



Western New York Delegation

Senator George Maziarz
Co-Leader

Assemblyman Robin Schimminger
Co-Leader

November 13, 2013

Governor Andrew Cuomo
New York State Capitol
Albany, NY 12224

Dear Governor Cuomo:

On Monday, October 21, 2013, the Western New York Delegation met to discuss the proposed move to close the West Seneca Children's Psychiatric Center and move its patients and staff into the Buffalo Psychiatric Center as part of a Center for Excellence.

The Western New York Delegation applauds your efforts to integrate numerous adult constituents with developmental disabilities into reasonably appropriate settings in compliance with the United States Supreme Court's 1999 *Olmstead* decision. According to an October 11, 2013 *Times-Union* article, "In the past 10 years, in New York alone, moving people out of institutions to community based services and settings has saved the state over \$10 billion."

However, we would like to point out the Supreme Court has also recognized that children's and adolescent brains are vastly different from adult brains in the criminal law context of crime culpability. The Supreme Court discussed adolescent brain science during oral arguments in *Roper v. Simmons*, which abolished the juvenile death penalty, and cited the field in its 2010 decision in *Graham v. Florida*, which prohibited sentencing juveniles convicted of crimes other than homicide to life without parole. We do not cite this as an anecdote but rather as an enlightened attitude based on the most recent science in the respective fields of brain psychology. While logic dictates that the adolescent mind should be treated differently in the penal law context, the mental health and disabilities fields make an analogous argument with respect to children and adolescents. Children receive much greater therapeutic benefits in a campus environment where these children can receive occupational, recreational, and outside therapies. To place children near adults—as proposed under the Center for Excellence plan for Western New York—is unenlightened and would create a regression for many of these families in treatment, while simultaneously creating potential safety risks for loved ones with psychiatric illness.

The Western New York Children's Psychiatric Center opened in West Seneca in 1970. The center takes seriously emotionally disturbed children between the ages of 4 and 18 years

old from 19 Western New York counties. Children who are admitted to the facility have lives scarred by trauma such as sexual molestation, physical abuse, bullying, death of parents, abandonment, neglect, and intense family conflicts. Despite the significant volume from these 19 counties the Western New York Children's Psychiatric Center has the lowest reinstitutionalization rate of any facility in New York State.

Moving these children into an adult setting—an unprecedented commingling of age groups in the State of New York—would not be therapeutically beneficial and may in fact be detrimental to the psyches of many of these children. The likelihood of reinstitutionalization and thus increased costs to New York would increase as a result of co-locating this facility with an adult psychiatric center as the literature clearly shows.

We ask that you allow this institution to continue to do the great work its staff and advocates have been able to achieve at this facility for the last 43 years for the future benefit of the children of Western New York. Please do not shutter the Western New York Children's Psychiatric Center. Children and adolescents should be treated differently than adults in all areas of mental health.

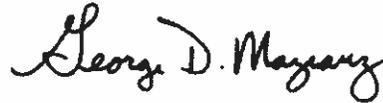
Sincerely,



Mark Grisanti
Senator, 60th District



Raymond Walter
Assemblyman, 146th District



George D. Maziarz
Senator, 62nd District



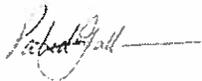
Crystal Peoples-Stokes
Assemblywoman, 141st Dist.



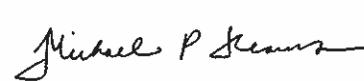
Mike Ranzenhofer
Senator, 61st District



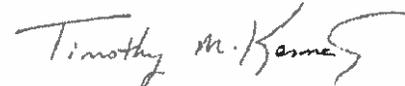
Robin Schimminger
Assemblyman, 140th District



Patrick Gallivan
Senator, 59th District



Michael P. Kearns
Assemblyman, 142nd District



Timothy M. Kennedy
Senator, 63rd District



Dennis H. Gabryszak
Assemblyman, 143rd District



Jane L. Corwin
Assemblywoman, 144th District