

Dear Governor Murphy,

We, the undersigned mental health, disability rights, civil rights, and racial justice organizations, strongly oppose Senate Bill 3929/Assembly Bill 5182 (S3929/A5182) and urge you to veto this bill.

S3929/A5182 arbitrarily doubles the duration an individual can be held under the involuntary commitment for mental health treatment statute from 72 hours to 144 hours, presenting significant public health, human rights, and racial justice concerns.

In New Jersey, individuals that have been involuntarily committed rarely receive necessary mental health treatment and other services while they remain in an emergency room for up to 72 hours. As hospital systems supporting this bill have noted, emergency rooms are ill-equipped to provide high-quality specialized mental health care services to those who may need it. Instead, hospitals often restrain patients who have been involuntarily committed and serve as waiting rooms, further traumatizing individuals. S3929/A5182 will only exacerbate these harms.

We recognize that there may be instances in which there are challenges to finding someone a bed within the 72-hour time period. However, this can be a result of a number of factors outside of hold time or bed capacity. Community hospital psychiatric units may be less willing to accept people without insurance coverage, with prior involvement with the criminal legal system, who are unhoused, or who may have co-occurring physical and developmental disabilities. Continued investment is needed for community supports and services that minimize the need for involuntary commitment and reduce the number of individuals who meet the standard for commitment.

Unfortunately, this legislation was not preceded by a thorough review of the issues impacting delays in moving people through the system, including examining data on geographies and different patient populations impacted. The legislation is missing meaningful input from stakeholders in the development of legislation that will impact many individuals experiencing a mental health crisis.

When it comes to the involuntary commitment law, the State has an obligation to balance the potential need for emergency mental health care with an individual's personal freedom and right to appropriate care. S3929/A5182 unequivocally fails to do this. Rather than investigating the scope of the problem and developing comprehensive solutions to barriers to high-quality, accessible mental health care in New Jersey, S3929/A5182 jumps to the most extreme response of further denying individuals their liberty without any evidence that demonstrates the need for or efficacy of doubling the involuntary commitment duration to up to 144 hours.

This is particularly alarming considering known racial disparities in involuntary commitment. Research has shown that racism, sexism, and other biases in the health care system lead to disparities in the diagnoses of psychological disorders. Studies have shown that patients of color are more likely to be deemed a "danger" and involuntarily committed than white patients.

If you sign this law, you would be restricting the rights of individuals instead of focusing the State's efforts to improve outcomes for individuals by eliminating delays to care and expanding community supports to ensure that people can access help before moments of crisis. We implore you to take a closer look at addressing the immediate concern, as well as conducting an evaluation of the entire mental health system of care, leading to a more comprehensive, patient focused mental health care system.

Thank you for your consideration. We urge you to veto S3929/A5182.

Sincerely,

Abortion Justice Committee of New Jersey  
ACLU of New Jersey  
AFSC Prison Watch Program  
Anti Violence Coalition of Hudson County  
Bazelon Center for Mental Health Law  
Black Lives Matter Paterson  
Casa Freehold  
Coalition of Mental Health Consumer Organizations  
Collaborative Support Programs of New Jersey  
Connecticut Legal Rights Project  
CWA Local 1081  
Disability Rights New Jersey  
Faith in New Jersey  
Gloucester County NAACP  
Health Professionals and Allied Employees  
Housing and Community Development Network of New Jersey  
Kiva Centers  
Latino Action Network  
Latino Action Network Foundation  
Law Project for Psychiatric Rights (PsychRights)  
Living for a Cause  
Lutherans Engaging in Advocacy Ministry  
Make the Road New Jersey  
Mental Health Association in New Jersey  
NAACP New Jersey State Conference  
National Alliance on Mental Illness of New Jersey  
National Association for Rights Protection and Advocacy  
National Association of Social Workers - NJ Chapter  
National Coalition for Mental Health Recovery  
NCAAR - National Center for Advocacy and Recovery, Inc.  
Newark Community Street Team  
New Jersey Addiction Professional Association  
New Jersey Alliance for Immigrant Justice  
New Jersey Citizen Action  
New Jersey Coalition to End Homelessness  
New Jersey Consortium for Immigrant Children

New Jersey Harm Reduction Coalition  
New Jersey Institute for Social Justice  
New Jersey Policy Perspective  
New Jersey Prison Justice Watch  
New Jersey Psychiatric Rehabilitation Association  
New York Association of Psychiatric Rehabilitation Services  
Salvation and Social Justice  
SPAN Parent Advocacy Network  
Supportive Housing Association of New Jersey  
Wildflower Alliance  
Wind of the Spirit Immigrant Resource Center