


MEMORANDUM

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| DATE | May 26, 2017 |
| TO | Board of Psychology |
| FROM |  Konnor Leitzell Central Services Student Assistant |
| SUBJECT | Agenda Item #12(b)(3)(VV) – SB 684 (Bates) Incompetence to Stand Trial: Conservatorship: Treatment |

Background:

Existing law prohibits a person from being tried or adjudged to punishment while that person is mentally incompetent. This bill would allow the initiation of conservatorship proceedings on the basis that the defendant is gravely disabled due to a condition in which the person, as a result of a mental health disorder, is unable to provide for his or her basic personal needs for food, clothing, or shelter.

Location: Senate

Status: 5/10/2017 Read second time and published. Ordered to third reading.

Votes: 4/18/2017 Senate Committee on Public Safety (7-0-0)

Action Requested:

No action is required at this time. Staff will continue to watch SB 684 (Bates) to follow how these changes broaden the definition of incompetence, impact the existing conservatorship process, and potentially place considerable strain on the mental health providers and resources available to treat incompetent inmates at facilities operated by the Department of State Hospitals and California Department of Corrections and Rehabilitation.