

X-Mailer: QUALCOMM Windows Eudora Version 7.0.1.0
Date: Tue, 05 Dec 2006 08:45:38 -0900
To: "Beth Russo" <elizabeth_russo@law.state.ak.us>,
"Stacie Kraly" <Stacie_Kraly@law.state.ak.us>
From: Jim Gottstein <jim@psychrights.org>
Subject: Re: [akmhcweb] RE: Conduct on State Property.pdf
Cc: "list-psychrights.org" <list@psychrights.org>,
james_parker@admin.state.ak.us

Hi Beth and Stacie,

Ron has been on the list@psychrights.org listserv at his request for some time, but in light of the below and in an abundance of caution his e-mail address has been removed. This, of course, means he won't receive e-mails posted to the list by other people as well. If he asks to be put back on, he will be.

I assume by the below response, the State concedes its policy on leaflets and posting is unconstitutional.

With respect to the statistics Ron quoted there are a couple of things that jump out.

First, it doesn't say there isn't a pending petition right now. I don't know why the hearings were cancelled on Friday, but normally there would also be hearings today. Have they been cancelled too?

Second, and most importantly, while I would like to agree with Ron that it doesn't get much better than only 57 forced drugging petitions out of 1,452 admissions, one of Mark Twain's quotes comes to mind, "There are liars, damn liars and statisticians."

The conclusion I draw from these statistics is that the Alaska Psychiatric Institute, aided and abetted by the Attorney General's Office

has constructed a legal subterfuge to evade the *Myers* decision of last June. <http://psychrights.org/States/Alaska/CaseOne/MyersOpinion.pdf>

My guess would be that API is obtaining guardianships over people to evade the *Myers* decision. If the Office of Public Advocacy (OPA) is being appointed and rubber stamping what API wants, then it is complicit.

At 06:52 AM 12/5/2006, Adler, Ron wrote:

Jim:

I am out of the office today so please just work with our legal counsel.

Of the 1,452 admissions we had last fiscal year, API utilized the Court Ordered Medication process on 57 occasions. Both of us realize it doesn't get much better than that!!! There has been significant improvement on the reduction on the use of these orders.

Anytime you would like to sit down and have a conversation about this, just let me know.

Ron

-----Original Message-----

From: Jim Gottstein

To: Adler, Ron; 'Jim Gottstein'

Cc: 'Beth Russo'; 'Stacie Kraly'; list-psychrights.org

Sent: 12/4/2006 9:58 PM

Subject: Re: Conduct on State Property.pdf

Hi Ron,

I e-mailed you earlier today that I thought the policy API is hiding behind is unconstitutional. A Washington DC attorney, Marjorie Salwin, gave Psychrights some pro bono time and did some research and it is indeed unconstitutional.

She also pointed out it is only a policy. It isn't even a regulation and has no force of law in this arena.

I am inclined to come by and not only hand out the flyers tomorrow morning, but post them as well. Have your attorneys (who are copied on this) do some legal research.

Last summer the Alaska Supreme Court ruled API's forced drugging regime unconstitutional. People are still being forcibly drugged without their rights being honored. I know the hospital does not believe the courts should be able to tell the hospital this, but that is the law.

Your (so far successful) efforts to deny API's inmates the right to choose their own attorney to help them fight being locked up and forcibly drugged has involved the violation of two fundamental constitutional rights. The right to counsel and free speech. The scope of your constitutional violations are breathtaking.

At 11:21 AM 12/4/2006, Adler, Ron wrote:

Jim:

As a courtesy to you, please find the attached State of Alaska

Standard

Operating Procedure for Conduct on State Property. Section #3 reads:

Posting and Distributing Materials -

All persons entering in or on State property are prohibited from:

(b) Distributing materials, such as pamphlets, handbills, or flyers, unless conducted as part of an authorized State activity.

Please be advised you do not have authorization to occupy the API lobby and pass out material to incoming persons.

Ron Adler

James B. (Jim) Gottstein, Esq.

Law Project for Psychiatric Rights

406 G Street, Suite 206

Anchorage, Alaska 99501

USA

Phone: (907) 274-7686) Fax: (907) 274-9493

jim@psychrights.org

<<http://psychrights.org/>> <http://psychrights.org/>

Psych Rights ®

Law Project for

Psychiatric Rights

The Law Project for Psychiatric Rights is a public interest law firm devoted to the defense of people facing the horrors of unwarranted forced psychiatric drugging. We are further dedicated to exposing the truth about these drugs and the courts being misled into ordering people

to be drugged and subjected to other brain and body damaging interventions against their will. Extensive information about this is available on our web site, <<http://psychrights.org/>>
<http://psychrights.org/>. Please donate generously. Our work is fueled with your IRS 501(c) tax deductible donations. Thank you for your ongoing help and support.

To unsubscribe or if you have any questions about this list, e-mail webmaster@psychrights.org.

James B. (Jim) Gottstein, Esq.

Law Project for Psychiatric Rights

406 G Street, Suite 206

Anchorage, Alaska 99501

USA

Phone: (907) 274-7686) Fax: (907) 274-9493

jim@psychrights.org

<http://psychrights.org/>

Psych Rights ®

**Law Project for
Psychiatric Rights**

The Law Project for Psychiatric Rights is a public interest law firm devoted to the defense of people facing the horrors of unwarranted forced psychiatric drugging. We are further dedicated to exposing the

truth about these drugs and the courts being misled into ordering people to be drugged and subjected to other brain and body damaging interventions against their will. Extensive information about this is available on our web site, <http://psychrights.org/>. Please donate generously. Our work is fueled with your IRS 501(c) tax deductible donations. Thank you for your ongoing help and support.

To unsubscribe or if you have any questions about this list,
e-mail
webmaster@psychrights.org.