

CALIFORNIA RACIAL AND IDENTITY PROFILING ADVISORY BOARD

<https://oag.ca.gov/ab953/board>

CALLS FOR SERVICE SUBCOMMITTEE MEETING MINUTES

June 4, 2020

Subcommittee Members Present: Sandra Brown, Angela Sierra, Sahar Durali, and Dave Robinson. **Members Absent:** “None”

1. Call to Order and Introductions

The Calls for Service Subcommittee meeting was called to order at 2:06 p.m. by Co-Chair Sandra Brown. The meeting was held by video conference with a quorum of members present. Board Member Lily Khadjavi also attended to observe the meeting.

Co-Chair Angela Sierra took a moment on behalf of the Department of Justice to appreciate the Board and the public and to honor the memory of George Floyd. She requested that law enforcement listen to those speaking out against the use of force and to help identify meaningful systemic solutions. Co-Chair Sandra Brown stated that her heart goes out to all those who have died based on the racial tension in this country. Witnessing the death of an American citizen on national TV last week is a call to action for everyone. People cannot stand by and watch this happen. Co-Chair Brown said she took an oath as a police officer to protect property and lives, and promised to stand up when met with illegal, unjustified acts by members of her own profession. She stated that evil comes from all directions even right next to her. Member Sheriff Dave Robinson stated that there is no one he knows in law enforcement who is not saddened by these events and they are ready to engage and accept change. Member Robinson added that law enforcement officers are not trained to do what happened to George Floyd and the prosecutors got it right.

2. Approval of October 22, 2019 Subcommittee Meeting Minutes

MOTION: Co-Chair Sierra made a motion to approve the October 22, 2019 subcommittee meeting minutes. Co-Chair Brown seconded the motion.

APPROVAL: All members in attendance voted “yes,” and there were no “no” votes and no abstentions.

3. Overview of Proposed Subcommittee Work by Department of Justice

Allison Elgart of DOJ reported that during the December 2019 meeting, the Board expressed interest in stop data for persons with perceived mental health conditions and wanted to learn more about this issue. DOJ put together a panel for today’s

subcommittee meeting entitled “Mental Health and Law Enforcement-Community Interactions”

4. Speakers Panel, “Mental Health and Law Enforcement-Community Interactions”

Emily Lyles is a Licensed Clinical Social Worker with the Kern County Behavioral Health and Recovery Services and oversees the Mobile Evaluation Team (MET) and co-chairs the Crisis Intervention Team (CIT).

Vinny Eng is a community organizer and mental health advocate in San Francisco inspired by a personal family tragedy resulting from a violent encounter with law enforcement in the Los Angeles area in 2012.

Panelists Presentations and Board Member Discussion

Emily Lyles presented first. The Kern County Behavioral Mental Health Field Services started 22 years ago, and Ms. Lyles has been working with their Mobile Evaluation Team (MET) and Crisis Intervention Team (CIT) for the past seven years. Ms. Lyles discussed how MET has been effective in de-escalating mental health crises because law enforcement allows the staff to intervene in active calls for service, by listening to incoming calls, going out to calls with law enforcement, engaging with the people in crisis, and connecting individuals to the community resources. Approximately 13 staff work the entire county of 8160 square miles. The longevity of providing behavioral health services in the county has allowed the program to build respect and trust by the community and law enforcement, especially with calls for service that come into the police and sheriff’s departments (approximately 2600-3000 calls per year). Two-thirds of the calls involve adults and one-third involve youth. Listening to incoming calls on the police radio allows the MET staff to get deployed immediately to a situation and to directly get a sense of the state of the caller and the situation being reported. Dispatch always knows where the MET staff are, so they can monitor if they are safe or need help. The MET staff wear uniforms. Kern County participates in a SMART 911 program, which encourages residents to provide address and phone information to law enforcement to facilitate response time to emergency calls. It is another important tool for both residents and dispatch.

Co-Chair Sandra Brown asked about training and funding. Ms. Lyles advised Kern County’s Crisis Intervention Team (CIT) provides training to officers and deputies. With regard to program funding, Ms. Lyles advised that some funds come from the County via the State General fund. As long as they bill all clients, they also can bill insurance companies because the services are evidence-based. There is a fee waiver form, which the MET staff helps clients fill out.

Member Sahar Durali asked about staff sustainability. Ms. Lyles advised that the number of calls varies each day and a grant has allowed staff to create a Virtual MET program to provide zoom service calls. They have also placed iPads in hospital rooms to reduce exposure to mental health situations by staff. In terms of staffing, the MET service hours are 7:00am-12:00am. On June 6, 2020 they began a 24/7 service program on a pilot basis with one staff being on call. The 13 staff typically work 10-hour days rotating so there are four - six staff working per day. Hiring staff with experience and that are willing to work an untraditional schedule is challenging. Co-Chair Angela Sierra expressed support for this type of program. Member Robinson stated that he would love for Ms. Lyle's program to be statewide; however, this is a challenge because these support programs are generally available only during business hours, such as Monday -Friday between 8:00am-5:00pm. Sheriff Robinson expressed that they need to be available more hours and there needs to be more training for officers.

Vinny Eng was the second presenter. Los Angeles Sheriff's Deputies killed Mr. Eng's sister at a mental facility in 2012 during a call for service. This tragic incident motivated Mr. Eng to get involved in a police accountability work group in San Francisco where he resides. The work group advocated for changes to law enforcement training, use of force policies, and accountability measures to reduce tragic outcomes from calls for service. Communities and families were involved from the beginning of the process. By 2016, a Crisis Intervention Team (CIT) program, based on models in Memphis Tennessee and Seattle Washington, started in San Francisco. They overhauled the use of force policy, and officers were required to de-escalate situations using time, and distance; two factors he believes would have saved his sisters life. In 2018, the department trained all officers on the spectrum of force options. To date 53% have completed a 40 Crisis Intervention Team Training and all 10 stations in San Francisco have one or two Sergeants who are CIT trained on each shift and serve as liaisons to dispatchers. Due to these efforts, there has been a 30% reduction in use of force and an increase in officer safety. San Francisco went 20 consecutive months without one police shooting. Mr. Eng encourages California law enforcement agencies to review their polices and include community advocates and families of victims in the process at the beginning of the process as opposed to developing policies and soliciting public comments at the end. He also encouraged the Board to explore working with the American Psychological Association to develop dispatch codes parallel with the Diagnostic and Statistical Manual of Mental Disorders (DSM) to improve screening of incoming calls and appropriate law enforcement responses. Additionally, Mr. Eng urged the Board not to separate issues of race from disability. As the RIPA data bears out, many individuals stopped by law enforcement are impacted by both race and disability. Finally, reforms are needed to reduce reliance on law enforcement to transport individuals in crisis. Ambulance medical staff are better trained.

Co-Chair Sandra Brown commented that too often, dispatch does not use proper terminology when describing calls involving mental health concerns and this should be addressed. Co-Chair Sierra wanted to hear more about Mr. Eng's experience with this issue. Mr. Eng said that the San Francisco Police department has created specific codes for calls to better describe the behavior of the person being reported; this provides more structure to dispatch and helps refine and limit who is sent to a call to get the best outcome. San Francisco Sergeants on staff listen to the incoming coded calls and decide who should respond based on the code. Member Robinson asked if San Francisco PD shared this program with POST. Mr. Eng said he is sure Officer Mario Molina has shared the program with POST. Member Robinson indicated that their dispatch deputies go to POST for training and suggested that the Board follow up with POST to see if they are incorporating this program as a strategy in their training. Member Robinson asked how criminal cases involving a person with mental health challenges are handled when they are arrested and transferred to County jail. Ms. Lyles explained that in Kern County, the person is screened by a Behavioral Specialist and then passed on to the booking staff. Member Robinson said it is a problem when local police departments do not share mental conditions with jail deputies. Mr. Eng suggested that the police should contact a family member who could de-escalate a situation prior to the need for an arrest. Finally, Mr. Eng recommended that officers should not transport persons in crisis. They should call an ambulance. First responder medical staff are more appropriate. Additionally, officers tend to restrain the person, which is humiliating and criminalizes the person's illness.

5. Public Comment

Lisa Serrano with the Sacramento Bridge Program commented that there is always room for improvement and not all officers are at fault when calls for service situations go wrong.

Michelle Wittig, with the Santa Monica Police Reform Coalition, explained that she called the police to report a woman who was walking in traffic that looked distressed and needed assistance. She found out later that the police department classified her call as a woman disturbing the peace. The classification was wrong and put the woman's life in further danger. Law enforcement should review their classification procedures.

Richard Hylton commented that DOJ incorrectly instructs officers to code welfare checks as consensual searches on individuals, many of whom are experiencing homelessness.

6. Discussion of Proposed Calls for Service Chapter in the 2021 Board Report

Co-Chair Sierra asked Board members to consider the information presented in the draft report outline, and the information presented at the meeting. Co-Chair Brown stated she would like to see best practices to address the issue of cities using different codes to describe incoming mental health calls for service. She recommended that the codes be uniform for all cities in California. Co-chair Sierra would like to know more about police and sheriff dispatch operations and how they relate to citizens mental health needs. Member Sahar Durali advised that the Disability Rights Organization has developed a training program for POST and she could ask a representative to speak to the Board. There was consensus by Board members. Co-Chair Brown supports the Board pursuing mental health, but wants the Board to remember that an original goal of the Calls for Service subcommittee was to address bias by proxy. She added that it is a problem when people use the police because they do not like the way someone looks, they are uncomfortable, or they do not want that person in their space. Co-chair Brown stated that people who make calls like this are filing a false report, and should receive a fine. Member Durali advised that there is not much research on bias by proxy and the Board should continue to push this issue. Co-Chair Sierra stated that the previous RIPA report discussed San Francisco's program and suggested that DOJ include a question regarding bias by proxy in the survey to law enforcement agencies. She also asked if there are programs in other states. SDAG Nancy Beninati stated that she would ask the RIPA experts if there are other policies.

7. Public Comment

There were no additional public comments.

8. Discussion of Next Steps

Co-Chair Sierra summarized the next steps to include Sahar reaching out to the Disability Rights Advocates about their crisis intervention training for POST. Sahar would also reach out to Campaign Zero to gather information about research and analyses they may have done on calls for service and mental health. The Board asked DOJ to gather more research in the field of bias by proxy and to follow up on its survey to law enforcement about the use of RIPA information and specifically as it relates to calls for service and mental health as well as bias by proxy.

9. Service Appreciation by the Department of Justice

Aisha Martin-Walton read a service appreciation statement for Sheriff Dave Robinson's four years of service on the RIPA Board and the many leadership positions he held. Member Robinson's term expires in July 2020.

10. Adjourn:

Co-Chair Sierra adjourned the meeting at 2:14 pm.