



# Memorandum

**TO:** RULES COMMITTEE

**FROM:** Councilmember Johnny Khamis  
Councilmember Raul Perez

**SUBJECT:** SEE BELOW

**DATE:** November 14, 2019

APPROVED: \_\_\_\_\_

**SUBJECT: COUNTY IMPLEMENTATION OF LAURA'S LAW AND ENHANCED CONSERVATORSHIPS**

## RECOMMENDATION

Place the following item on the December 10<sup>th</sup> Agenda for Council discussion and action:  
Direct the Administration to transmit a letter from the Mayor and City Council to the Santa Clara County Board of Supervisors and the County Administration to request County implementation of Laura's Law (Assisted Outpatient Treatment) and strengthened conservatorship policies, and add these objectives to the City's legislative priorities.

## BACKGROUND

Homelessness has reached the point of crisis in Santa Clara County. There are over 9,706 homeless individuals residing in the County, with this number continuing to grow at an alarming rate. The 2019 Homeless Census conducted by Santa Clara County concluded that in 2018, there was an increase of 2,312 homeless individuals – a drastic increase of 31.3%.<sup>1</sup> National estimates from the U.S. Department on Housing and Urban Development examining mental illness and homelessness find that, on average, 45% of homeless individuals are mentally ill, while 25% are *seriously* mentally ill.

County statistics tracked closely with the national numbers, with 42% of respondents to the 2019 Homeless Census and Survey self-reporting that they suffer from some form of mental illness and 35% self-reporting drug/alcohol abuse.

<sup>1</sup> "County of Santa Clara, City of San José Release Results of 2019 Homeless Census." *County News*, County of Santa Clara, 16 May 2019,  
[www.sccgov.org/sites/opa/newsroom/Pages/2019homelesscensus.aspx](http://www.sccgov.org/sites/opa/newsroom/Pages/2019homelesscensus.aspx).

### *Laura's Law Background*

Laura's Law passed the California State Legislature in 2002, aiming to help mentally ill individuals who are most difficult to reach with life saving treatment by introducing court-mandated assisted outpatient treatment for those who are likely to benefit from it. The legislation itself relies on counties to enforce it. To date, 20 counties in California have implemented Laura's Law, including the Bay Area Counties of San Mateo, Alameda, Contra Costa, Marin, and San Francisco, achieving a high degree of success. For an individual to be placed in outpatient treatment, they must meet a set of exhaustive conditions, including having a history of noncompliance proven by being hospitalized or jailed at least twice within 36 months.

### *Concluding Analysis*

Laura's Law and expanding the framework for conservatorship will open up more opportunities for helping the most vulnerable who struggle with mental illness and alcohol/drug addictions. While we know this solution will help a smaller number of individuals who are homeless, it will help to make our community safer for our residents and for the police officers working in our neighborhoods. When police officers find themselves using deadly force to stop a dangerous individual with severe mental illness, it is not acceptable to write it off as a situation that could not be avoided. When these events occur, stories abound from families struggling over many years to get help for their loved one under the current mental health system.

While Santa Clara County has worked on mental health reform over the last 50 years, there is still more that must be done to address our homeless and mental illness crisis. Laura's Law and expanded conservatorship both pose exceptional improvements to our flawed and negligent system that leaves behind so many that need care the most.

For all these reasons and more, the Santa Clara County Board of Supervisors ought to implement Laura's Law and supplement conservatorship programs by pursuing legislation that will add Santa Clara County to SB 40.