pass legislation yesterday that would strengthen Kendra’s Law and make its provisions permanent. The bill (S516B), enhances public safety, improves the quality of care provided to the mentally ill, and makes Kendra’s Law permanent.

“Since 1999, thousands of New Yorkers have benefited from Kendra’s Law,” said Senator Bill Larkin. “When an individual with mental illness goes untreated it can have a catastrophic

effect on our communities. Kendra's Law has helped ensure that treatment is given to those that need it, which in turn helps to protect the public from those who are capable of doing harm to others or themselves. The passage of this legislation will help make Kendra's Law permanent while at the same time closing loopholes that are still allowing too many people to fall through the cracks."

Kendra's Law was first enacted after the tragic death of 32-year-old Kendra Webdale. Kendra 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.

The bill has been sent to the Assembly.

###