



## CITIZENS COMMISSION ON HUMAN RIGHTS

March 9, 2023

Re: SB 53 - An Act relating to involuntary civil commitments

Dear Senator:

SB 53 should not be approved. SB 53 creates a 5-year involuntary commitment period. This is a huge overreach and an effort to solve a problem that creates a vehicle for future human rights violations due to endless commitments. This bill also may not stand up to constitutional legal challenges, according to testimony.

The way to protect public safety is to utilize the existing legal framework of 180-day commitments.

The flaw in the mental health system is that psychiatry is not able to adequately or properly predict violence. In 1979, an American Psychiatric Association's task force admitted in its Brief Amicus Curiae to the U.S. Supreme Court (Case No. 79-1127) that psychiatrists could not predict dangerousness. It informed the court that "'dangerousness' is neither a psychiatric nor a medical diagnosis, but involves issues of legal judgment and definition, as well as issues of social policy. Psychiatric expertise in the prediction of 'dangerousness' is not established and clinicians should avoid 'conclusory judgments in this regard.'"

We request legislators review the message this bill sends, which is that psychiatric treatments are ineffective so we need to hold people indefinitely. This then raises the question of why should the State of Alaska condone failed and ineffective treatment and human rights abuses?

The need to move in a new direction is very clear. Leading figures in psychiatry have acknowledged treatment failures, such as this from Thomas Insel, former NIMH [National Institute of Mental Health] director:

"Whatever we've been doing for five decades, it ain't working. And when I look at the numbers—the number of suicides, number of disabilities, mortality data—it's abysmal, and it's not getting any better."

And we must address the **health** part of mental health.

"We have a mistaken view of what psychiatric drugs are doing." ... "This idea that they work by targeting the underlying biological mechanisms that produce the symptoms of mental disorders is actually not supported by evidence for any type of mental disorder, whether that's depression or schizophrenia or whatever." - *Antidepressants Work Better Than Sugar Pills Only 15 Percent of the Time* - Newsweek Magazine 9-12-22

The legislature should look at engaging in a novel approach to the health of individuals trapped in the mental health system.

“Were you told that your only hope is to manage your symptoms by taking lifelong medications? What if you could eliminate this diagnosis by simply fixing nutrient deficiencies or correcting physiologic imbalances? As such, proper blood tests can highlight these vulnerabilities and guide healing protocols.” ... “This is why it’s all the more important to explore reversible causes of what we are calling depression.” – Kelly Brogan, M.D. - *Five Lab Tests Your Doctor Isn’t Ordering*

SB 53 is an attempt to deal with mental health treatment system failures. To be effective, it must actually address the failures, not *continue* the failures.

Sincerely,



Steven Pearce  
Director

*“The task we set ourselves—to combat psychiatric coercion—is important. It is a noble task in the pursuit of which we must, regardless of obstacles, persevere. Our conscience commands that we do no less.” – Dr. Thomas Szasz, Professor of Psychiatry*