

PsychRights®

Law Project for
Psychiatric Rights, Inc.

February 4, ~~2007~~ 2008

Governor Sarah Palin
PO Box 110001
Juneau, AK 99811-0001

Re: Alaska's Psychiatric Drugging of Children in It's Custody

Dear Governor Palin:

I am the President and CEO of the Law Project for Psychiatric Rights (PsychRights), founded in late 2002 to mount a strategic litigation campaign against unwarranted forced psychiatric drugging. The reason for undertaking this mission is, contrary to the story sold by the pharmaceutical industry, these drugs:

- (1) have limited effectiveness, especially for those upon whom they are forced,
- (2) are causing great harm, including reducing life spans to the point where people in the public mental health system taking these drugs have a 25 year reduced lifespan,
- (3) decrease, rather than increase public safety, and
- (4) at least double the number of people categorized as chronically mentally ill.¹

The latter, of course, causes great unnecessary expense to the State because almost all of these people end up as Medicaid recipients and a large percentage receive Alaska Adult Public Assistance.

In 2006 PsychRights won its first Alaska Supreme Court case, [*Myers v. Alaska Psychiatric Institute*](#), 138 P.3d 238, in which the Court held Alaska's statutory forced psychiatric drugging regime unconstitutional, requiring, before the State may constitutionally force adults to take these drugs against their will it must prove the forced drugging is in the patient's best interest and there are no less intrusive alternatives.²

The terrible consequences of adult forced drugging is bad enough, but due to what is probably illegal pharmaceutical company "off-label" promotion of these drugs for use on children,³ in recent years there has been an explosion in the administration of the most powerful, most harmful, and most debilitating psychiatric drugs to children in state custody. In connection with this, I am enclosing a copy of *Bipolar Children: Cutting Edge Controversy, Insights, and Research*, Sharna Olfman, Ed., which describes the great harm being done through the 40 times increase in the rate of diagnosing children with bipolar disorder.

It is a huge betrayal of trust for the State to take custody of children and then subject them to such harmful, often life-ruining, drugs. They have almost always already been subjected

¹ See, enclosed copy of [affidavit of Robert Whitaker](#).

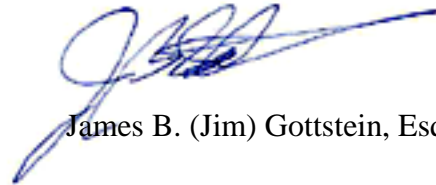
² PsychRights won its second Alaska Supreme Court case in 2007, [*Wetherhorn v. Alaska Psychiatric Institute*](#), 156 P.3d 371, which held involuntarily committing someone as being gravely disabled under the definition in AS 47.30.915(7)(B) is constitutional only if construed to require a level of incapacity so substantial the respondent is incapable of surviving safely in freedom.

³ See, [enclosed article by David Healy and Joanna Le Noury](#).

to abuse or otherwise had very difficult lives before the State assumes custody, and then saddles them with a mental illness diagnosis and drugs them. The extent of this State inflicted child abuse is an emergency and should be corrected immediately.⁴

Children are virtually always forced to take these drugs because, with rare exception, it is not their choice. PsychRights believes the children, themselves, have the legal right to not be subject to such harmful treatment at the hands of the State of Alaska. We are therefore evaluating what legal remedies might be available to them. However, instead of going down that route, it would be my great preference to be able to work together to solve this problem. It is for this reason that I am reaching out to you again on this issue.

Yours truly,



James B. (Jim) Gottstein, Esq.

- Enc. 1. *Bipolar Children: Cutting Edge Controversy, Insights, and Research*, Sharna Olfman, Ed.
- 2. [*Pediatric bipolar disorder: An object of study in the creation of an illness*](#), by David Healy and Joanna Le Noury
- 3. [*Affidavit of Robert Whitaker*](#)

cc Talis Colberg (w/o book)
Karleen Jackson (w/o book)
Sen. Bettye Davis
Sen. Hollis French
Rep. Jay Ramras
Rep. Les Gara (w/o book)
Rep. Berta Gardner (w/o book)
Rep. Sharon Cissna (w/o book)
Rep. Max Gruenberg (w/o book)
William Hogan (w/o book)
Melissa Stone (w/o book)
Anna Kim

⁴ I know calling it State inflicted child abuse seems extreme, but is warranted.