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The Honorable John Cornyn
United States Senate
517 Hart Senate Office Building
Washington, DC 20510

Dear Senator Cornyn,

On behalf of the American Psychiatric Association (APA), the national medical specialty society representing more than 36,000 physicians specializing in psychiatry, I am writing to you regarding S. 2002, the Mental Health and Safe Communities Act of 2015.

The criminalization of mental illness in America is widely pervasive, deeply concerning to our members, and must be addressed by state and federal policymakers. An estimated two million individuals with serious mental illnesses are admitted to jails every year. These individuals are overwhelmingly admitted for misdemeanor and low-level felony charges, and once incarcerated, face substandard care for their medical illness and a poor prospect of recovery. Further, studies have shown that jails and prisons spend two to three times more money on adults with mental illnesses that require intervention than on those without those needs. This significantly higher spending has been found to result in minimal to no improvement in public safety or the health of these individuals.

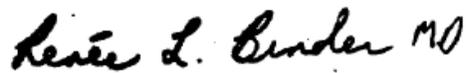
APA is strongly supportive of many of the provisions included within your legislation. For example, we highlight numerous proposals related to supporting crisis intervention training for law enforcement, promoting mental health and substance use disorder diversion program efforts, and improving access to effective treatment for individuals suffering with mental illness who are under incarceration. We are greatly appreciative for your leadership on substantively addressing the challenges of the criminalization of mental illness.

It is our hope to continue working with you regarding your proposed amendments to the current definition that governs federal firearms access for individuals with disqualifying mental status and our desire to work with you further on this issue. As you know, the Gun Control Act of 1968 disqualifies individuals who have been "adjudicated as a mental defective" from firearms ownership. Federal regulations define this term to include a determination by lawful authorities that a person is a danger to himself or others, or lacks the mental capacity to contract or manage his own affairs as a result of mental illness or other conditions. While this outmoded and stigmatizing terminology is clearly in need of modernization, we are concerned that the criteria as currently proposed in S.2002 for mental

health-related disqualification could permit individuals whose adjudicative order has expired to purchase firearms. For some individuals with mental illness who may be dangerous to themselves or others, this could be interpreted as permitting the purchase of firearms immediately upon exit from court-ordered psychiatric hospitalization.

Thank you in advance for your consideration of these matters and for your important work and leadership on addressing the nation's profoundly troubling climate of preventable incarceration and lack of treatment for individuals suffering from psychiatric disorders. We look forward to working with you to advance this essential effort.

Sincerely,

Handwritten signature of Renée L. Binder, M.D. in black ink.

Renée Binder, M.D.
President

Handwritten signature of Saul Levin, M.D., M.P.A. in black ink.

Saul Levin, M.D., M.P.A.
CEO and Medical Director