

Proponent Testimony on House Bill 61
Senate Judiciary Committee
Laura Garguilo, LISW
Probate Prescreener, Netcare Access
May 29, 2019

Chairman Eklund, Vice Chair Manning, Ranking Member Thomas, and members of the committee, thank you for the opportunity to provide additional proponent testimony on House Bill 61, legislation to include forensic evaluators, providers of probate evaluations, and regional psychiatric hospital employees as individuals whose residential and familial information is exempt from disclosure under the Public Records Law.

My name is Laura Garguilo, LISW, and I am a Probate Pre-screener for Netcare Access. Located right here in Franklin County, Netcare provides crisis intervention services as well as probate pre-screening services. I'm here today to address the proposed legislation as well as to share relevant personal narratives to demonstrate why this is so important to me. My job as a Probate Pre-screener is to work with individuals who have acute mental illness and to assess for imminent danger to themselves or others. Many of these individuals also have substance use problems and histories of criminal behavior. If I assess that an individual poses a risk to themselves or another due to mental illness, it is my job to write an Affidavit of Mental Illness. This is then filed with the Probate Court of Franklin County and has my full name and credentials spelled out. The Affidavit is given to the individual once the individual is served by Franklin County Sheriff's Deputies. My name and the names of my coworkers can also be found on any medical records that are released to any of our clients. While our home addresses are not listed along with our names, a simple online search will reveal exactly where we live and to whom we are related, including our spouses, children, parents, and grandparents.

In my role at Netcare, there have been countless times that my life has been threatened by people who are acutely mentally ill, when I am making decisions as to whether or not they are going to be involuntarily admitted to a psychiatric facility. During a recent assessment, someone was videotaping me and trying to obtain my license plate number. Earlier this year, I went to assess an individual with psychosis and access to many firearms. I went alone, unarmed, and without police, as we routinely do in the scope of our professional responsibilities. I drove my personal vehicle, unlike many of those who have public records protections. My child's car seat was in the back, so this person could easily tell that I am a parent of a young child who depends on me. I met with him and he was in need of psychiatric stabilization, so when I left the home, I went to my office and wrote an Affidavit with my full name on it. He will have this paperwork forever once he is served, and can find me, and my child- who relies on me, as her caretaker. Anyone I assess can search for me and find my address, should they so choose. In speaking of the two examples above, I by no means want to imply that individuals with acute mental illnesses are always dangerous. However, certain people with mental illness lack insight into the severity of their symptoms, and thus cannot present voluntarily to an inpatient psychiatric facility. Sometimes these people present with a

high risk of harm toward self and others. I am making decisions that result in those individuals temporarily losing their civil liberties, and sometimes those individuals believe that we are acting against them - not trying to help them, due to their altered mental state.

The people we work with are in need of more services, not fewer. This Bill is a reasonable way to protect the safety of the professionals who are trying to keep the public safe, as well, to include you, your family, and your neighbors. In order to qualify for an interview to work in the positions we do, an applicant must have many years of experience in the mental health field. These professionals have cultural competence, trauma-informed care experience, and strong diagnostic skills. If qualified professionals do not have the type of protection this Bill provides, they may leave the field to protect their own safety. Subsequently, the public will lose the peace of mind that their loved ones, friends, neighbors, and strangers, will get the best mental health care possible. Furthermore, some individuals in this profession choose to forego voter registration in an effort to keep their information private – just this year, I removed myself from the voter registration. We want to be proactive citizens who exercise our rights that so many before us have fought and died for- but not at the expense of our safety and the safety of our loved ones.

I recognize and accept the inherent risks taken when working to evaluate individuals who, as a result of mental illness, may pose a threat to the safety of themselves or others. What I will never understand or accept is why my home address would be available to such individuals, exposing my spouse and child to risk. If people want to file a complaint and are unhappy with my having made a decision to have them hospitalized, they can contact the Social Work Board or my employer; no one ever needs to come and find me at my house.

Thank you, and thank you to Primary Sponsors: Representatives Lanese and Liston and their staff for their work on this measure. I will be happy to answer any questions you may have.