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June 20, 2018

Honorable Patricia Lucas, Presiding Judge
Santa Clara County Superior Court
191 North First Street
San Jose, CA 95113

(ENDORSED)
FILED
AUG 07 2018
Clerk of the Court
Superior Court of CA County of Santa Clara
BY Janice Jones DEPUTY

**Re: RESPONSE TO SANTA CLARA COUNTY CIVIL GRAND JURY REPORT,
“POLICE AND THE MENTALLY ILL: IMPROVING OUTCOMES.”**

Dear Honorable Patricia Lucas:

In response to the enclosed Santa Clara County Civil Grand Jury’s 2017-2018 Final Report entitled “Police and the Mentally Ill: Improving Outcomes,” the City of Morgan Hill hereby responds to the applicable findings and recommendations as required by California Penal Code Section 933.05(a) and 933.05(b), as directed by City Council on July 18, 2018.

The City of Morgan Hill agrees with Grand Jury Findings 1 & 2:

Finding 1

AB 71-requires criminal justice reporting surpasses that of many jurisdictions nationwide. However, the presence of mental illness in a given incident report is not mandated by AB 71. Reporting this data would assist law enforcement agencies in understanding the relationship between mental illness and officer involved shootings and help in revising their training programs.

The Morgan Hill Police Department has been collecting this data since 2016 if the police report narrative mentions mental health factors in a use-of-force case. Training and policy updates will formalize this process, directing Officers to include mental health factors on all use of force cases.

Finding 2

The Grand Jury found that training in crisis intervention and de-escalation techniques beyond what is included in the POST Basic Police Academy helps improve the outcome of law enforcement contacts with the mentally ill.

The Morgan Hill Police Department agrees with this finding and is working towards having all officers trained in crisis intervention and de-escalation techniques.

The City is required to respond to each Civil Grand Jury “recommendation” by selecting from one of four responses pursuant to Penal Code Section 933.05. Staff will implement

Recommendation 1. The Morgan Hill Police Department has already implemented **Recommendations 2A, 2B, 2C, and 2D.**

Recommendation 1: Indicates that the Morgan Hill Police Department should report the required data for AB 71, to the extent possible, where mental illness was involved in their use of force data, starting in 2019.

The Morgan Hill Police Department agrees with Recommendation 1; we agree to report all the data required by AB 71, in addition to reporting incidents where use of force was used involving a mentally ill person; starting 2019.

Recommendation 2A: Encourages the Morgan Hill Police Department to prepare a plan to ensure that all their officers receive POST-approved Crisis Intervention Training (CIT) and De-Escalation technique training.

The Morgan Hill Police Department agrees with Recommendation 2A. We have already implemented this recommendation as a part of our officers' individual training plan. Crisis Intervention Training is a mandatory course for all our officers. De-Escalation techniques are integrated into various training components, such as interactive video simulator, firearms, arrest control/defensive tactics and tactical communications training.

Recommendation 2B: Suggests the Morgan Hill Police Department provide funding for their officers to complete POST-approved Crisis Intervention Training and De-Escalation technique training, beyond the training included in the POST Basic Police Academy, by June 30, 2019.

The Morgan Hill Police Department agrees with Recommendation 2B; we have allocated funds from our annual training budget for POST approved CIT courses.

Additionally, the Council allocated additional funds for our officers and dispatchers to be the first in Santa Clara County to train officers and dispatchers in the Applied Suicide Intervention Skills and Training (ASIST) program.

Recommendation 2C: Indicates the Morgan Hill Police Department should execute their plan to ensure that all officers receive POST-approved Crisis Intervention Training and De-Escalation technique training, beyond training included in the POST Basic Police Academy, by June 30, 2020:

The Morgan Hill Police Department agrees with Recommendation 2C. We have already implemented this recommendation as a part of our officers' individual training plans. Crisis Intervention Training (CIT) and De-Escalation technique training are mandatory training courses for our officers.

Recommendation 2D: Stated the Morgan Hill Police Department should include Crisis Intervention Training (CIT) and De-Escalation technique training in their Continuing Professional and Perishable Skills and Communications training.

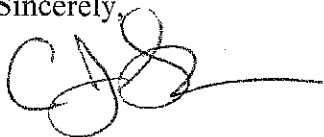
The Morgan Hill Police Department agrees with Recommendation 2D; as of POST training cycle 2017/2018; we have combined our Tactical Communications course with “Interactive Video Simulation Training-Responding to Persons in a Mental Health Crisis.” Additionally, we also added a video simulator to our PSP Training, with the video simulator, officers have an opportunity to exercise their training, from fine-tuning their command presence, tone of voice to de-escalation strategies.

Through the use of hundreds of POST certified interactive video scenarios specifically focused on persons dealing with mental health illnesses, the instructor can make adjustments to enhance both individual and interdependent aspects of their students’ judgment, situational awareness and de-escalation skills.

In addition to the findings and recommendations from the Civil Grand Jury, by the end of fiscal year 2019/2020, we will send all officers and dispatchers to ASIST, a 15-hour course which focuses on suicide intervention training.

Please contact me with any questions regarding this Civil Grand Jury response.

Sincerely,

A handwritten signature in black ink, appearing to read 'CT', with a long horizontal flourish extending to the right.

Christina Turner

City Manager

Enclosures: City Council Staff Report

Grand Jury Report

Morgan Hill PD Policy # 417- Mental Illness Commitments

c w/enclosures: Donald Larkin, City Attorney



CITY OF MORGAN HILL

**CITY COUNCIL STAFF REPORT
MEETING DATE: July 18, 2018**

PREPARED BY: Ray Ramos, Administrative Sergeant
APPROVED BY: City Manager

RESPONSE TO 2017-2018 CIVIL GRAND JURY REPORT

RECOMMENDATION(S)

1. Accept report and response to the Santa Clara County Civil Grand Jury Report, "Police and the Mentally Ill; Improving Outcomes"; and
2. Authorize the City Manager to send the response letter.

COUNCIL PRIORITIES, GOALS & STRATEGIES

Ongoing Priorities

Enhancing Public Safety
 Supporting Our Youth
 Seniors
 and Entire Community
 Fostering a Positive Organizational Culture
 Preserving and Cultivating Public Trust

2018 Strategic Priorities

Community Engagement and Messaging
 Regional Initiatives

GUIDING DOCUMENTS

Public Safety Master Plan

REPORT NARRATIVE:

On May 9, 2018, the Santa Clara County Civil Grand Jury issued the attached report entitled "Police and the Mentally Ill: Improving Outcomes." The report is an examination of fatal Officer Involved Shootings (OIS) between 2013-2017. The Grand Jury determined that 13 of 28 cases involved persons with history of mental illness. According to a report prepared by the Santa Clara County District Attorney's Office for the Grand Jury, in 1 in 28 cases, an officer with crisis intervention training (CIT) was available or called to the scene. The Grand Jury further researched, if having a person/officer with enhanced CIT and de-escalation techniques could have resulted in a different outcome.

The police department had zero OIS incidents during the reporting period. Additionally, 85% of Morgan Hill Police Officers have completed CIT training, with plans to achieve 100% participation in the current fiscal year. This allows for the police department to regularly deploy CIT trained officers to calls for service involving someone suffering from a mental illness. Furthermore, CIT and De-Escalation Training are separate but related topics. De-escalation training is woven into the police department's annual training program and practiced during defensive tactics, firearms, and tactical communication training throughout the year.

The information in the report was taken from surveys sent to law enforcement agencies in the County; including the Morgan Hill Police Department. The survey was focused on law enforcement training for mental health and law enforcement use of force interactions with those suffering from mental illness.

As part of their report the Civil Grand Jury issues "findings," the City is required to respond to these findings and agree or disagree with them pursuant to California Penal Code Section 933.05. Staff recommends that the City agree with Civil Grand Jury Findings 1 and 2, as follows:

Finding 1

AB 71-required criminal justice reporting surpasses that of many jurisdictions nationwide. However, the presence of mental illness in each incident report is not mandated by AB 71. Reporting this data would assist law enforcement agencies in understanding the relationship between mental illness and officer involved shootings and help in revising their training programs.

City Response: The Morgan Hill Police Department has been collecting this data since 2016 if the police report narrative mentions mental health factors in a use-of-force case. Training and policy updates will formalize this process, directing Officers to include mental health factors on all use of force cases.

Finding 2

The Grand Jury found that training in crisis intervention and de-escalation techniques beyond what is included in the POST Basic Police Academy helps improve the outcome of law enforcement contacts with the mentally ill.

City Response: The Morgan Hill Police Department agrees with this finding and is working towards having all officers trained in crisis intervention and de-escalation techniques.

The City is required to respond to each Civil Grand Jury "recommendation" by selecting from one of four responses pursuant to Penal Code Section 933.05. Staff recommends that the City respond by implementing **Recommendation 1**. The Morgan Hill Police Department has already implemented **Recommendations 2A, 2B, 2C, and 2D**.

Recommendation 1: Indicates that the Morgan Hill Police Department should report the required data for AB 71, to the extent possible, where mental illness was involved in their use of force data, starting in 2019.

City Response: The Morgan Hill Police Department agrees with Recommendation 1; we agree to report all the data required by AB 71, in addition to reporting incidents where use of force was used involving a mentally ill person; starting 2019.

Recommendation 2A: Encourages the Morgan Hill Police Department to prepare a plan to ensure that all their officers receive POST-approved Crisis Intervention Training

(CIT) and de-escalation technique training.

City Response: The Morgan Hill Police Department agrees with Recommendation 2A. We have already implemented this recommendation as a part of our officers' individual training plan. Crisis Intervention Training is a mandatory course for all our officers. De-Escalation techniques are integrated into various training components, such as interactive video simulator, firearms, arrest control/defensive tactics and tactical communications training.

Recommendation 2B: Suggests the Morgan Hill Police Department provide funding for their officers to complete POST-approved CIT and de-escalation technique training, beyond the training included in the POST Basic Police Academy, by June 30, 2019.

City Response: The Morgan Hill Police Department agrees with Recommendation 2B; we have allocated funds from our annual training budget for POST approved CIT courses. Additionally, the Council allocated additional funds for our officers and dispatchers to be the first in Santa Clara County to train officers and dispatchers in the Applied Suicide Intervention Skills and Training (ASIST) program.

Recommendation 2C: Indicates the Morgan Hill Police Department should execute their plan to ensure that all officers receive POST-approved CIT, De-Escalation technique training, beyond training included in the POST Basic Police Academy, by June 30, 2020:

City Response: The Morgan Hill Police Department agrees with Recommendation 2C. We have previously implemented this recommendation as a part of our officers' individual training plan. CIT is a mandatory training course for all our officers. De-Escalation techniques are reinforced throughout the year during the many training courses provided to our officers.

Recommendation 2D: Stated the Morgan Hill Police Department should include Crisis Intervention Training (CIT) and de-escalation technique training in their Continuing Professional and Perishable Skills (PSP) and Communications training.

City Response: The Morgan Hill Police Department agrees with Recommendation 2D; as of POST training cycle 2017/2018; we have combined our Tactical Communications course with "Interactive Video Simulation Training- Responding to Persons in a Mental Health Crisis." Additionally, we also added a video simulator to our training program, which allows officers to enhance their training, by fine-tuning their command presence, tone of voice, and de-escalation strategies.

Through the use of hundreds of POST certified interactive video scenarios focused on persons dealing with mental health illnesses, the instructor can make adjustments to enhance both individual and interdependent aspects of their students' judgment, situational awareness, and de-escalation skills.

In addition to the findings and recommendations from the Civil Grand Jury, by the end of fiscal year 2019/2020, we will send all officers and dispatchers to ASIST, a 15-hour course which focuses on suicide intervention training.

COMMUNITY ENGAGEMENT: Inform

ALTERNATIVE ACTIONS:

1. Provide direction to revise the response
2. Do not respond to the Grand Jury

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

No previous actions have been taken on this matter by Council.

FISCAL AND RESOURCE IMPACT:

No fiscal impact

CEQA (California Environmental Quality Act):

Not a Project

Continuing administrative activities, such as the response to a Grand Jury Report is not a project subject to environmental review.

LINKS/ATTACHMENTS:

1. Mental Illness Commitments
2. Civil Grand Jury- Final Report (05.08.18)
3. MH response to Grand Jury Mental Illness

Mental Illness Commitments

417.1 PURPOSE AND SCOPE

This policy provides guidelines for when officers may take a person into custody for psychiatric evaluation and treatment (5150 commitment) (Welfare and Institutions Code § 5150).

417.2 POLICY

It is the policy of the Morgan Hill Police Department to protect the public and individuals through legal and appropriate use of the 72-hour treatment and evaluation commitment (5150 commitment) process.

417.3 AUTHORITY

An officer having probable cause may take a person into custody and place the person in an approved mental health facility for 72-hour treatment and evaluation when the officer believes that, as a result of a mental disorder, the person is a danger to him/herself or others or the person is gravely disabled (Welfare and Institutions Code § 5150; Welfare and Institutions Code § 5585.50).

When determining whether to take a person into custody, officers are not limited to determining the person is an imminent danger and shall consider reasonably available information about the historical course of the person's mental disorder, which may include evidence presented from any of the following (Welfare and Institutions Code § 5150; Welfare and Institutions Code § 5150.05):

- (a) An individual who is providing or has provided mental health treatment or related support services to the person
- (b) A family member
- (c) The person subject to the determination or anyone designated by the person

417.3.1 VOLUNTARY EVALUATION

If an officer encounters an individual who may qualify for a 5150 commitment, he/she may inquire as to whether the person desires to voluntarily be evaluated at an appropriate facility. If the person so desires, the officers should:

- (a) Transport the person to an appropriate facility that is able to conduct the evaluation and admit the person pursuant to a 5150 commitment.
- (b) If at any point the person changes his/her mind regarding voluntary evaluation, officers should proceed with the 5150 commitment, if appropriate.
- (c) Document the circumstances surrounding the individual's desire to pursue voluntary evaluation and/or admission.

417.4 CONSIDERATIONS AND RESPONSIBILITIES

Any officer handling a call involving an individual who may qualify for a 5150 commitment should consider, as time and circumstances reasonably permit:

Mental Illness Commitments

- (a) Available information that might assist in determining the cause and nature of the person's action or stated intentions.
- (b) Community or neighborhood mediation services.
- (c) Conflict resolution and de-escalation techniques.
- (d) Community or other resources available to assist in dealing with mental health issues.

While these steps are encouraged, nothing in this section is intended to dissuade officers from taking reasonable action to ensure the safety of the officers and others.

Officers should consider a 5150 commitment over arrest when mental health issues appear to be a mitigating factor for people who are suspected of committing minor crimes or creating other public safety issues.

417.4.1 SECURING OF PROPERTY

When a person is taken into custody for evaluation, or within a reasonable time thereafter, and unless a responsible relative, guardian or conservator is in possession of the person's personal property, the officer shall take reasonable precautions to safeguard the individual's personal property in his/her possession or on the premises occupied by the person (Welfare and Institutions Code § 5150).

The officer taking the person into custody shall provide a report to the court that describes the person's property and its disposition in the format provided in Welfare and Institutions Code § 5211, unless a responsible person took possession of the property, in which case the officer shall only include the name of the responsible person and the location of the property (Welfare and Institutions Code § 5150).

417.4.2 CRISIS INTERVENTION TRAINED (CIT) OFFICERS

Crisis Intervention Trained (CIT) Officers are specially trained to respond to incidents involving individuals who are either known or suspected to be in acute psychological or emotional crisis. Whenever possible, a CIT Officer will respond to any call involving mentally ill individuals involving threats or violence. The use of CIT Officers is not limited to situations involving mental illness but includes those situations where an individual is either known, or suspected, to be in psychological or emotional crisis and is in need of intervention due to posing a danger to him/her self and/or others. Unless otherwise directed by a SWAT supervisor or Command Officer, a CIT Officer shall not act in the capacity of a Hostage Negotiator at a SWAT incident.

Upon receiving a call involving an individual known or suspected to be mentally ill or in psychological or emotional crisis, dispatch will assign the appropriate number of Officers, to include a CIT Officer (if available).

If an Officer is on the scene of an incident where he or she determines the expertise of a CIT Officer would be beneficial, a request may be made through dispatch to dispatch a CIT Officer (if available).

Mental Illness Commitments

In a situation where a mentally ill individual is the victim of a crime, an Officer not trained in CIT may request the response of a CIT Officer to assist with interviews or other resource information.

417.5 TRANSPORTATION

When transporting any individual for a 5150 commitment, the transporting officer should have the Communications Center notify the receiving facility of the estimated time of arrival, the level of cooperation of the individual and whether any special medical care is needed.

Officers may transport individuals in a patrol unit and shall secure them in accordance with the Handcuffing and Restraints Policy. Should the detainee require transport in a medical transport vehicle and the safety of any person, including the detainee, requires the presence of an officer during the transport, Watch Commander approval is required before transport commences.

417.6 TRANSFER TO APPROPRIATE FACILITY

Upon arrival at the facility, the officer will escort the individual into a treatment area designated by a facility staff member. If the individual is not seeking treatment voluntarily, the officer should provide the staff member with the written application for 5150 commitment and remain present to provide clarification of the grounds for detention, upon request.

Absent exigent circumstances, the transporting officer should not assist facility staff with the admission process, including restraint of the individual. However, if the individual is transported and delivered while restrained, the officer may assist with transferring the individual to facility restraints and will be available to assist during the admission process, if requested. Under normal circumstances, officers will not apply facility-ordered restraints.

417.7 DOCUMENTATION

The officer shall complete an application for a 72-Hour detention for evaluation and treatment, provide it to the facility staff member assigned to that patient and retain a copy of the application for inclusion in the case report.

The application shall include the circumstances for officer involvement; the probable cause to believe the person is, as a result of a mental health disorder, a danger to others or him/herself or gravely disabled; and all information used for the determination of probable cause (Welfare and Institutions Code § 5150; Welfare and Institutions Code § 5150.05).

The officer should also provide a verbal summary to any evaluating staff member regarding the circumstances leading to the involuntary detention.

417.7.1 ADVISEMENT

The officer taking a person into custody for evaluation shall advise the person of:

- (a) The officer's name and agency.
- (b) The fact that the person is not under criminal arrest but is being taken for examination by mental health professionals and the mental health staff will advise him/her of their rights.

Mental Illness Commitments

- (c) The name of the facility to which the person is being taken.
- (d) If the person is being taken into custody at his/her residence, he/she should also be advised that he/she may take a few personal items, which the officer must approve, and may make a telephone call or leave a note indicating where he/she is being taken. The officer should also ask if the person needs assistance turning off any appliance or water.

The advisement shall be given in a language the person understands. If the person cannot understand an oral advisement, the information shall be provided in writing (Welfare and Institutions Code § 5150).

417.8 CRIMINAL OFFENSES

Officers investigating an individual who is suspected of committing a minor criminal offense and who is being taken on a 5150 commitment should resolve the criminal matter by issuing a warning or a Notice to Appear as appropriate.

When an individual who may qualify for a 5150 commitment has committed a serious criminal offense that would normally result in an arrest and transfer to a jail facility, the officer should:

- (a) Arrest the individual when there is probable cause to do so.
- (b) Notify the appropriate supervisor of the facts supporting the arrest and the facts that would support the 5150 commitment.
- (c) Facilitate the individual's transfer to jail.
- (d) Thoroughly document in the related reports the circumstances that indicate the individual may qualify for a 5150 commitment.

In the supervisor's judgment, the individual may instead be arrested or booked and transported to the appropriate mental health facility. The supervisor should consider the seriousness of the offense, the treatment options available, the ability of this department to regain custody of the individual, department resources (e.g., posting a guard) and other relevant factors in making this decision.

417.9 FIREARMS AND OTHER WEAPONS

Whenever a person is taken into custody for a 5150 commitment, the handling officers should seek to determine if the person owns or has access to any firearm or other deadly weapon defined in Welfare and Institute § 8100. Officers should consider whether it is appropriate and consistent with current search and seizure law under the circumstances to seize any such firearms or other dangerous weapons (e.g. safekeeping, evidence, consent).

Officers are cautioned that a search warrant may be needed before entering a residence or other place to search, unless lawful, warrantless entry has already been made (e.g., exigent circumstances, consent). A search warrant may also be needed before searching for or seizing weapons

Mental Illness Commitments

The handling officers shall issue a receipt describing the deadly weapon or any firearm seized, and list any serial number or other identification that is on the firearm. Officers shall advise the person of the procedure for the return of any firearm or other weapon that has been taken into custody (Welfare and Institutions Code § 8102 (b)) (see Property and Evidence Policy).

417.9.1 PETITION FOR RETURN OF FIREARMS AND OTHER WEAPONS

Whenever the handling officer has cause to believe that the future return of any confiscated weapon might endanger the person or others, the officer shall detail those facts and circumstances in a report. The report shall be forwarded to the Special Operations Division, which shall be responsible for initiating a petition to the Superior Court for a hearing in accordance with Welfare and Institutions Code § 8102(c), to determine whether the weapon will be returned.

The petition to the Superior Court shall be initiated within 30 days of the release of the individual from whom such weapon has been confiscated, unless the Department makes an ex parte application to the court to extend the time to file such a petition, up to a maximum of 60 days. At the time any such petition is initiated, the Department shall send written notice to the individual informing him/her of the right to a hearing on the issue, that he/she has 30 days to confirm with the court clerk any desire for a hearing and that the failure to do so will result in the forfeiture of any confiscated weapon.

417.10 TRAINING

This department will endeavor to provide Peace Officer Standards and Training (POST)-approved advanced officer training on interaction with persons with mental disabilities, 5150 commitments and crisis intervention.

417.11 FOLLOW-UP

Peer Support shall be made available to CIT Officers on an as needed basis. Peer Support response and follow-up may be initiated either by the involved Officer(s) or a supervisor/command Officer.

The CIT coordinator should be the liaison with the Santa Clara County Department of Mental Health (DMH), Adult Probation and County Multi-Disciplinary Committees to share dispositions and follow-up needs of individuals who have required intervention from law enforcement. Follow-up may include joint cooperation between Patrol, Special Operations and the Law Enforcement Liaisons for County Mental Health

POLICE AND THE MENTALLY ILL: IMPROVING OUTCOMES



2017-2018 Civil Grand Jury
of Santa Clara County

May 9, 2018

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Attachment: Civil Grand Jury- Final Report (05.08.18) (1837 : Response to 2017-2018 Civil Grand Jury Report)

SUMMARY

In Santa Clara County during 2013-2017, 31 people died as a result of officer involved shootings. Nine of the 31 suffered from mental illness, and in some of those encounters police used deadly force against unarmed citizens.

Local law enforcement agencies are under scrutiny whenever deadly force is used. This report examines the circumstances around law enforcement officers using deadly force against citizens who were in a mental health crisis, whether or not they were committing a crime. The key focus of this report is law enforcement mental health training policies.

In its examination of the 31 fatal Officer Involved Shootings (OIS) within Santa Clara County during 2013-2017, the Santa Clara County Civil Grand Jury (Grand Jury) learned that the Santa Clara County District Attorney (DA) had determined 28 of the OIS incidents to be justifiable under California Criminal Law. The DA was still reviewing the other three cases as of this report.

The Grand Jury found that major efforts have been undertaken in the County to train law enforcement officers in recognizing and dealing with people in mental health crisis and to provide "in the field" mental health professionals who can respond to these events. The Grand Jury, however, feels there is room for improvement in the depth of training, the number of officers trained, current Crisis Intervention Training (CIT) class protocols and the deployment of "in the field" mental health professional teams.

BACKGROUND

In Santa Clara County, if you dial 911 to report a life-threatening health emergency involving a loved one in your home or a stranger in a public setting, the local fire department and ambulance are dispatched on an Emergency Medical Service. The fire service is responsible for overall scene management; this includes the provision of first-response Basic Life Support or Advanced Life Support services prior to the arrival of the ambulance. If, on the

other hand, that call to 911 involves a mental health crisis — often involving your or somebody else's loved one — it is the law enforcement community that must respond, safely intervene, de-escalate and provide an appropriate outcome for citizens who may be in crisis. Law enforcement officers have a difficult challenge in responding to these situations, especially where citizens are not committing any criminal acts.

In the 31 deadly encounters with citizens experienced by County law enforcement agencies during 2013-2017, at least nine¹ involved individuals known to have been suffering from a mental illness or crisis. In 2017, police in the County's largest city, San Jose, faced eight deadly encounters, seven of which reportedly involved individuals with a mental illness.² The San Jose Police Department (SJPD) reports that 15% of all calls for law enforcement involve some element of behavioral health. A Santa Clara County Sheriff's Office (SO) representative reports an average of two to three mental illness calls daily, though not all are criminal in nature, and five to 10 arrests per month involving individuals with mental illness. Law enforcement officials say these types of calls have become more frequent.

A variety of mental health training courses are available to police agencies in the County that expose officers to mental health syndromes and crisis recognition, de-escalation techniques, and community resources. All local law enforcement agencies within the County mandate some form of mental health training. The level and type of mandated crisis intervention training, however, is not consistent across all agencies. Some patrol officers in the County have not yet undertaken their agency's mandatory training, but all agencies have some crisis intervention-trained officers on staff. Additionally, the County Behavioral Health Services (BHS) is deploying crisis intervention teams staffed with mental health professionals.

¹ <http://www.fatalecounters.org/people-search/>. A website created by Brian Burghart, founder and executive director of Fatal Encounters Dot Org, and a lifelong journalist and former editor/publisher of the Reno News & Review.

²San Jose Mercury News, 9/17/2017

METHODOLOGY

The Grand Jury conducted this investigation through interviews with law enforcement officers, DA officials, SJPD Communications Center staff and County Behavioral Health Services managers. A total of 15 individuals were interviewed. The Grand Jury surveyed municipal and county law enforcement agencies as to their respective mental health training requirements and compliance statistics. The Grand Jury reviewed the DA's OIS reports, which are published online. Several websites that collect officer involved encounters throughout the U.S. also were reviewed. Members of the Grand Jury monitored portions of a weeklong CIT training class sponsored by the SO and participated in the Force Options Simulator training conducted at the SO's training center.

DISCUSSION

In 2015, California adopted AB 71³, which mandates the reporting on an annual basis of every instance of the use of force by a police officer against a civilian, and vice versa, where death or great bodily injury results. The California Department of Justice (DOJ) collects and tabulates the data into its URSUS (Latin for 'bear') database. The reporting period began with 2016, but for the first year the data collection process was incomplete and not every agency within the County reported.⁴ The DOJ released its initial URSUS report on Use of Force in August 2017. SJPD has submitted data in compliance with AB 71 and has commissioned Police Strategies LLC to collect and analyze all use of force incidents. This police force analysis methodology has recently been made available on SJPD's public website for 2015-2016 and will continue to be available to the public.⁵ It should be noted that there is no mandatory national database that collects OIS statistics. The FBI database on the use of force depends on the voluntary reporting, and many jurisdictions fail to report.⁶ The FBI

³ Government Code Section 12525.2.

⁴<http://www.jrsa.org/pubs/sac-digest/vol-27/ca-ursus-2016.pdf>

⁵ <http://www.sjpd.org/CrimeStats/ForceAnalysis.asp>

⁶ National Data Collection on the Use of Force (1996) US Department of Justice, Bureau of Justice Statistics, Page 3.

continues to encourage law enforcement agencies to take part in the National Use of Force Data Collection program.

The DA has a dedicated team who review OIS incidents to determine if the use of deadly force was justifiable under California law. The DA reviewed 31 officer involved citizen deaths in the County from 2013 through November 2017, the timeframe of the Grand Jury's investigation. The DA publishes reports of those investigations on its website where the use of force was found justifiable. Twenty-seven of the 28 published investigations involved agencies studied by the Grand Jury. Three incidents are still under review. Out of those 28, 13 involved persons who had some history of mental illness, based on the investigative reports.⁷

Under California Penal Code Sections 835a and 196, a peace officer may use deadly force in self-defense, defense of another, or to prevent the escape of a felon who might cause immediate substantial injury to others if not detained.

Penal Code Section 835a reads:

Any peace officer who has reasonable cause to believe that the person to be arrested has committed a public offense may use reasonable force to effect the arrest, to prevent escape or to overcome resistance.

A peace officer who makes or attempts to make an arrest need not retreat or desist from his efforts by reason of the resistance or threatened resistance of the person being arrested; nor shall such officer be deemed an aggressor or lose his right to self-defense by the use of reasonable force to effect the arrest or to prevent escape or to overcome resistance.

Penal Code Section 196 reads:

⁷ Santa Clara County District Attorney Website, Officer Involved Shooting reports.
<https://www.sccgov.org/sites/da/Pages/Search.aspx?k=officer%20involved%20shootings>

Homicide is justifiable when committed by public officers and those acting by their command in their aid and assistance, either

1. In obedience to any judgment of a competent Court; or,
2. When necessarily committed in overcoming actual resistance to the execution of some legal process, or in the discharge of any other legal duty; or,
3. When necessarily committed in retaking felons who have been rescued or have escaped, or when necessarily committed in arresting persons charged with felony, and who are fleeing from justice or resisting such arrest.

Essentially, an officer is permitted to use reasonable force in the defense of others or the officer, and the officer need not retreat.

The DA's review of the 28 OIS incidents found that in each case, the involved officers' use of deadly force was legally justifiable. The incidents involved a variety of weapons, including guns, knives, a saw blade, a pellet gun and in one incident a power-drill painted black. In only one of the 28 incidents did it appear from the DA's reporting that a crisis intervention-trained officer was available or called to the scene. The question arises whether the presence of a person with enhanced training in crisis intervention and de-escalation techniques could have resulted in a different outcome, especially in six incidents where apparently no bystanders were in immediate danger. The Grand Jury explores the benefit of crisis intervention training in this report.

Survey of County Law Enforcement Agencies

A written survey was sent to the SO and to each of the other 11 law enforcement agencies: Palo Alto, Sunnyvale, Campbell, Santa Clara, Mountain View, Los Gatos-Monte Sereno, Los Altos, Milpitas, San Jose, Gilroy and Morgan Hill. The survey sought data from Jan. 1, 2013, to Nov. 30, 2017, on:

- number of peace officers on staff
- number of OIS incidents

- number of OIS incidents resulting in death
- number of OIS incidents where the deceased was suffering from a serious mental illness (SMI)
- number of officers killed or injured by suspects suffering from a serious mental illness
- number of officers who have taken department mandated Crisis Intervention Training (CIT) beyond the Police Academy training course
- whether recertification training is required
- whether the agency offers the option to take further Crisis Intervention-related Training
- whether the agency employs a CIT team
- whether the agency requires dispatch operators to undergo CIT.

All agencies responded and the survey results are in Table A below. Crisis Intervention Training as used in this report includes developing an awareness of the various forms of mental illness, e.g., autism, excited delirium, development disabilities, and Alzheimer's recognition, as well as instruction in de-escalation techniques.

Combined, the agencies reported a total of 56 OIS incidents during the past five years, which includes 31 fatal incidents. These agencies reporting fatal OIS during this span are: San Jose (15), Sunnyvale (6), Santa Clara (4), Sheriff's Office (4), Gilroy (1) and Palo Alto (1). Of the 56 total OIS incidents, 22 involved a suspect suffering from a serious mental illness. One agency, Sunnyvale, did not track this criterion. One officer was killed and six were injured by suspects suffering from a serious mental illness during this period. Several agencies do not track mental illness involvement when officers are injured or killed.

The number of fatal OIS across all agencies during this period corresponds with the data collected by the "Fatal Encounters" website.⁸

Every agency reported that it mandates that some or all of its officers complete additional CIT beyond the Peace Officer Standards and Training (POST) Basic Police Academy courses. Gilroy, Milpitas and Mountain View require the additional training only of its Field Training Officers. The length of the additional mandated CIT ranged from 40 hours (Campbell, Los Altos, Los Gatos-Monte Sereno, Morgan Hill, Sunnyvale, San Jose and Sheriff) to eight hours (Milpitas, Mountain View) to four hours (Palo Alto, Santa Clara).

Many law enforcement agencies employ uniformed Community Service Officers and Parking Control Officers who are not peace officers and do not carry firearms. Whether these other agency employees should undergo some level of CIT training is an important inquiry but beyond the scope of this report.

The number of officers who have completed the additional mandated training varied as of the date of the survey, ranging from 100% in Campbell and Santa Clara to 19% in Gilroy. Seven agencies reported that at least half of their officers have completed the additional mandated CIT. The total number of officers across all agencies who have not completed any additional mandated Crisis Intervention Training is 1519, or 49%. Some current active officers did not receive CIT in their Basic Police Academy because it was not part of their curriculum.

Four of the 12 agencies deploy a CIT on-call unit or officers (Los Gatos-Monte Sereno, Morgan Hill, Sunnyvale and San Jose). Most agencies dispatch their own public safety responders. Eight of the agencies require that their dispatchers take some level of CIT.

⁸ <http://www.fatalencounters.org/people-search/>. A website created by Brian Burghart, founder and executive director of Fatal Encounters Dot Org, and a lifelong journalist and former editor/publisher of the Reno News & Review.

Table A

	Campbell PD	Gilroy PD	Los Altos PD	Los Gatos PD	Milpitas PD	Morgan Hill PD	Mountain View PD	Palo Alto PD	Santa Clara PD	Sunnyvale DPS	San Jose PD	Sheriff's Office	Total
Number of police officers employed	42	62	31	36	81	39	87	80	146	183	1019	1302	3108
Number of OIS from Jan. 2013 - Nov. 2017	0	1	0	0	1	0	0	1	6	6	34	7	56
Number of fatal OIS	0	1	0	0	0	0	0	1	4	6	15	4	31
Number of OIS involved SMI as factor	0	0	0	0	0	0	0	1	2	Unk	17	2	22
Number of officers killed in line of duty (SMI)	0	0	0	0	0	0	0	0	0	0	1	0	1
Number of officers injured in line of duty (SMI)	5	0	0	Unk	1	0	Unk	0	Unk	0	Unk	N/A	6
CIT training required above basic academy	Yes	FTOs	Yes	Yes	FTOs	Yes	FTOs	Yes	Yes	Yes	Yes	Yes	
Number of additional CIT training hours	40	Unk	40	40	8	40	8	4	4	40	40	40	4-40
Number of peace officers completed above	42	12	26	28	49	33	55	60	146	107	511	520	1589
Additional mandated mental health training	Yes	No	Yes	Yes	No	Yes	Yes	Yes	Yes	16	FTOs	Yes	Varies
Number of peace officers completed above	42	N/A	26	32	Unk	39	Unk	65	33	66	13	766	Varies
Other optional mental health-related training	Yes	Yes	Yes	39	81	Yes	Unk	Yes	No	Yes	Yes	Yes	Varies
Dedicated CIT deployed in field	No	No	No	Yes	No	No	Yes	No	No	Yes	Yes	No	Varies
Dispatchers required to complete CIT training	Yes	No	Yes	Yes	No	Yes	No	Yes	Yes	Yes	Yes	N/A	-
Number of hours for dispatchers	0	0	40	40	0	16	0	40	4	4	40	N/A	4-40
Officers not completed mandated CIT (#)	0	50	5	8	32	6	32	20	0	76	508	782	1519
Mandated CIT trained officers (%)	100	19	84	78	60	85	63	75	100	59	50	40	-
Additional mandated mental health training (%)	100	Unk	84	89	N/A	100	Unk	81	23	36	FTOs	59	-

OIS - Officer Involved Shooting/SMI - Serious Mental Illness Unk - Unknown FTO - Field Training Officer

Crisis Intervention Training

The Grand Jury attended several sessions of the SO-sponsored CIT held in September 2017. This 40-hour course over four days was presented by the County's Behavioral Health Services and Mental Health Police Liaisons Team. The 70-plus attendees included new Correctional Academy recruits as well as active police officers from several agencies. The sessions attended were the introductory overview, de-escalation and the excited delirium, and de-escalation training, including role playing video simulations.

Students were instructed on identifying and confronting Psychosis, Autism, Development Disabilities, Alzheimer's and Excited Delirium. Given the large audience, mix of academy recruits and sworn officers, and limited time it was impossible for each attendee to engage in the video simulation, only five pairs of students took part. However, the instructors were excellent facilitators for the role playing as they commented and critiqued the student's efforts. It seemed that the video simulations were crucial in introducing and developing mental health recognition and de-escalation skillsets. One police department supervisor commented that devoting two full days to role playing simulations would be more beneficial for officers than the two-plus hours set aside.

The SO and SJPD sponsor crisis intervention/de-escalation training classes that vary in length from four to eight to 16 and to 40 hours. Some of the classes serve to refresh perishable skills for veteran officers. The Mental Health Liaisons Team is involved in many of these trainings and the video simulations. All of these courses must be certified by POST to ensure a consistent level of quality. BHS has commissioned the creation of additional video simulations to update and expand the variety of the scenarios. The Sheriff's Training Unit believes that CIT training is beneficial for veteran officers because "street experience" adds perspective and value to the training that is not available to new deputies. The SO patrol deputies are now required to undergo four-hour refresher training every two years.

The SJPD sponsors a 40-hour course for its own officers that includes the four-hour video simulation segment on de-escalation techniques. New SJPD recruits are now required to take the course during their first months in the field. Given the recent increase in new recruits along with existing staff mandated to take the CIT course, class sizes are large, often 70 or more individuals. Course instructors believe 35 is the optimal class.

County Behavioral Health Services

Santa Clara County BHS provides or funds many mental health community-based services as well as a locked inpatient ward and transitional facilities. The County is developing two Mobile Crisis Response Teams (MCRT) scheduled to begin in spring 2018, one in South County and one in East San Jose. These teams will consist of two mental health professionals (at least one to be licensed to write holds under Welfare & Institutions Code Section 5150⁹) and will be available to respond to non-life-threatening incidents from 8 a.m. to midnight, working four 10-hour shifts. Teams will respond via dispatch or at the request of officers in the field. The idea is to offer an additional resource to field officers during and after incidents. Officials expect the teams will play an important role contacting persons who have been brought to their attention as needing mental health services and channeling those persons to the appropriate resources. All law enforcement agencies in the County favor an increase in the availability of CIT teams.

The County also is sponsoring a Psychological Emergency Response Team (PERT) for the City of Palo Alto, to be funded by an Innovation grant from the Mental Health Services Act (California Proposition 63) funds. This program will team an officer with a licensed mental health worker to focus on Transitional Age Youth (16 to 24) in that community.

⁹ Section 5150 permits a peace officer or other credentialed professional to take into custody a person who appears to be gravely disabled or who presents a danger to themselves or others because of a mental health disorder.

The mental health team professionals staffing these teams will need to have 13 different types of training. A significant challenge to implementing the mobile CIT teams is hiring and retaining qualified professional staff. There is a shortage of qualified mental health professionals who wish to work different shifts and outside of traditional work hours.

Peace Officer Force Options

Most law enforcement agencies have policies that guide their use of force. These policies describe an escalating series of actions an officer may take to resolve a situation. This continuum generally has many levels, and officers are instructed to respond with a level of force appropriate to the situation at hand, acknowledging that the officer may move from one part of the continuum to another in a matter of seconds.¹⁰ A use-of-force continuum includes mere officer presence, verbal commands, empty-hand control, less-lethal methods (blunt impact, chemical and conducted energy devices), and lethal force.

California peace officers are required to complete Perishable Skills and Communications training including Arrest and Control, Tactical Firearms and/or Force Options Simulator in each two-year period as part of their Continuing Professional Training.¹¹

Members of the Grand Jury were exposed to the Sheriff's Force Option Simulator. This experience demonstrated both the need to make swift decisions in threatening situations and the skill necessary to judge people and their cognitive functioning.

There is some public perception that police officers should shoot to disarm a suspect rather than a fatal shot. When an officer must use their firearm, they are trained to aim for the body core (center mass) to avoid missing the target and to ensure the best chance that the threat presented is neutralized. Officers are not trained to shoot at an extremity. This is standard

¹⁰ <https://www.nij.gov/topics/law-enforcement/officer-safety/use-of-force/Pages/continuum.aspx>

¹¹ <https://post.ca.gov/perishable-skills-program>

methodology across all U.S law enforcement agencies and is perfected through firearms qualification drills.

Dispatch and Communications

Information is a key resource for officers in the field when responding to a potential dangerous encounter with a person suffering from mental illness, alcohol or drugs. Dispatch operators are a key link in the pipeline as their information is the initial and often the only knowledge that a responding officer has when arriving at a call. The SJPD Communications Center requires that their Operators/Dispatchers undertake the 40-hour CIT training course, and currently 41 of its approximately 130 staff have taken this training. There is no set protocol for determining whether mental health issues are involved in a given 911 situation. However, call center dispatchers do have a standard operating procedure to guide them to identify possible mental health crisis situations that can then be communicated to officers. Communications Center policy requires a "CIT needed" note in the Computer Aided Dispatch remarks when there is a history of a particular individual having crisis incidents or possibly posing a risk to themselves or to others.

Attachment: Civil Grand Jury- Final Report (05.08.18) (1837 : Response to 2017-2018 Civil Grand Jury Report)

FINDINGS AND RECOMMENDATIONS

Finding 1

The County's AB 71-required criminal justice reporting surpasses that of many jurisdictions nationwide. However, the presence of mental illness in a given incident report is not mandated by AB 71. Reporting this data would assist law enforcement agencies in understanding the relationship between mental illness and officer involved shootings, and help in revising their training programs.

Recommendation 1

Law enforcement agencies submitting AB 71-required data should report, to the extent possible, whether mental illness was involved in their use of force data, starting in 2019. This applies to all the agencies reviewed by the Grand Jury, which are the Santa Clara County Sheriff's Office, the Sunnyvale Department of Public Safety and the following law enforcement agencies: Campbell, Gilroy, Los Altos, Los Gatos-Monte Sereno, Milpitas, Morgan Hill, Mountain View, Palo Alto, San Jose and Santa Clara.

Finding 2

The Grand Jury found that training in crisis intervention and de-escalation techniques beyond what is included in the POST Basic Police Academy helps improve the outcome of law enforcement contacts with the mentally ill.

Recommendation 2A

The law enforcement agencies of Gilroy, Los Altos, Los Gatos-Monte Sereno, Milpitas, Morgan Hill, Mountain View, Palo Alto, Sunnyvale and San Jose, and the Santa Clara County Sheriff's Office, should prepare a plan to ensure that all their officers receive POST-approved Crisis Intervention Training and De-Escalation technique training, beyond the training included in the POST Basic Police Academy, by the end of calendar 2018.

Recommendation 2B

The law enforcement agencies of Gilroy, Los Altos, Los Gatos-Monte Sereno, Milpitas, Morgan Hill, Mountain View, Palo Alto, Sunnyvale and San Jose, and Santa Clara County, should provide funding for their law enforcement agencies to complete POST-approved Crisis Intervention Training and De-Escalation technique training, beyond the training included in the POST Basic Police Academy, by June 30, 2019.

Recommendation 2C

The following law enforcement agencies should execute their plan to ensure that all officers receive POST-approved Crisis Intervention Training and De-Escalation technique training, beyond training included in the POST Basic Police Academy, by June 30, 2020: Gilroy, Los Altos, Los Gatos-Monte Sereno, Milpitas, Morgan Hill, Mountain View, Palo Alto, Sunnyvale and San Jose, and the Santa Clara County Sheriff's Office.

Recommendation 2D

The following law enforcement agencies should include Crisis Intervention Training and De-Escalation technique training in their Continuing Professional Perishable Skills and Communications training: Santa Clara County Sheriff's Office, the Sunnyvale Department of Public Safety and the following law enforcement agencies: Campbell, Gilroy, Los Altos, Los Gatos-Monte Sereno, Milpitas, Morgan Hill, Mountain View, Palo Alto, San Jose and Santa Clara.

Recommendation 2E

The law enforcement agencies in the cities of Gilroy, Milpitas and Mountain View should expand their Crisis Intervention Training and De-Escalation technique training to include all of their officers, not just their Field Training Officers.

Finding 3

The Grand Jury found that in large classes, the 40-hour Crisis Intervention Training often does not provide enough time for all attendees to participate in the simulation exercises.

Recommendation 3

The Santa Clara County Sheriff's Office and the San Jose Police Department, as the County's primary Crisis Intervention Training providers, should by Dec. 30, 2018, adjust class sizes in order to provide enough time for all attendees to participate in the simulation exercises.

Finding 4A

It is difficult to recruit sufficient numbers of behavioral health professionals to staff mobile Crisis Intervention Teams and assist law enforcement officers with individuals in crisis.

Finding 4B

Additional mobile Crisis Intervention Teams would be helpful to handle the frequency of law enforcement contacts with citizens suffering adverse mental health issues throughout the county.

Recommendation 4A

Santa Clara County should immediately expand efforts to attract, recruit and train behavioral health professionals to staff existing and future mobile Crisis Intervention Teams.

Recommendation 4B

Santa Clara County should fund additional mobile Crisis Intervention Team units to be deployed within the entire County to increase the geographical area served and the operational frequency, by July 1, 2020.

REFERENCES

1. Santa Clara County District Attorney, Officer Involved Shooting reports. <https://www.sccgov.org/sites/da/Pages/Search.aspx?k=officer%20involved%20shootings>
2. Fatal Encounters, which describes itself as a step toward creating an impartial, comprehensive, and searchable national database of people killed during interactions with law enforcement. <http://www.fatalencounters.org/people-search/>
3. Gun Violence, Archive 2017. <http://www.gunviolencearchive.org/>
4. Washington Post / Data-Police-Shootings. <https://github.com/washingtonpost/data-police-shootings/blob/master/fatal-police-shootings-data.csv>
5. San Jose Mercury News, 9/17/2017. <http://www.mercurynews.com/2017/09/17/man-shot-cops-san-jose-was-known-armed-police-say>
6. National Data Collection on the Use of Force (1996) U.S. Department of Justice, Bureau of Justice Statistics, Page 3. <https://www.bjs.gov/content/pub/pdf/ndcopuof.pdf>
7. Department of Justice, Uniform Crime Reporting Statistics. (2014) https://ucr.fbi.gov/crime-in-the-u.s/2014/crime-in-the-u.s.-2014/tables/expanded-homicide-data/expanded_homicide_data_table_14_justifiable_homicide_by_weapon_law_enforcement_2010-2014.xls
8. <http://www.killedbypolice.net/> Six reported in Santa Clara County in 2017: San Jose (4), Sunnyvale (1), Santa Clara (1).

POLICE AND THE MENTALLY ILL

This report was **ADOPTED** by the 2017-2018 Santa Clara County Civil Grand Jury on this
4 day of May, 2018.



Peter L. Hertan

Foreperson

June 20, 2018

Honorable Patricia Lucas, Presiding Judge
Santa Clara County Superior Court
191 North First Street
San Jose, CA 95113

**Re: RESPONSE TO SANTA CLARA COUNTY CIVIL GRAND JURY REPORT,
“POLICE AND THE MENTALLY ILL: IMPROVING OUTCOMES.”**

Dear Honorable Patricia Lucas:

In response to the enclosed Santa Clara County Civil Grand Jury’s 2017-2018 Final Report entitled “Police and the Mentally Ill: Improving Outcomes,” the City of Morgan Hill hereby responds to the applicable findings and recommendations as required by California Penal Code Section 933.05(a) and 933.05(b), as directed by City Council on July 18, 2018.

The City of Morgan Hill agrees with Grand Jury Findings 1 & 2:

Finding 1

AB 71-requires criminal justice reporting surpasses that of many jurisdictions nationwide. However, the presence of mental illness in a given incident report is not mandated by AB 71. Reporting this data would assist law enforcement agencies in understanding the relationship between mental illness and officer involved shootings and help in revising their training programs.

The Morgan Hill Police Department has been collecting this data since 2016 if the police report narrative mentions mental health factors in a use-of-force case. Training and policy updates will formalize this process, directing Officers to include mental health factors on all use of force cases.

Finding 2

The Grand Jury found that training in crisis intervention and de-escalation techniques beyond what is included in the POST Basic Police Academy helps improve the outcome of law enforcement contacts with the mentally ill.

The Morgan Hill Police Department agrees with this finding and is working towards having all officers trained in crisis intervention and de-escalation techniques.

The City is required to respond to each Civil Grand Jury “recommendation” by selecting from one of four responses pursuant to Penal Code Section 933.05. Staff will implement

Attachment: MH response to Grand Jury Mental Illness (1837 : Response to 2017-2018 Civil Grand Jury Report)

Recommendation 1. The Morgan Hill Police Department has already implemented **Recommendations 2A, 2B, 2C, and 2D.**

Recommendation 1: Indicates that the Morgan Hill Police Department should report the required data for AB 71, to the extent possible, where mental illness was involved in their use of force data, starting in 2019.

The Morgan Hill Police Department agrees with Recommendation 1; we agree to report all the data required by AB 71, in addition to reporting incidents where use of force was used involving a mentally ill person; starting 2019.

Recommendation 2A: Encourages the Morgan Hill Police Department to prepare a plan to ensure that all their officers receive POST-approved Crisis Intervention Training (CIT) and De-Escalation technique training.

The Morgan Hill Police Department agrees with Recommendation 2A. We have already implemented this recommendation as a part of our officers' individual training plan. Crisis Intervention Training is a mandatory course for all our officers. De-Escalation techniques are integrated into various training components, such as interactive video simulator, firearms, arrest control/defensive tactics and tactical communications training.

Recommendation 2B: Suggests the Morgan Hill Police Department provide funding for their officers to complete POST-approved Crisis Intervention Training and De-Escalation technique training, beyond the training included in the POST Basic Police Academy, by June 30, 2019.

The Morgan Hill Police Department agrees with Recommendation 2B; we have allocated funds from our annual training budget for POST approved CIT courses.

Additionally, the Council allocated additional funds for our officers and dispatchers to be the first in Santa Clara County to train officers and dispatchers in the Applied Suicide Intervention Skills and Training (ASIST) program.

Recommendation 2C: Indicates the Morgan Hill Police Department should execute their plan to ensure that all officers receive POST-approved Crisis Intervention Training and De-Escalation technique training, beyond training included in the POST Basic Police Academy, by June 30, 2020:

The Morgan Hill Police Department agrees with Recommendation 2C. We have already implemented this recommendation as a part of our officers' individual training plans. Crisis Intervention Training (CIT) and De-Escalation technique training are mandatory training courses for our officers.

Attachment: MH response to Grand Jury Mental Illness (1837 : Response to 2017-2018 Civil Grand Jury Report)

Recommendation 2D: Stated the Morgan Hill Police Department should include Crisis Intervention Training (CIT) and De-Escalation technique training in their Continuing Professional and Perishable Skills and Communications training.

The Morgan Hill Police Department agrees with Recommendation 2D; as of POST training cycle 2017/2018; we have combined our Tactical Communications course with “Interactive Video Simulation Training-Responding to Persons in a Mental Health Crisis.” Additionally, we also added a video simulator to our PSP Training, with the video simulator, officers have an opportunity to exercise their training, from fine-tuning their command presence, tone of voice to de-escalation strategies.

Through the use of hundreds of POST certified interactive video scenarios specifically focused on persons dealing with mental health illnesses, the instructor can make adjustments to enhance both individual and interdependent aspects of their students’ judgment, situational awareness and de-escalation skills.

In addition to the findings and recommendations from the Civil Grand Jury, by the end of fiscal year 2019/2020, we will send all officers and dispatchers to ASIST, a 15-hour course which focuses on suicide intervention training.

Please contact me with any questions regarding this Civil Grand Jury response.

Sincerely,

Christina Turner
City Manager
Enclosures: City Council Staff Report
Grand Jury Report
Morgan Hill PD Policy # 417- Mental Illness Commitments

c w/enclosures: Donald Larkin, City Attorney