



UNFAVORABLE - SB 196

Written Testimony of National Lawyers Guild-National Police Accountability Project, Keisha James, Staff Attorney

Senate Judicial Proceedings Committee – Wednesday, January 21, 2026

Dear Chair Smith, Vice Chair Waldstreicher, and Members of the Committee,

The National Lawyers Guild National Police Accountability Project (“NPAP”) is a nonprofit organization dedicated to holding law enforcement officers accountable to constitutional and professional standards. We urge you to give an unfavorable review to SB 196, which will allow incarcerated individuals to be forcibly administered psychotropic drugs without their consent. Individuals suffering from mental illness or experiencing a mental health crisis need continuous medical and psychiatric care and treatment provided by mental healthcare professionals in a clinical setting—not one-off administrations of forced medication in a correctional setting without adequate mental health support.

The administration of psychotropic drugs to an individual unwilling to take them will result in increased negative contact with correctional officers. Correctional officers are trained to use force to maintain control and security within the facility. This training can condition officers to misperceive erratic behavior in individuals as a threat to immediately subdue rather than a non-violent symptom of a mental health condition. This threat mindset, in turn, has catastrophic consequences.¹ The mere presence of correctional officers can escalate a mental health crisis into a hectic and dangerous situation. With officers transporting and restraining individuals against their will to facilitate the administration of drugs, individuals will be subjected to cell extractions and uses of force that could escalate into unnecessary or even deadly force if officers perceive behavior indicative of a mental health condition as “aggressive” or “resistant.”

¹ Jamie Fellner, *Callous and Cruel: Use of Force against Inmates with Mental Disabilities in US Jails and Prisons*, Human Rights Watch (May 12, 2015), available at <https://www.hrw.org/report/2015/05/12/callous-and-cruel/use-force-against-inmates-mental-disabilities-us-jails-and> (report detailing incidents in which correctional staff used chemical sprays, electric stun weapons, restraint chairs and beds, and physical force on incarcerated individuals with mental health conditions, resulting in broken bones, lacerations requiring stitches, second-degree burns, deep bruises, damaged internal organs, and, in some cases, death).



Because a law enforcement response is fundamentally incompatible with the safety needs of individuals experiencing mental health crises, the problem of correctional officer use of force against individuals in crisis or suffering from psychosis cannot be solved by additional training. Instead, the only viable solution is to remove individuals with severe mental illness from correctional settings and place them in clinical settings, preferably in community-based programs, where they can receive adequate mental health care and treatment services.

SB 196 seeks to bypass the issue of mentally ill incarcerated individuals not receiving proper treatment and care to manage their mental illness in favor of controlling an individual's behavior in the moment by administering psychotropic drugs. However, without meaningful mental health services, individuals who receive these drugs will not get better. Without routine care, these individuals will continue to mentally decompensate.²

We urge you to give SB 196 an unfavorable review. I am happy to answer questions. You can contact me at keisha.npap@nlg.org.

Sincerely,

A handwritten signature in black ink, appearing to read 'Keisha James', with a long, sweeping underline.

Keisha James

National Police Accountability Project

² Christine Thompson and Taylor Elizabeth Eldridge, *Treatment Denied: The Mental Health Crisis in Federal Prisons*, The Marshall Project (Nov. 21, 2018), available at <https://www.themarshallproject.org/2018/11/21/treatment-denied-the-mental-health-crisis-in-federal-prisons> (citing cases where incarcerated individuals were forcibly medicated but did not receive mental healthcare).