



Grand Jury <grandjury@scgrandjury.org>

Grand Jury Response from Sheriff's Office

1 message

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To: "grandjury@scgrandjury.org" <grandjury@scgrandjury.org>
Cc: Craig Wilson <Craig.Wilson@santacruzcounty.us>

Mon, Jul 2, 2018 at 10:43 AM

Attached please find the Sheriff's Office response to the 2017-18 Santa Cruz County Civil Grand Jury Findings and Recommendations related to the report "Mental Health Crisis – Seeking An Integrated Response."

Santa Cruz County Sheriff's Office

 **Mental Health Crisis_SHERIFF.pdf**
83K



**The 2017–2018 Santa Cruz County Civil Grand Jury
Requires that the
Santa Cruz County Sheriff
Respond to the Findings and Recommendations
Specified in the Report Titled
Mental Health Crisis
Seeking An Integrated Response
by July 16, 2018**

When the response is complete, please

1. Email the completed Response Packet as a file attachment to grandjury@scgrandjury.org, and
2. Print and send a hard copy of the completed Response Packet to

The Honorable Judge John Gallagher
Santa Cruz Courthouse
701 Ocean St.
Santa Cruz, CA 95060

Instructions for Respondents

California law PC §933.05 (included [below](#)) requires the respondent to a Grand Jury report to comment on each finding and recommendation within a report. Explanations for disagreements and timeframes for further implementation or analysis must be provided. Please follow the format below when preparing the responses.

Response Format

1. For the Findings included in this Response Packet, select one of the following responses and provide the required additional information:
 - a. **AGREE** with the Finding, or
 - b. **PARTIALLY DISAGREE** with the Finding and specify the portion of the Finding that is disputed and include an explanation of the reasons therefor, or
 - c. **DISAGREE** with the Finding and provide an explanation of the reasons therefor.
2. For the Recommendations included in this Response Packet, select one of the following actions and provide the required additional information:
 - a. **HAS BEEN IMPLEMENTED**, with a summary regarding the implemented action, or
 - b. **HAS NOT YET BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE**, with a timeframe or expected date for implementation, or
 - c. **REQUIRES FURTHER ANALYSIS**, with an explanation and the scope and parameters of an analysis or study, and a timeframe for that analysis or study; this timeframe shall not exceed six months from the date of publication of the grand jury report, or
 - d. **WILL NOT BE IMPLEMENTED** because it is not warranted or is not reasonable, with an explanation therefor.

Validation

Date of governing body's response approval: _____

If you have questions about this response form, please contact the Grand Jury by calling 831-454-2099 or by sending an email to grandjury@scgrandjury.org.

Findings

F1. The 24-hour Crisis Intervention Training course has given law enforcement responders additional tools for dealing with people in crisis, resulting in less use of force.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

Initiated in 2017, Crisis Intervention Training (CIT) is a joint project of Santa Cruz County, the Santa Cruz County Health Services Agency and the National Alliance on Mental Illness. Modeled on successful systems used throughout the U.S., CIT offers local law enforcement officers a multidisciplinary approach to addressing mental health-related encounters in the field approved by the California Commission on Peace Officer Standards and Training. We regard CIT as an important component of all law enforcement officers' training regimens. While the goal of CIT is to increase safety of encounters for the public and law enforcement officers, we do not yet have sufficient data to make conclusions about whether the training has yet resulted in less use of force.

F2. Adding more mental health liaisons and increasing their hours of availability would increase the benefit of this program to law enforcement and people in crisis.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

F3. Having law enforcement be the primary responder to non-threatening 9-1-1 EDP calls reduces the overall availability of law enforcement to the community.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

F4. The Mobile Emergency Response Team (MERT) is not accessible through 9-1-1, resulting in overuse of law enforcement.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

While we agree that the MERT is not accessible through 9-1-1, we do wish to clarify one point. We do not consider dispatching public safety officers to any 9-1-1 mental health crisis call to be "overuse." We do not consider dispatching public safety officers to any 9-1-1 call to be "overuse." We encourage residents to call 9-1-1 even if they are unsure whether an emergency situation exists. Consequently, public safety officers frequently respond to calls that turn out to not pose imminent threats to life, safety or property, or even require any law enforcement attention. Even so, we do not consider these calls to be "overuse" of public safety resources.

As discussed later, differentiating threats based on a mental health-related 9-1-1 call, particularly one from family or loved ones in obvious distress, can be difficult. In these cases, we would not consider dispatching an officer to be "overuse" of resources should the call turn out to require a strictly clinical response.

Recommendations

R1. The County Health Services Agency and the County’s five law enforcement agencies should create a plan to make mental health liaisons available to respond to 9-1-1 EDP calls at all hours in all jurisdictions. (F2)

HAS BEEN IMPLEMENTED – summarize what has been done

HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE – summarize what will be done and the timeframe

REQUIRES FURTHER ANALYSIS – explain scope and timeframe (not to exceed six months)

WILL NOT BE IMPLEMENTED – explain why

Response explanation, summary, and timeframe:

While having a team of round-the-clock mental health liaisons operating in all jurisdictions within the County is an admirable goal, we believe the skillful application of existing resources to their best possible use, receptivity to continuous quality improvement, and actively seeking new funding opportunities and programs are sufficient to address the mental health and public safety needs of the community. Responsible stewardship of County resources is one of the primary obligations of the Board of Supervisors.

The County values our partnerships with local law enforcement agencies, and we have worked closely together to address the very significant and difficult issues raised by the Grand Jury. Based on Sheriff's Office data supplied to the Health Services Agency, very few EDP calls are currently received overnight. We will continue to make data-driven staffing decisions in conjunction with our partners, and should the need for reevaluation occur, we will do so.

R2. The County Health Services Agency and the County’s five law enforcement agencies should create a plan to make MERT available to respond to 9-1-1 EDP calls at all hours in all jurisdictions. (F3-F5)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Response explanation, summary, and timeframe:

The County has in place existing agreements allowing MERT units to co-respond to calls alongside public safety officers in Scotts Valley and Capitola once a scene has been secured. However, we have no plans to increase staffing or implement policy changes allowing MERT teams to respond to calls in all jurisdictions and at all hours.

Because law enforcement liaisons require a higher degree of training (including hostage negotiations, the use of personal protective equipment such as bullet proof vests, and more) the program has not proven to be a perfect fit for all partners, particularly in smaller cities with fewer resources and fewer EDP 9-1-1 calls. In those cases, the County has agreements in place making MERT units available.

However, for reasons discussed above and below, the County does not plan to expand the MERT program nor implement changes allowing them to serve as primary responders to EDP 9-1-1 calls.

R3. The County Health Services Agency, the County's five law enforcement agencies, and Santa Cruz Regional 9-1-1 should develop a dispatch plan that classifies 9-1-1 EDP calls as threatening (the subject presents a danger to others) or nonthreatening (the subject does not present a danger to others). (F5)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Response explanation, summary, and timeframe:

While it may be possible to identify EDP 9-1-1 calls as threatening based on caller information, the Board is highly concerned about the welfare of County staff and would be reluctant to classify calls as non-threatening based on information provided by callers involved in highly emotional situations. At this time, we are unwilling to substitute a dispatch plan for the judgments and expertise of public safety officers.

The Board wishes to stress that mentally ill persons do not exhibit aggressive tendencies at rates greater than the population as a whole, and in fact are 10 times more likely to be victims of a violent crime than the general population. (See <https://www.mentalhealth.gov/basics/mental-health-myths-facts>).

However, the Board feels that if a situation has escalated to a point that a member of the public feels the need to call 9-1-1, the initial responders in all situations should be public safety officers. Following an on-scene assessment, the County is more than happy to make the full range of County mental health services available to the parties involved.

The County has walk-in crisis services available at our Emeline Clinic, as well as 24-hour access to psychiatric services at the Behavioral Health Unit. The MERT and law enforcement mental health liaisons augment these services in the field. The Sheriff's Office has also taken the lead on Crisis Intervention Training for local law enforcement agencies to help protect both the public and law enforcement officers and improve outcomes for all involved.

R4. Santa Cruz Regional 9-1-1 should dispatch MERT with a law enforcement liaison in response to non-threatening 9-1-1 EDP calls. (F5)

HAS BEEN IMPLEMENTED – summarize what has been done

HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE – summarize what will be done and the timeframe

REQUIRES FURTHER ANALYSIS – explain scope and timeframe (not to exceed six months)

WILL NOT BE IMPLEMENTED – explain why

Response explanation, summary, and timeframe:

Following initial on-scene assessments by public safety officers and law enforcement liaisons, MERT teams are available to respond. The Board does not believe those teams should be co-dispatched, particularly when a mental health liaison is available.

Penal Code §933.05

1. For Purposes of subdivision (b) of §933, as to each Grand Jury finding, the responding person or entity shall indicate one of the following:
 - a. the respondent agrees with the finding,
 - b. the respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.
2. For purpose of subdivision (b) of §933, as to each Grand Jury recommendation, the responding person shall report one of the following actions:
 - a. the recommendation has been implemented, with a summary regarding the implemented action,
 - b. the recommendation has not yet been implemented but will be implemented in the future, with a timeframe for implementation,
 - c. the recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of the publication of the Grand Jury report, or
 - d. the recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.
3. However, if a finding or recommendation of the Grand Jury addresses budgetary or personnel matters of a County department headed by an elected officer, both the department head and the Board of Supervisors shall respond if requested by the Grand Jury, but the response of the Board of Supervisors shall address only those budgetary or personnel matters over which it has some decision-making authority. The response of the elected department head shall address all aspects of the findings or recommendations affecting his or her department.
4. A Grand Jury may request a subject person or entity to come before the Grand Jury for the purpose of reading and discussing the findings of the Grand Jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release.
5. During an investigation, the Grand Jury shall meet with the subject of that investigation regarding that investigation unless the court, either on its own determination or upon request of the foreperson of the Grand Jury, determines that such a meeting would be detrimental.
6. A Grand Jury shall provide to the affected agency a copy of the portion of the Grand Jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. **No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.**