

RALPH M. RAMÍREZ
Judge

SANDRA TRIPP
Court Reporter
(262) 548-7519
August 14, 2002



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CIRCUIT COURT BRANCH 3
515 W. Moreland Boulevard
P.O. Box 1627
Waukesha, WI 53187-1627

Mr. Donald F. Eslinger
Sheriff Seminole County
100 Bush Blvd.
Sanford, FL 32773

Dear Sheriff Eslinger:

I am pleased to provide my perspective on outpatient commitment hearings. Until very recently, I conducted all commitment hearings in Waukesha County Wisconsin and thus, I can share my experience from the bench. But, I can also comment based on my experience as a former county prosecutor having handled too many cases involving people with severe mental illnesses in the criminal justice system.

With respect to the merits of outpatient commitment, the process is not simply a win-win situation, but a win-win-win situation. In my experience, outpatient commitment is a means of ensuring treatment for people who otherwise refuse it so that people with severe mental illnesses:

- 1) are not arrested by law enforcement which reduces the risk of injury and protects public safety;
- 2) are not institutionalized in jails or hospitals which saves money; and
- 3) are treated as patients in their communities which preserves their dignity.

Court-ordered outpatient treatment is a cost cutting measure because it keeps people from cycling in and out of hospitalization which is the most costly form of treatment. It works because it gives mental health professionals the legal authority to require their clients to participate in treatment. The law allows mental health providers to go a step further in persuading their client's that they need treatment when the client's illness prevents them from recognizing that need. Wisconsin law authorizes detaining patients to secure compliance with medication orders.

With respect to the impact on court dockets, I can tell you that we are dealing with these cases one way or another. That is, if we do not handle the cases on the civil docket for court-ordered

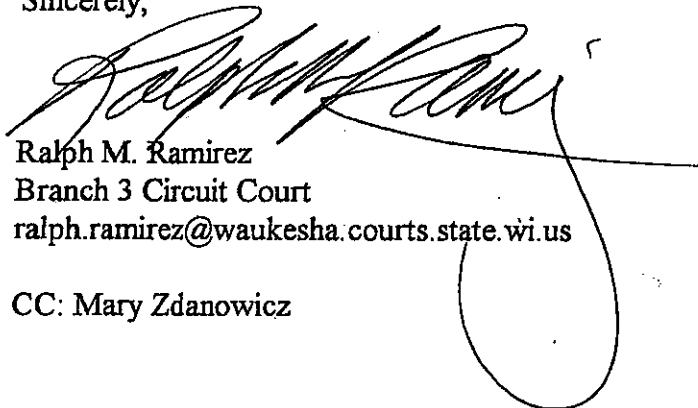
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treatment, we will have to deal with them on the criminal docket when crimes are committed often as a result of the untreated symptoms of their illnesses. From a public policy perspective, there is a tremendous benefit to dealing with the issue on the civil side because we are able to intervene and treat the symptoms of the illness. On the criminal side, we have little impact dealing with the illness but face the consequences of the symptoms of the illness which sometimes result in serious offenses directed against friends, family, innocent victims or law enforcement officers.

The vast majority of outpatient commitment cases are uncontested cases. Typically, the outpatient commitment hearings take the same amount of time as inpatient commitment hearings. Occasionally there are contested cases that take longer than the 45 minutes typical inpatient hearing, but these generally last no more than 45 minutes of court time. In my experience, many of the people subject to court-ordered treatment appreciate on some level, their need for supervision and therefore do not oppose continued supervision.

If you or others in Florida have additional questions about the use of outpatient commitment in Wisconsin, please feel free to contact me at (262)548-7543, or via e-mail at the address below.

Sincerely,

A handwritten signature in black ink, appearing to read "Ralph M. Ramirez", with a large, stylized loop at the end of the signature line.

Ralph M. Ramirez
Branch 3 Circuit Court
ralph.ramirez@waukesha.courts.state.wi.us

CC: Mary Zdanowicz