

My name is Nathan McLaughlin, and I am the Executive Director of NAMI New York State, part of the nation's largest grassroots mental health organization. NAMI NYS provides free programs, education, advocacy, and support to individuals and families affected by mental illness, while working to ensure that all New Yorkers have access to quality mental health care and recovery services. Thank you for the opportunity to testify today in support of the Treatment Court Expansion Act, S4547/A4869.

New York's treatment courts operate under a patchwork system of ad hoc mental health courts and limited drug courts. These courts are widely underutilized and in desperate need of streamlining and modernization. Jails and prisons have increasingly become our state's de facto psychiatric institutions, a trend that shows no signs of abating. The care people receive while incarcerated is substandard, and people inevitably return to our communities more destabilized and freshly traumatized.

The Treatment Court Expansion Act offers a solution. It modernizes and expands Article 216, which in 2009 created limited drug courts in every county, to allow courts to serve people with mental health concerns, creates fairer eligibility rules, and removes arbitrary barriers to participation. Importantly, it adopts evidence-based practices such as the pre-plea model for misdemeanors and non-violent felonies, allowing people to enter treatment quickly without having to plead guilty — a reform that reduces delays, closes racial equity gaps, and helps people recover sooner.

We have seen first-hand the impact treatment courts can have. In Hudson, New York, participants are not only achieving sobriety, but also reconnecting with family, entering the workforce, and mentoring others in recovery. Judges there often remark that people leave the program with stronger support systems than they have ever had before. These are not isolated stories — they show what's possible when treatment, not punishment, is prioritized.

For this legislation to fulfill its promise, implementation must be done with care:

- **Integrated treatment:** Many individuals live with co-occurring disorders. Courts must ensure strong connections to both mental health and substance use services through holistic treatment teams.
- **Equity and accessibility:** Treatment courts must be available to all eligible New Yorkers, regardless of geography, race, or income, so that access to services is truly equitable.
- **Family and community engagement:** Recovery does not happen in isolation. Programs should include family education and support, and partnerships with organizations like NAMI that can walk alongside people throughout their recovery journey.

TCEA is not only a bill that will make communities safer and more resilient, this legislation will save the state hundreds of millions of taxpayer dollars. Individuals with mental health challenges currently cycle through the criminal legal system, further decompensating with every arrest. It's critical to treat the root causes of criminal legal involvement. Experts believe that expanding treatment courts could cut recidivism in half and grow quarterly employment rates by 50% over 10 years, ultimately helping people become self-sustaining and autonomous¹. It was under similarly

financially uncertain times that our state passed Drug Law Reform, the landmark legislation that established statewide drug courts. Passed in the height of the fallout from the 2008 financial crisis, New York state was facing significant budget shortfalls, and elected leaders were spurred to develop a more financially efficient criminal legal system². Just 18 months after these courts were rolled out, the state reported a savings of \$1M each month³.” Current estimates are that TCEA will save New York State \$908M over 5 years in reduced NYC jail costs and \$894M over 5 years in reduced state prison costs. We cannot afford not to streamline and modernize our courts and we owe it to our communities.

NAMI NYS strongly supports the Treatment Court Expansion Act and the values it represents: treatment over incarceration, recovery over punishment, and dignity over stigma. This bill recognizes that our criminal legal system is not the right place to treat serious mental illness or addiction.

We urge the Committee to advance this legislation and to pair its passage with sustained investment in New York’s behavioral health system so treatment courts can succeed in connecting people with the care they deserve.

Thank you for your leadership and for centering the voices of people and families living with mental health and substance use challenges. I am grateful for the opportunity to testify today.

Sincerely,

A handwritten signature in black ink, appearing to read 'Nathan McLaughlin'.

Nathan McLaughlin
Executive Director
NAMI New York State

¹ Recidiviz, Increasing Diversion Opportunities in New York (Dec 2023), available at <https://www.treatmentnotjail.com/files/ugd/d807c6e2fa0e67f9294649bdf7bcc6bb20a2c0.pdf>

² Jim Parsons, Qing Wei, Joshua Rinaldi, Christian Henrichson, Talia Sandwick Travis Wendel and Ernest Drucker, Michael Ostermann, Samuel DeWitt, Todd Clear, A Natural Experiment in Reform: Analyzing Drug Policy Change In New York City Final Report (January 2016), p. 172, https://www.vera.org/downloads/publications/drug-law-reform-new-york-city-technical-report_03.pdf.

³ Public Hearing Transcript, “Implementation and Funding of the Rockefeller Drug Law Reform Legislation,” 20 December 2010, p. 20, <https://nyassembly.gov/av/hearings/> (“with the deficits we’re in right now of the millions and billions we can see that we are saving and doing what’s right for the people of the state of New York.”)