

## A Coordinated Campaign To Successfully Change the Mental Illness System

ICSP  
Mental Health and the Law  
October 9, 2006

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## The Setting

- Massive Amount of Harm
  - Six Fold Increase in Disability Rate Attributed to Mental Illness
  - 20 million dead?
- Pharmaceutical Stranglehold on Approaches
  - Moral & Scientific Bankruptcy
  - \$Billions in Vested Interests
- Involuntary Psychiatry Infects Entire System
- Legal Rights Ignored as A Matter of Course

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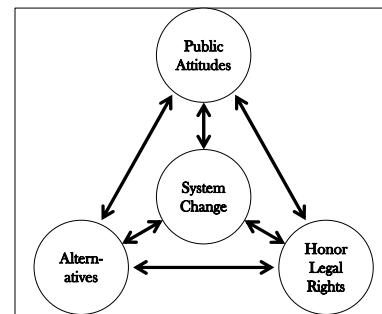
## Why?

### Fear and Absolution

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## Three Synergies For Change



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## Key Legal Attack Points

- Best Interests
- Least Restrictive/Intrusive Alternative
- Representation

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## Coercion Impedes Alternatives

- Path of Least Resistance.
- Effective Representation Changes Balance
  - No Longer Path of Least Resistance
  - Less Than 10% of Involuntary Commitments Meet Legal Standard
  - Forced Drugging/Electroshock Can Never Meet Legal Standard
- Least Restrictive/Intrusive Alternative Requirement

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## Alaska

- Some Advantages
  - Trust Authority
  - Small Population
  - JG Credibility

## Three Instruments

- PsychRights
- Soteria-Alaska
- CHOICES, Inc.

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## Public Education

- Whitaker in 2002 & 2003
- Perlin in 2003
- Numerous Newspaper & Some Broadcast Coverage
  - *Myers* Case
  - Feature Front Page Story in November 2005
- Accept All Speaking Invitations

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## Opinion Shift—Soteria-Alaska

- 2002: Not Endorse -- Just Educational
- 2003: Implies Need Non-Drug Alternative
- 2004: Needs More Development
- 2005: Not If, But How
- 2006: Trust Formally Supports
  - Recognizes State Participation Essential to Long-Term Success

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## Legal Pressure

- *Myers* Four Month All-Out Legal Battle in Trial Court
  - Now Getting People Out With Phone Call or E-mail
- *Myers* Supreme Court Decision
  - Best Interests/Least Intrusive Alternative
  - \$80,000+ Attorney Fee Award
- *Wetherhorn I*: Vigorous Representation (Pending Decision)
- *Wetherhorn II*: Attorneys Fees (Briefing Stage)
- Escalate as Necessary/Can

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## Alaska Status

- Widespread Support for Non-Drug Choices
- Soteria-Alaska More Likely Than Not
- CHOICES, Inc., in vulnerable start-up phase
- Least Restrictive/Intrusive Alternative Enshrined in Recent Supreme Court Decision
- Escalating Litigation Option Available

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## PsychRights National Effort

- State Coordinator System
  - Recruit Lawyers & Expert Witnesses
  - Strategic Cases
- Partners
  - PsychRights
  - ICSP
  - MindFreedom
  - NARPA (Conference Next Month)
- Anticipate PsychRights Executive Director

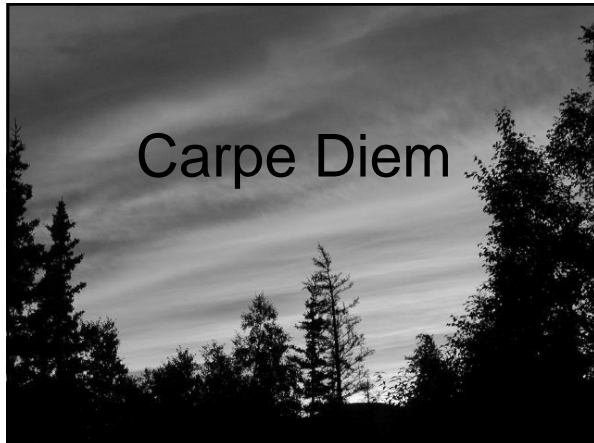
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## Need Troops and Other Resources

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## Suggested Reading

- *The Hidden Prejudice: Mental Disability on Trial*, (2000) by Michael L. Perlin
- *Mad in America: Bad Science, Bad Medicine and the Enduring Mistreatment of the Mentally Ill* (2001) by Robert Whitaker
- *Rethinking Psychiatric Drugs: A Guide to Informed Consent*, by Grace E. Jackson, MD, (2005)
- *Brain Disabling Treatments in Psychiatry: Drugs, Electroshock, and the Role of the FDA* (1997) by Peter Breggin, MD.
- *Community Mental Health: A Practical Guide* (1994) by Loren Mosher and Lorenzo Burti
- *Soteria: Through Madness to Deliverance*, by Loren Mosher and Voyce Hendrix with Deborah Fort (2004)
- *Psychotherapy of Schizophrenia: The Treatment of Choice* (Jason Aronson, 1996), by Bertram P. Karon and Gary R. Vandenbos

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