



Grand Jury <grandjury@scgrandjury.org>

Mental Health Crisis, Seeking An Integrated Response

1 message

McManus, Terry <tmcmanus@ci.capitola.ca.us>
To: "grandjury@scgrandjury.org" <grandjury@scgrandjury.org>

Wed, Jul 18, 2018 at 2:41 PM

To Whom It May Concern,

I will be presenting the GJ Report above, and the response from the Capitola Police Department to our City Council on August 9, 2018 during open session. I will submit the response packet to the GJ on August 10, 2018 per the instructions provided.

Sincerely,

Terry McManus

Chief of Police

Capitola Police Dept.

831 212-4066



Santa Cruz County
Grand Jury

Grand Jury <grandjury@scgrandjury.org>

Capitola Grand Jury Response

1 message

Fridy, Linda (lfridy@ci.capitola.ca.us) <lfridy@ci.capitola.ca.us>

Fri, Aug 10, 2018 at 9:48 AM

To: "grandjury@scgrandjury.org" <grandjury@scgrandjury.org>

Cc: "McManus, Terry" <tmcmamus@ci.capitola.ca.us>

Santa Cruz Grand Jury:

Enclosed please find Capitola's response to the 2017-18 Grand Jury Report "Mental Health Crisis: Seeking an Integrated Response." It was approved by the City Council at the regular meeting of August 9, 2018.

The original was mailed to Judge Gallagher.

Linda Fridy

City Clerk

City of Capitola

lfridy@ci.capitola.ca.us

831.475.7300 ext. 228



Please note that email correspondence with the City of Capitola, along with attachments, may be subject to the California Public Records Act, and therefore may be subject to disclosure.

 **GJ Response - Mental Health Crisis (Final).pdf**
214K



**The 2017–2018 Santa Cruz County Civil Grand Jury
Requests that the
City of Capitola Chief of Police
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.

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**):

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." In these types of incidents, we encourage residents to call 9-1-1 even if they are unsure whether an emergency 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 mental health liaisons operating on a 24-hour basis in all jurisdictions within the County is a goal to consider, we believe the skillful application of existing resources to their best possible use, receptivity to continuous quality improvement, enhanced training for law enforcement and mental health professionals, 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 City resources is one of the primary obligations of the Capitola City Council.

The city of Capitola values our partnerships with local law enforcement agencies, and we have worked together to address the very significant and difficult issues raised by the Grand Jury.

A review of calls for service related to EDP calls during calendar year 2017, does not reveal a need to increase mental health liaisons staffing during the evening hours. We will continue to make data-driven staffing decisions in conjunction with our partners, and appropriately adjust resources as needed.

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 city of Capitola has an existing agreement with MERT, allowing a “joint” response with law enforcement in Capitola when needed and once a scene has been secured. We have no plans to implement policy changes requiring MERT teams to respond to calls on a 24-hour basis as Capitola’s EDP calls for service do not currently warrant 24-hour availability.

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:

Currently, all calls for service to Santa Cruz Regional 9-1-1 are evaluated to determine the appropriate response. When the dispatcher or call taker at Santa Cruz Regional 9-1-1 determines a caller is reporting that a person is behaving in a threatening manner (either to themselves or others) they will dispatch law enforcement.

While it may be theoretically possible to further classify those calls as threatening to themselves or others based on caller information, concern exists regarding the safety and welfare of officers responding to EDP calls that have been “classified” based solely upon caller information collected during highly emotional situations.

At this time, Capitola is not willing to substitute the Grand Jury recommended dispatch strategy for the judgments and expertise of public safety officers.

If a dispatcher determines a caller is reporting that a member of the public is a threat to themselves or others, the initial responders in all situations should be law enforcement. Following an on-scene assessment, Capitola PD is committed to utilizing the full range of County mental health services available to the parties involved.

The County has walk-in crisis services available at the 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 as required under current policy and protocol.

All members of the Capitola Police Department have attended the Crisis Intervention Training offered by the Santa Cruz Sheriff’s Office in an effort to improve outcomes during EDP calls for all involved persons.

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 assessments by public safety officers, MERT teams are available to respond when requested by emergency personnel on scene. Capitola does not believe MERT teams should be co-dispatched with law enforcement.

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.**