



STATEMENT ON THE BIPARTISAN SAFER COMMUNITIES ACT BY THE BAZELON CENTER FOR MENTAL HEALTH LAW

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June 24, 2022 – Last night the Senate passed the “Bipartisan Safer Communities Act.” Today the House of Representatives has voted to pass the Act, sending it to the President’s desk.

The Bipartisan Safer Communities Act follows devastating back-to-back mass shootings in Buffalo, NY; Uvalde, TX; Tulsa, OK; and more. We appreciate the urgent need to address gun violence in America. Among other things, the Act includes critical funding for mental health programs that people with mental health disabilities need and will benefit from.

We have grave concerns about the Act’s premise. Despite the consistent evidence that less than five percent of violence is committed by people with mental health disabilities,¹ and that such individuals are far more likely to be victims of violent crime than perpetrators of it,² the Act inappropriately links mental health, and the need for mental health services, to gun violence. This harms people with mental health disabilities. The Act will contribute to fear and stigma of these Americans and, we fear, makes their institutionalization and criminalization more likely.

We also have serious concerns about certain aspects of the legislation. The Act funds school hardening measures such as school-based policing and “threat assessment” programs, both of which make schools less safe for children with disabilities, especially Black and Brown students.³ Also, some provisions may lead to inappropriate restrictions on people with mental health disabilities or violations of their privacy.

To be sure, the Act provides millions of dollars for mental health services that our communities urgently need. Fixing our broken mental health system is a critical priority, especially in the wake of the COVID-19 pandemic. But providing additional mental health services will not stop gun violence and should not be linked to any gun

¹ See Bazelon Center for Mental Health Law, [Wrong Focus: Mental Health in the Gun Safety Debate](#) (Aug. 2019).

² See Bazelon Center for Mental Health Law, [Wrong Focus: Mental Health in the Gun Safety Debate](#) (Aug. 2019).

³ See Bazelon Center for Mental Health Law, [Replacing School Police with Services that Work](#) (Aug. 2021); National Disability Rights Network (NDRN), [K-12 Threat Assessment Processes: Civil Rights Impacts](#) (Feb. 2022).



violence prevention effort. Federal support for mental health services, while needed and welcomed, should not have been included in a bill addressing gun violence.

People with mental health disabilities are the wrong focus for gun safety measures. Despite its significant infusion of money for mental health services, the Bipartisan Safe Communities Act sends the wrong message.

About the Judge David L. Bazelon Center for Mental Health Law: *The Judge David L. Bazelon Center for Mental Health Law protects and advances the civil rights people with mental and developmental disabilities – especially Black, Indigenous, People of Color (BIPOC) and other historically marginalized populations. We envision a society where our constituents with mental disabilities live with autonomy, dignity, and opportunity in welcoming communities supported by law, policy, and practices that help them reach their full potential. For more information, visit: bazelon.org*