

PsychRights® Strategic Approach to End Psychiatric Oppression

PsychOUT 2011

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Law Project for Psychiatric Rights (PsychRights®)

- Public Interest Law Firm
- Mission:
 - Mount Strategic Litigation Campaign Against Forced Psychiatric Drugging and Electroshock
- Adopted Drugging of Children & Youth as Priority Few Years Ago

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Why Has Irrational Medication Model/Coercion Become Standard?

Fear and Absolution
and
Social Control
and . . .

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Pharma/Psychiatry Alliance

- Drug Company Lies
- Uncritical, Unthinking Acceptance by Mainstream Psychiatry Pretending to be Real Doctors?

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PSYCHIATRIC
HELP ~~5¢~~ \$500



THE DOCTOR WAS:

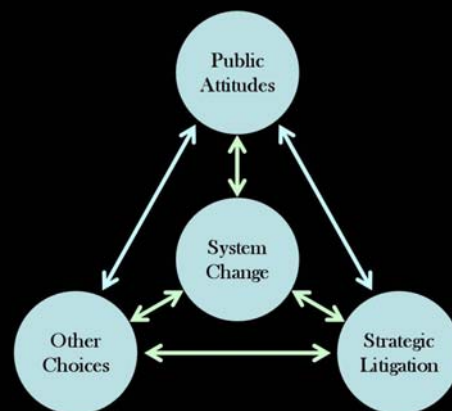
A, FOOLED

B, COMPLICIT

August 23, 2010

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Transformation Triangle



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Strategic Litigation Goals

- Force System to Honor People's Rights
 - Change Path of Least Resistance
 - Substantially Reduce, If Not Eliminate Force
 - Compel Other Choices
- Some Public Education Potential

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Strategic Litigation Results in Alaska

- *Myers* (2006)
 - Best Interests
 - No Less Intrusive Alternative Available
- *Wetherhorn* (2007)
 - Unable to Survive Safely in Freedom
- *Wayne B.* (2008)
 - Procedural Protections Strictly Enforced
- *Bigley* (2009)
 - If Alternative to Drugging Feasible, Must Be Provided or Person Let Go
 - Failure to Provide Evidence Sufficiently In Advance Due Process Violation
 - Petition Must Include Detailed Allegations on Best Interests

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PsychRights v. Alaska (2010)

- Sought Injunction Against Drugging of Children & Youth by State Unless & Until
 - (1)evidence-based psychosocial interventions have been exhausted,
 - (2)rationaly anticipated benefits of psychotropic drug treatment outweigh the risks,
 - (3)the person or entity authorizing administration of the drug(s) is fully informed, and
 - (4)close monitoring of, and appropriate means of responding to, treatment emergent effects are in place.
- Dismissed for Lack of Standing (right to sue)

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Public Education in Alaska

- Robert Whitaker in 2002, 2003, 2007 & 2009
- Michael Perlin in 2003
- Numerous Newspaper & Some Broadcast Coverage
 - *Myers* Case
 - Feature Front Page Story in November 2005
 - Zyprexa Papers local coverage
 - Medicaid Fraud Case
- Accept All Possible Speaking Invitations

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Alternatives Development in Alaska

- CHOICES, Inc.
- Soteria-Alaska
- Peer Properties

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Consumers Having Ownership In Creating Effective Services

- “Consumer” Run
- Non-coercive, Non-drug (& drug) Choices In Community
- Available for people in the system a long time
- Started Providing Services in July, 2007

August 23, 2010

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Soteria-Alaska

- Opened in June of 2009
 - 7 Year Effort
- Goal: Replicate Original Soteria-House
- Non-coercive
- So Far: Drug Withdrawal Program, not First Episode
- Preliminary Results Good

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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: Alaska Mental Health Trust Formally Supports
 - Wants State Funding Participation
- 2007: Funded by Trust for 2008 Opening when didn't get in State Budget.
- 2009: Opened
- 2010: In State Budget

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Current Alaska Status

- Widespread Support for Non-Drug Choices (In Theory at Least)
- CHOICES' & Soteria-Alaska's Non-coercive Approach Reluctantly Accepted
 - Recognized as Providing Valuable Service
 - Soteria-Alaska Receiving Referrals from Hospital
- Least Restrictive/Intrusive Alternative Enshrined in Recent Alaska Supreme Court Decisions.
 - Still a Long Way to Go/Needs Enforcement Litigation
 - PsychRights' Focus Shifted to Children & Youth

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Medicaid Fraud Initiative: Drugging of Children & Youth

- Most Psychiatric Drugs Given to Children and Youth Through Medicaid is Fraudulent.
- False Claims Act Allows Private Persons to Sue on Behalf of the Government and Share in the Recovery, If Any.

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Organizing

- State Coordinator System
 - Same Idea Could Work Internationally
- PsychRights Cause on Facebook
- Personal Facebook Account
- E-mail List
- Fundraising

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