

# MindFreedom

Recovery Support Network  
11457 70<sup>th</sup> Place South  
Seattle, WA 98178

April 5, 2005

Brian Schweitzer  
Office of the Governor  
State of Montana  
P. O. Box 200801  
Helena, MT 59620

RE: Human Rights Violations in the State of Montana

Dear Mr. Schweitzer:

I have had the opportunity to read your March 18, 2005 letter directed to David Oaks of MindFreedom Support Coalition International and wish to share another perspective with you. While I appreciate the underlying balance and fairness you wish to portray in your letter to Mr. Oaks, with all respect, I do believe that you have not completely understood the problem that faces your state's psychiatric hospitals. Actually, you present certain logic in your letter to Mr. Oaks which creates a concern that you have completely missed the point.

You convey in your letter that “[you] have heard from individuals and their family members who believed they received good and appropriate care at the Montana State Hospital [and therefore] [t]hose reports balance what [Mr. Oaks] and [his] organization have heard.” While this comment portrays an attempt to have a balanced look at the care, or lack thereof, at your state hospitals, it doesn't show a real appreciation for the issue. According to you, as long as most people enjoy consensual sexual relations, then there is no such thing as rape.

The moment psychiatry imposes its will on any individual within your state hospitals you have a violation. It doesn't matter if the majorities of other patients are spared or do not understand or have the strength to oppose the hideous practice of forcing psychiatry and its drugs into the bodies, lives and will of another human being. Psychiatric rape can be more traumatic than sexual rape and you should take this problem more seriously than you have apparently taken it in your letter dated March 18, 2005. Attention has been placed on Montana to end this.

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The problem of forced psychiatry must be viewed on a case by case basis because it involves the will and potential recovery of individuals. This problem can not be assessed by averaging the comments of a large group of persons so as to think that just because some people are communicating that they are content with the care they received that other people are not being seriously traumatized by the practice of force in your hospitals. Sexual rape is rape because of the violation of another human being's will. It's the same in psychiatric rape.

You can not continue to blind yourself to the horrors that human beings in your state hospitals face each day because you think that there are some people that are happy with the treatment. Everyone responds differently. Situations must be viewed on a case by case basis. If a person is being violated while being detained in your state hospital then you should do something to protect that individual human spirit. The essence of the human rights violations in your state is that individuals are being violated.

Upon review of the practices in your state it is apparent that individual's rights are, at best, neglected within your state system. This is unacceptable. Treating persons with mental illness like they are less than human and their rights don't matter is offensive and is not cured by hearing from other people that may have found the treatment acceptable. You must look at individuals and what is within their will and desire for recovery to address this problem. It can not be done with the view you portray in your letter to David Oaks.

Because there is such a profound lack of advocacy within your Board of Visitors and the mind set of advocates in that organization does not lend itself to preservation of the human will and spirit in your involuntary commitment proceedings, you still have a very serious problem in your state. It will not be cured until individuals that do not wish to be treated with psychiatric treatments are given realistic alternatives, even under detention. It will not be cured until individuals rights are taken seriously and their will is nurtured so as to assist them in recovery.

Recovery is possible. But it is a difficult, if not impossible, venture if psychiatric professionals are given license to force themselves on unwilling participants. Is actually rather disturbing, and indecent, for you to allow that to continue in your state, know that you know. You should do whatever you can to stop these violations of other human being's bodies. I don't care how many people were satisfied with the service at your state hospital. The people that were raped there still matter. Their stories are not eliminated by the other "satisfied" people.

The answer to the problems in your state will require a correction to the inadequate advocacy provided under the direction of Gene Haire and an enforcement of the order of the Montana Supreme Court in the case of *In re Mental Health of K.G.F.*, 2001 MT 140, 306 Mont. 1, 29 P.3d 485 (Montana 2000) which requires that attorneys representing persons with mental illness serves as a "vigorous advocate for the respondent's wishes." This must occur on an individual basis and it is not occurring in your state. As a result, human rights violations are common.

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I suggest that you replace Mr. Haire in favor of a person who is comfortable supporting the recovery goals of individuals. The greater state interest is supporting the recovery of persons experiencing mental illness. This state interest can not be achieved when individuals' wills are violated in favor of psychiatric dogma which has shown no potential for supporting recovery from mental illness. You should be aware that Mr. Oaks is a recovered schizophrenic and that others like him bring hope to the world that recovery is a reality.

The role of your Mental Disabilities Board of Visitors should be to advocate for the recovery of individual after individual in your state, not a blanket endorsement of psychiatry at whatever cost to individuals who are put through an experience of rape to effect that psychiatric endorsement. This doesn't appear to be your Supreme Court directive and it isn't how recovery happens. In accordance with the order of your Supreme Court, individuals' wills should be supported within the involuntary commitment process so that they can have a chance at actual recovery.

I encourage you to rethink your position that a few satisfied customers justify the psychiatric rape of others. You can not be proud of your mental health system as long as even a single person is raped within the walls of your psychiatric institutions and your mental health system makes a mockery of the orders of your Supreme Court requiring vigorous advocacy against a mentality of forced psychiatry which forced treatment has shown itself to have no real productive impact when viewing the system from a recovery oriented perspective.

Because we have received so many calls from persons at your hospital, special attention is being given to your state. I urge you to stand up for the Supreme Court orders which require vigorous advocacy and take any and all further steps to bring the practice of psychiatric rape of persons experiencing mental illness to extinction. The world is watching you now that MindFreedom Support Coalition International has become involved. Involvement with the United Nations brings a world eye to the actions that you will take in the future to correct these wrongs.

Sincerely,

Michael Haan, J.D.  
Director  
MindFreedom  
Recovery Support Network

cc: Montana State Supreme Court  
MindFreedom Support Coalition International  
PsychRights