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April 13, 2011

Honorable Grace F. Napolitano

1610 Longworth Building

Washington, DC 20515

Re: HR 751 – Mental Health in Schools Act of 2011 - SUPPORT

The California Public Defenders Association (CPDA), a statewide organization representing public defenders across 58 counties in the State of California. Our diverse organizations represent youth and adults who often suffer from untreated and undiagnosed mental illness, which directly contributes to their participation in the juvenile delinquency system and the adult criminal justice system.

CPDA supports HR 751, the Mental Health in Schools Act of 2011, which you introduced on February 17, 2011. One out of five children and adolescents suffer from some form of mental illness, but 70 percent do not receive treatment or services because they lack resources and access to care. The Mental Health in Schools Act of 2011 takes a preventive approach to addressing youth with mental illness so that they do not follow a trajectory leading to crime, drugs, imprisonment, or suicide later in life.

Among the staggering statistics provided are the following: approximately 1 in 10 children have a serious emotional or behavioral disorder that is severe enough to cause substantial impairment in functioning at home, at school, or in the community. Approximately 75 percent of children with emotional and behavioral disorders do not receive specialty mental health services. Of equal concern to CPDA is the fact that more than half of federal and state prison inmates have a diagnosable mental health problem.

Instead of spending approximately \$50,000 to house a person in a California prison for one year and over \$200,000 to house a youth in a Division of Juvenile Justice facility, a prevention and early intervention approach to addressing mental health issues in youth is also being smart on crime. The Mental Health in Schools Act of 2011 would revise, increase funding for, and expand the scope of the Safe Schools-Healthy Students program in order to provide access to more comprehensive school-based mental health services and supports including providing on-site licensed mental health professionals in schools across the country. The Act would provide \$200,000,000 in competitive grants of up to \$1 million for a five-year period to a local educational agency and at least one community program or agency that is involved in mental health to develop a comprehensive school mental health program.

The Substance Abuse and Mental Health Services Administration (SAMHSA) would distribute the funds and develop a process for evaluating grant program activities. The comprehensive school mental health program would be required to provide mental health training for all school personnel, family members of children with mental health disorders, and community members. Such program must also assist children in dealing with violence and establish mechanisms for children and adolescents to report incidents of violence or plans by other children or adolescents to commit violence.

The Mental Health in Schools Act would also facilitate community partnerships among community based systems including families, students, law enforcement agencies, education systems, mental health and substance use disorder service systems, mental health and health care service systems, and welfare agencies. The local educational agency involved would also be required to enter into a memorandum of understanding with public or private mental health entities, health care entities, law enforcement or juvenile justice entities, child welfare agencies, family based mental health entities, families and family organizations, and other community-based entities.

Instead of taking a punitive approach to mental illness in youth, HR 751 would provide increased federal funding for therapists and mental health services in public schools and partner with local mental health professionals to establish on-site mental health care for students. Children and youth inherently seek the approval of their peers and caregivers as well as their teachers and like adults struggling with mental illness do not want to be labeled as "crazy". Encouraging public schools to provide on-site mental health services will encourage those youth to access timely mental health services in a trusted setting, thus helping to remove the shame and stigma associated with mental illness. CPDA applauds your leadership as you have since 2001 implemented this program within ten local schools in your 38th Congressional district, thus helping students overcome mental health issues and improving quality of life for them and their families.

With high regards,



JOHN ABRAHAMS

Chief Defender

Sonoma County Public Defender's Office