

**PATIENT LIBERTIES UNION**  
"ONE VOICE" (PLEASE READ!!)

Our goal is to simply **raise** public awareness. Honestly. There are several problems for clients of the Oregon State Hospital. The hospital *and* the PSRB **violate** state laws and Federal civil rights all the time. Fortunately we patients have a **lot more** influence than one might think to make tomorrow better *if* we work together. We really don't have much of a choice.

The boss of the PSRB was asked to resign recently. Now that doesn't give people permission to break rules *or* ignore the advice and direction of their treatment teams. But again, many people seriously question whether this system **helps people recover** or not. There is obviously plenty of frustration, hopelessness and overall negativity hospital wide amongst patients and staffers alike.

We'd like to spell out for you the **big problems** in a **simple** way:

**#1.** The **awful** conditions at OSH were exposed in 2008 when the Department of Justice made findings in its in depth investigation that the hospital was *really screwing up* in its **overall** treatment and care. And sure a nice shiny facility was built. But folks are still warehoused, many of which don't even take meds because **they don't**

**have a mental illness!**

Many others should be living in much less restrictive places ***if only*** the State of Oregon would follow the Olmstead Act and CRIPA (Civil Rights of Institutionalized Persons Act) **(Please see the attachments, which cover CRIPA, Olmstead and the Department of Justice's findings)**

**#2.** Sometimes doctors don't always get ***everything*** right. Even at OSH malpractice can take place. Many staff would agree. There is a growing concern that many patients are currently ***misdiagnosed***. Unfortunately there is also an understandable "**Culture of Fear**" which prevents staffers from coming forward. Staff persons should be able to talk about misdiagnosis concerns as well as any concerns regarding abuse or neglect of ***any*** kind. Maybe now's a perfect time for staff to feel **less fearful** and more **assertive**. We're **all** aware retaliation is **real**. *So what?*

**#3.** PSRB clients are all generally represented by one lone attorney. This has gone on for at least 25 years. This simple fact by itself should be **very** troubling for anyone involved in mental health or the legal system in Oregon. At least I for one would certainly hope so. And just how many clients are lied to by their Public Defenders that they will



only be here **6 months to a year?**

**#4.** The mere sentencing of PSRB clients is unconstitutional and discriminates against folks with mental illness.

For example the guy who pleads guilty to a Class A Felony usually gets 60 months DOC time under Measure 11. But if the same guy pleads "guilty except for insanity" he gets 20 years under the PSRB, and believe you me, they can easily keep you 20 years.

**#5.** People always talk about how only negative stuff gets charted instead of some positives. Why do you think that is?

And for that matter why do patients often feel fearful that if they *ever* assert themselves in any grievances or valid complaints that they will most likely be retaliated against? Believe it or not, we **all** still live in the United States. We have the right to express ourselves.

**#6.** It would really shock most taxpayers to know that we cost them over \$20,000 a month. At that rate, a couple months rent could afford you a nice car or a tuition at Oregon. I often wonder what a quarter of a million dollars(\$250,000)a year could buy a guy.

**#7.** The discharge process obviously needs a lot of work. How many people have been

approved to leave but still languish here for years sometimes waiting for a bed? So even the few the proud remain here until they are cherry picked by a nice group home. People *can also* remain **there** for years on end. All this misconduct with housing, placement, beds and overall chaos with regard to discharge planning violates the *Harmon vs. Fickle* ruling as well as *Miranda vs. Governor Kulongoski* Furthermore, what about the veterans who sacrificed their lives to serve this country and then come here and have to fight to keep their Veterans Benefits, especially when they are getting ready to leave and the group homes want most of their money? That's a fine how do you do.

Let's face it. The environment here (even in the new digs) is toxic on many different levels-actually, on all levels. Fixing things will require **everyone who lives or works here** to stand up for what is right. It's a *cliché*, but it is also true.

And again, no one is suggesting we open the doors right now for everyone, but at least be willing to show folks to the door who are ready, and in a timely manner. Really **no one** is in a position to point fingers at any one particular person. This is not us against them. This is a *we* thing. And Remember, knowledge *is* power.

The status quo permits less fortunate people to be exploited. We *oppose* any group which discriminates against patients.

We *propose* this hospital do what the Department of Justice advised in 2008.



Remember, ***anyone*** can be a part of this “union”, not only patients. The only requirement for membership is a desire to stop *procrastinating*. Please call these people or agencies and voice any concerns, questions or complaints you might have. Just reminding family and friends to flood them with phone calls never hurts our cause. Think of this as yet another empowerment center. ***Really.***

Harris Matarazzo(our attorney)

**503-588-3114**

Senator Carolyn Tomei

**503-986-1441**

Senator Peter Courtney

**503-986-1600**

Senator Alan Bates, M.D.

**503-986-1203**

Oregon Senator Ron Wyden

**503-589-4555**

The Oregonian Newspaper

**1-800-452-1420**

The Statesman Journal

**1-800-556-3975, 503-399-6773**

KGW Channel 8 News

**1-800-288-KGW8**

KATU Channel 2 News

**503-231-4222**

KOIN Channel 6 News

**503-464-0600**

Deborah Howard's Office

**503-588-2759**

Governor's Advocacy Office

**503-945-6904**

Oregon State Bar Association

**1-800-452-7636**

U.S. Dept. of Health and Human

Services Office for Civil Rights (D.C.)

**1-800-368-1019, 1-800-362-1710**

Special Litigation Section for Civil

Rights Division of the U.S. D.O.J.

**202-514-6255 (Very important #!!)**

Disability Rights of Oregon

**1-800-452-1694**

American Civil Liberties Union

**1-888-527-2258**

Greg Robert's Office(Superintendent)

**503-945-2870**

Oregon State Hospital (Information)

**503-945-2800 or 1-800-544-7078**

Office of Investigation and Training

**503-945-9495 or 1-866-406-4287**

David Daniels(another OSH lawyer)

**503-588-2300**

The Psychiatric Security Review

Board ( **503-229-5596** )

Oregon Senator Jeff Merkley

**503-326-3386**

Representative Kurt Schrader

**503-588-9100**

Department of Veterans Affairs

**1-800-827-1000**

Veteran Counseling/Outreach Center

**1-503-362-9911**

Veterans Affairs Information

**503-373-2000 or 1-800-692-9666**

Oregon Alliance for the Mentally Ill

**OAMI(1-800-343-6264)**

**UNITED STATES OF AMERICA**

**Any Federal info 1-800-333-4636**

**We are not naïve. We recognize that these matters will only be taken seriously by the State of Oregon when its hand is forced by the Federal Courts. We are now in a position to do so. We ask that you all be patient, peaceful and persistent. *Please.***



## *What is Olmstead*

The *Olmstead Decision* is a United States Supreme Court ruling, in which the court construed the Americans with Disabilities Act (ADA) to require states to place qualified individuals with mental disabilities in community settings, rather than in institutions. This may occur when treatment professionals determine that such placement is appropriate, that the affected persons do not oppose such placement, and the state can reasonably accommodate the placement, taking into account the resources available to the state and the needs of others with disabilities. The Department of Justice regulations implementing this part of the ADA require public entities to administer their services, programs, and activities in the most integrated setting appropriate to the needs of the qualified individual.

It should be noted that a significant number of past and present patients at OSH and under the PSRB who have asserted their *Olmstead* rights to request the least restrictive living environment appropriate (according to professionals), as outlined in the decision, have been verbally mistreated, marginalized, and retaliated against repeatedly by PSRB personnel in the past, including by the Executive Director. Patients are routinely threatened with the idea that they might not be discharged until their EOJ, should they choose to assert their *Olmstead* rights, no matter how appropriately, politely, and respectfully that may have been done. This is such common knowledge that OSH staff trying to be helpful have reminded patients of this culture of retaliation and its well-known facts sometimes during hearings, themselves.

In Oregon, the average cost of a month of care at the Oregon State Hospital is somewhere in the range of \$22, 000.00. The average group home cost for that same individual placed in that community setting is somewhere in the range of \$5,000.00 per month. Thus, roughly four patients can be financially accommodated in the community for each one here in the hospital, due to the extravagant costs associated with in-hospital care here at OSH. Lastly, the City of Los Angeles, with the largest mentally ill homeless population in the nation, provides housing, complete addiction, psychiatric, and basic medical care in its LAMP Program for less than \$20, 000.00 per client *per year*. This is done, in part, by housing patients in studio apartments. The program is a national model for the care of poor mentally ill persons, and was featured in the film, *The Soloist*.

The construction of the new state psychiatric hospital in Junction City at a cost of several hundred million dollars is money clearly spent in flagrant opposition to and violation of *Olmstead*. Some or all of those dollars should be allocated to community resources. The construction of Junction City is *de facto* evidence of Oregon's clear intention to continue systematically violating *Olmstead* by warehousing disabled Oregonians in the most restrictive possible environment. This is improper and illegal.