



Ohio House Civil Justice Committee  
Testimony of Betsy Johnson, Policy Adviser  
Treatment Advocacy Center  
December 1, 2021

Chairman Hillyer, Vice Chair Grendell, Ranking Member Galonski, and Members of the House Civil Justice Committee, my name is Betsy Johnson and I am a Policy Adviser for the Treatment Advocacy Center, a national non-profit organization devoted to eliminating barriers to treatment for those living with untreated severe mental illness. Thank you for the opportunity to provide testimony in support of H.B. 439. This bill is critical to ensuring that those with a history of untreated schizophrenia or bipolar disorder receive the treatment they need when they need it.

H.B. 439 would enable law enforcement and other designated professionals to intervene in instances in which a person has a history of untreated mental illness, is too ill to appreciate their need for treatment, and without treatment is likely to suffer mental deterioration. In most cases, the person is detained for an evaluation and released with an appointment to see a mental health professional. In more serious cases, the person can be held for up to 72 hours to be stabilized. If additional hospitalization is deemed necessary, the treatment team will encourage the person to voluntarily accept hospitalization. Only in a small fraction of cases is it necessary to civilly commit someone who has been held for emergency hospitalization. In all such instances, there is a full hearing with all the built in due process safeguards to protect the rights and liberties of the respondent.

HB. 439 recognizes the fact that allowing a person to slip further and further into psychosis without intervening is, in fact, dangerous to that individual. Research shows that the longer an individual experiences untreated psychosis, the longer it will take them to emerge from it, and the less likely the person is to make a full recovery. Stabilizing the person quicker means less disruption to their lives, and reduces the chances of them losing their job or housing.

Additionally, it is important to acknowledge that individuals with schizophrenia and bipolar disorder are disproportionately represented in the criminal justice system in Ohio and across the country. One of the reasons for this is because we wait too long to get them the help they need. According to research led by Dr. E. Fuller Torrey, founder of the Treatment Advocacy Center, individuals with these illnesses are 10 times more likely to be in a jail or prison than a hospital bed. While we attempt to deflect many of these individuals from jail if their crimes are the product of illness with a wide array of diversion programs, what we really need is a medical solution. By allowing the treatment system to intervene earlier, H.B. 439 will reduce the number of individuals who end up in the criminal justice system through no fault of their own.

Criminalizing mental illness worsens the health of hundreds of thousands of people and complicates their recovery by creating additional barriers to housing and employment. It burdens law enforcement and correctional systems. In the process, it costs taxpayers countless dollars. Nobody benefits, everybody pays.

Please pass H.B. 439 and allow Ohio to join the twenty-four other states that have psychiatric deterioration language in their inpatient commitment statute, including several of our neighbors such as Illinois, Indiana, Michigan, and West Virginia.