[Insert Date]

Honorable Mark Stone, Chair

Assembly Judiciary Committee

1020 N Street, Room 104  
Sacramento, CA 95814

Honorable Jim Wood, Chair

Assembly Health Committee

1020 N Street, Room 390  
Sacramento, California 95814

**RE: SB 1338 (Umberg & Eggman): The Community Assistance, Recovery, and Empowerment   
 (CARE) Court Program – CONCERNS**

Dear Assemblymember Stone and Assemblymember Wood:

On behalf of the [Insert County] County Board of Supervisors, we respectfully request your consideration of the County’s concerns with SB 1338 (Umberg & Eggman) to ensure the success of the Governor’s CARE Court proposal.

CARE Court would establish a new civil court process to engage individuals living with psychotic disorders into treatment. Counties would play a key role in implementation under SB 1338 as the state’s partners in providing behavioral health and social services. The following recommendations are offered to assist with implementing the CARE Court framework at the local level in a practical and achievable manner.

* **Phased-In Implementation:** We believe the path to success for our county and – more importantly – for those who stand to benefit from CARE Court must be grounded in an incremental phase-in model, such as a readiness-based implementation schedule in which counties most prepared to implement are the first adopters. For our county, [Optional: Insert any local challenges associated with CARE Court implementation].
* **Sanctions:** Sanctions should be reserved for deliberate and chronic deficiencies and should be imposed only after meaningful engagement within the existing regulatory framework along with the appropriate procedural safeguards. We support modeling the process adopted in Assembly Bill 101 (Statutes of 2019) for jurisdictions that fail to comply with their obligations under state housing laws. In addition, sanctions should not begin until after the program has been fully funded and implemented.
* **Housing:** Housing is foundational for addressing homelessness and a critical component in the successful treatment of those with severe mental illness. To ensure that the state’s recent housing investments are available to serve the CARE population, we support recent amendments allowing the Superior Court to order housing providers that have received specified state funds to accept placement of CARE participants at any available housing option or program as clinically appropriate.
* **Resources:** The CARE Court program includes new responsibilities and obligations imposed on counties that require additional resources and ongoing funding, likely in the hundreds of millions of dollars. Adequate and sustainable funding as well as start up funding is required across multiple departments, including county behavioral health, public defender, county counsel, public guardians and conservators, and county social services.
* **Fiscal Protections:** The CARE Court proposal must provide protections to counties for any new responsibilities and costs.To ensure our county has the appropriate long-term resources, we recommend fiscal provisions that preserve current funding and services while also providing a mechanism for determining and providing supplementary annual funding for new activities and duties required by SB 1338.

Thank you for your consideration of our concerns regarding funding, a phased-in implementation, sanctions, and housing. We respectfully urge your August committees to continue working with [Insert county] as SB 1338 moves through the policy process to ensure success for CARE Court implementation and the people we serve. Should you have any questions about our concerns and local implementation challenges, please don’t hesitate to contact [Insert Contact Info].

Sincerely,

[Name & Title]

cc: Honorable Members of the Assembly Judiciary Committee

Honorable Members of the Assembly Health Committee

Honorable Thomas J. Umberg, California State Senate

Honorable Susan Eggman, California State Senate

Leora Gershenzon, Deputy Chief Counsel, Assembly Judiciary Committee

Judy Babcock, Senior Consultant, Assembly Health Committee

Katie Kolitsos, Policy Consultant, Office of Speaker Rendon  
 Marjorie Swartz, Policy Consultant, Office of pro Tem Atkins

Daryl Thomas, Judiciary Consultant, Republican Caucus

Gino Folchi, Health Consultant, Republican Caucus

Ana Matosantos, Cabinet Secretary, Office of Governor Newsom

Jason Elliott, Senior Counselor, Office of Governor Newsom

Kim McCoy Wade, Senior Advisor, Office of Governor Newsom

Jessica Devencenzi, Deputy Legislative Secretary, Office of Governor Newsom  
 Graham Knaus, Executive Director, California State Association of Counties