

# SB 1045: CONSERVATORSHIP

## A FAULTY APPROACH TO THE HOMELESSNESS CRISIS

This law allows the counties of San Francisco, Los Angeles, and San Diego to create a 5-year pilot program to expand conservatorship, a legal process through which an individual **loses the right to make decisions about their housing, finances, and medical care.**

**The bill targets homeless people with severe mental illness and substance addictions.** While claiming to be a solution to chronic homelessness, this bill **provides no funding for housing or mental health treatment.**



**“Conservatorship is the most extreme deprivation of civil liberties aside from the death penalty.”**

**—Susan Mizner, Director,  
Disability Rights Program, ACLU**



**SB 1045 is the wrong approach to house homeless people with mental illness or substance abuse problems.** Housing and services should be offered voluntarily in an unrestrictive setting where people are comfortable and able to exercise autonomy and receive community support.



### **Some reasons why community groups oppose SB 1045:**

- It will lead to people losing the ability to make decisions about what happens to their body, their pet, where they live, what they eat, how they spend their time and their money.
- It gives the police an incentive to detain people under 5150 holds.
- It expands involuntary treatment, while there are thousands of people waiting for voluntary treatment and housing that doesn't exist.
- This bill will not make a dent in the number of homeless people suffering on the streets in San Francisco.



The **Lanterman-Petris-Short Act** allows for the creation of conservatorships for people whose mental illness prevents them from accessing food, clothing, or housing.

In San Francisco, **Laura's Law** allows for court-mandated outpatient treatment for people with severe mental illness. It is unclear who is being targeted by SB 1045 who is not already eligible for these conservatorships.

About **65% of SF conservatees** are living in placements outside of the city due to the lack of housing and psychiatric treatment beds. Expanding conservatorship during this housing crisis **will push more people out** of the city.

*"There is no point to more aggressive intervention if there is no place to house and treat the people who need help. Nothing in this bill expands services or creates more housing, or medical or mental health care, which is what the real problem is."*

*DISABILITY RIGHTS CA, 5/9/2018*



**In San Francisco, there is consensus that homelessness has reached the level of a crisis:**

- There are **1,060** individuals on the city's single adult Shelter Reservation Waitlist and **8,000** households on the waitlist for public housing.
- Most recent data shows that there are **500** people on the waitlist for methadone and substance abuse residential treatment.
- Many individuals with mental illnesses self-medicate with drugs and alcohol while experiencing the trauma of being without a home; this leads to addiction disorders.
- A 2018 behavioral health audit found that **38%** of people discharged from psychiatric emergency were not offered any continuing services, essentially sending them back to the streets.
- According to the Budget Legislative Analyst Office, we are spending **\$20.6 million** on criminalizing homeless people without any positive outcomes. That money is equivalent to the cost of **1,300** housing subsidies.

***"It's difficult if not impossible to recover from mental illness or substance abuse when you don't have a home. If everyone had housing, we would see a major drop in the number of people in mental health crisis who are the targets for conservatorship."***

***-- Jennifer Friedenbach, Executive Director,  
Coalition on Homelessness***