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July 24, 2020

The Honorable Jim Wood  
Chair, Assembly Committee on Health  
State Capitol  
Sacramento, CA 95814

**RE: Opposition to SB 665**

Dear Assembly Member Wood,

On behalf of the California Pan-Ethnic Health Network (CPEHN) and the 23 undersigned organizations and 25 individuals, we write in opposition to SB 665 (Umberg), which would divert urgently needed mental health funds into the criminal justice system.

While we care very much about the mental health of incarcerated people in jails across California, and while we agree that there is a need to improve conditions and treatment in carceral facilities across the state, we unequivocally oppose any expansion of jail systems. SB 665 would override voter intent by siphoning these critical mental health funds away from local mental health departments into jails, investing in incarceration at a time when communities have called for investments into alternatives to incarceration. We believe that SB 665 will free up MHSA funds to be used as a blank check for local Sheriff's Departments when they already reap a large portion of county budgets, including millions intended for mental healthcare in the jails. MHSA was passed by Californians to fund community care, not to supplement jail budgets.

SB 665 would authorize counties to utilize Mental Health Services Act (MHSA) funds to provide mental health services to individuals incarcerated in a county jail or subject to mandatory supervision, except for individuals convicted of a felony. These funds were intended for and would better serve incarcerated and formerly incarcerated people by being spent in their communities, to provide support that can prevent arrest and incarceration, increase access to diversion or facilitate reentry. While we appreciate the need to provide mental health services to incarcerated individuals, we believe that the use of MSHA funds for this purpose is not in alignment with the voter-approved initiative. MHSA explicitly prohibits its funds from being used in prisons because its goal is to create healthy communities, and this reflects the voters' belief and the legislative intent that funds be spent to provide care in the community, not incarceration. (Cal. Welf. & Inst. Code § 5813.5(f).) Furthermore, we do not believe the diverting community mental health funding to the criminal justice system is in alignment with California's values.

According to data from the State Controller's Office, Cities and counties spent over \$26 billion on Police and Sheriff's Departments and Corrections during Fiscal Year 2017-2018, versus just \$7.5 billion for mental health and substance use disorder.

The funds raised by the MHSA are already inadequate to support our community mental health system and to address the dramatic increase in mental health need because of the COVID-19 pandemic. Over 36% of Californians who require mental health services are unable to access appropriate care. This gap is particularly stark for communities of color,

with 48% of Asian Americans are unable to access appropriate care compared to 39% of Latinos and African-Americans. We expect MHSA funds and the other revenue sources currently supporting community mental health to decrease over the next few years because of the looming economic recession. We need to invest more in community mental health, not less.

Jails are inherently punitive not therapeutic. Senator Umberg has suggested that jails are “the most cost-effective place to provide treatment to prevent recidivism.” It is our position and experience that mental healthcare provided inside of a jail is the least effective possible use of mental health funds. We reiterate that effective mental health care cannot be provided in carceral settings, which exacerbate trauma, isolate individuals from meaningful relationships, restrict opportunities for trust building, and frustrate the purpose of treatment. We believe that MHSA funds should be invested to support our community and reduce incarceration, rather than cementing the terrible reality that jails have become places to which we condemn our struggling neighbors.

Most importantly, we must focus our mental health investments into prevention, early intervention, and culturally appropriate care. Without doing so, we subject communities of color, particularly Black communities, to over-incarceration as a result of systemic racism in both the mental health and the criminal justice systems. SB 665 would deepen existing inequities and further entrench a system that requires people of color to land in jail before they can receive mental health support.

For all of these reasons, we are opposed to SB 665 and urge your “no” vote. If you have any questions please do not hesitate to contact CPEHN at (916) 447-1299 or [ltenerowicz@cpehn.org](mailto:ltenerowicz@cpehn.org) or any of the undersigned organizations or individuals below.

Sincerely,



Linda Tenerowicz  
Senior Policy Advocate

Organizations:

ACLU of California  
ACT for Women and Girls  
All Of Us Or None OC; OC Survivors/CSSJ  
API Equality-LA  
Asian Resources, Inc.  
California Black Health Network  
Centro Binacional para el Desarrollo Indígena Oaxaqueño (CBDIO)  
Community Health Councils  
CRECE  
Empowering Pacific Islander Communities (EPIC)  
HHROC- Housing is a Human Right OC

Initiate Justice  
Korean Community Center of the East Bay  
Latino Coalition for a Healthy CA  
Mid-City CAN (Community Advocacy Network)  
Multi-Ethnic Collaborative of Community Agencies  
National Health Law Program  
Orange County Equality Coalition  
People's Homeless Task Force OC  
SAAHAS for Cause  
Southeast Asia Resource Action Center (SEARAC)  
The Los Angeles Trust for Children's Health  
Transforming Justice OC

Individuals:

Anastasia Baboulevitch  
Dr. Gregory Barraza  
Savanna Carson, PhD, Public Health Advocate/Researcher  
Gianni Castellanos  
Daisy Chavez  
Pat Davis  
Dorette Quintana English, MA  
Leila Forouzan  
Richard Gallo,  
Nichole Goodsmith, MD PhD  
Sarah Kahn  
Linda Lehnkering  
Angelita Lim  
Silvia Liu  
Michele Musacchio, Irvine parent, voter, and homeowner  
Heather Q.  
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Clinical Professor, UCSF  
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Ariana Thompson-Lastad, PhD  
Vanessa T.  
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