

February 20, 2020

**RE: Jail-Based Restoration to Competency and Sex Offender Management and Treatment Act (SOMTA)**

Dear Legislator:

The Governor is once again trying to convince us that it is a good idea to have those accused of crimes restored to mental competency in local jails. This proposal is unsound, potentially dangerous public policy that does a disservice to clients and the PEF members who look after them. This year, he is also trying to move sex offenders into settings where they would receive less care than what they currently receive to make their treatment more “cost-efficient.”

Allowing jails to be converted into quasi mental health treatments centers where defendants are restored to competency so they may stand trial is a bad idea. Why are we asking our already overextended corrections officers who are currently forced to dispense medication to take on yet another role when dedicated PEF staff at facilities designed for this task are already in place doing this work?

The State of New York already has the proper places for those who need mental health services before they can be brought into court. We have hospitals with specialized units, as well as Office of Mental Health facilities. These are the appropriate locations to treat people with a mental health issue. Simply put, people do not go to jail to improve their mental health.

Likewise, sex offenders should be treated in acute, inpatient-level staffed facilities. They should not be put into segregated treatment areas where both the amount of staff as well as the level of care will be reduced. “Residential treatment” is not what sex offenders need and they should not be moved as a cost savings measure.

As my elected representative, I kindly ask that you work with the leadership in your house to **remove Parts W and X of the Health and Mental Hygiene Article VII Budget Bill (A.9507/S.7507)** to reject these bad proposals to allow jail-based restoration to competency and moving sex offenders to setting where their level of care is decreased. Thank you for your time, attention and consideration of these very important issues.

Sincerely,

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