



NEW YORK STATE SENATOR

George M. Borrello

Senator George Borrello Joins Senator Diane Savino in Legislation to Strengthen State's Care of Mentally Ill

GEORGE M. BORRELLO March 29, 2022

| ISSUE: **MENTAL ILLNESS, KENDRA'S LAW, HOMELESSNESS**



ALBANY – With the state experiencing a worsening crisis of untreated, serious mental illness, particularly in its largest cities, Senator George Borrello has joined Senator Diane Savino in proposing legislation ([S.8508A](#)) that would close gaps in the state's mental health system that are preventing affected individuals from receiving the intensive level of care they require.

“It is clear to everyone that our state is failing the most seriously mentally ill and all too often, that is resulting in tragic consequences,” said Senator Borrello. “While the majority of mentally ill people are not violent, it is impossible to ignore the alarming increase in violence against innocent people committed by mentally ill individuals. From the subway-shoving death of Michelle Go, to the fatal shooting of two young NYPD officers, to countless subway slashings and assaults, innocent New Yorkers are paying the price for the state’s failure to address this problem.”

“Untreated mental illness also condemns those suffering to a cruel and miserable life, one that is more likely to include homelessness, drug and alcohol abuse, dangerous confrontations with law enforcement and even suicide. Very simply, it is in everyone’s best interest to create a stronger safety net around seriously mentally ill individuals and that is what this legislation seeks to accomplish,” said Senator Borrello. “I am proud to be a co-prime sponsor with Senator Savino on this bill and share her commitment to seeing it become law.”

A key provision of the measure would strengthen Kendra’s Law by allowing longer hospital stays for people who fail to follow their court-mandated, assisted outpatient treatment (AOT). Current law allows for an involuntary, 72-hour hospitalization, a timeframe that is often inadequate to stabilize a patient. In these instances, the bill would allow mental health professionals to request longer hospital stays.

Kendra’s Law is named in honor of Kendra Webdale of Fredonia, New York, who was tragically killed by a man with a long history of schizophrenia in a subway-shoving incident in New York City in 1999. She was a friend and schoolmate of Senator Borrello’s during their years at Fredonia High School.

“Kendra’s Law was spurred by a preventable and horrific tragedy that took the life of a kind, gifted young woman and a friend from my high school days. However, that tragedy gave us

an important tool for helping seriously mentally ill people access lifesaving treatment,” said Senator Borrello. “With the law up for renewal in June, now is the time to take steps to improve it, in coordination with other efforts to tackle this problem.”

Another major component of the legislation would broaden the standard for involuntary hospitalization if an individual’s mental illness renders them unable to meet their own basic needs such as food, shelter, clothing or health care. This is the standard recognized by most other states.

“The broader standard for inpatient hospitalization would bring New York into alignment with other states and recognize the common-sense truth that if your illness leaves you unable to meet the basic needs for survival, that constitutes as much of a ‘danger to yourself as being suicidal,” said Senator Borrello. “Expanding this definition would allow us to help the seriously ill among our homeless population, giving these people a chance at a safer, more stable life.”

“Combined with more funding to restore the hundreds of psychiatric beds that our state has lost over the last two decades, these changes could produce better outcomes for those with serious mental illness while preventing tragedies like the ones that took the lives of Kendra Webdale, Michelle Go, and so many other New Yorkers,” said Borrello. “Allowing mentally ill individuals to languish on the streets, tortured by delusions, isn’t ‘compassion’ it’s cruel and it’s dangerous. I urge my colleagues on both sides of the aisle to join us in supporting these long overdue and humane changes.”

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