



CITY OF LA HABRA

POLICE DEPARTMENT

September 11, 2013

Honorable Thomas J. Borris
Presiding Judge of the Superior Court
Superior Court of California - Orange County
700 Civic Center Drive West
Santa Ana, CA 92701

Pursuant to California Penal Code §§ 993-933.05, the La Habra Police Department submits the following responses to the Presiding Judge of the California Superior Court of Orange County relating to the 2012-2013 Orange County Grand Jury report entitled, "To Protect and Serve: A Look at Tools to Assist Law Enforcement In Achieving Positive Outcomes with the Homeless Mentally Ill:"

GRAND JURY FINDINGS:

- 1. Although POST requires continuing education in the area of dealing with individuals who are mentally ill, it does not specify the number of hours or frequency of officer training; nor does it require that such training be documented.**

RESPONSE: The La Habra Police Department agrees with this finding.

The Commission on POST may choose to establish a specific training curriculum with a specific number of training hours, etc., at some time in the future; however, the City of La Habra Police Department currently provides ongoing training and documentation which exceeds the current POST minimum standards.

- 2. Field officers desire more in-depth training in dealing with mentally ill on the street.**

RESPONSE: The La Habra Police Department agrees with this finding.

Field officers within the La Habra Police Department have demonstrated commitment with respect to ongoing professional development and training. Although a majority of La Habra police officers have not specifically requested more in-depth training specifically related to

dealing with the mentally ill, officers have been engaged in homeless issues and have been receptive to training in general.

- 3. There is one officer – in a very few instances two officers – for every one-thousand (1000) citizens in a given city within the County who are expected to deal with the full range of law enforcement issues of that city.**

RESPONSE: The La Habra Police Department agrees with this finding.

The La Habra Police Department is comprised of 156 employees to serve the needs of approximately 60,000 residents, with a daytime population estimated at 100,000 people. The police department consists of 71 sworn police officers, 37 fulltime civilian employees, 48 part-time civilian employees, all of whom perform the myriad of tasks and duties necessary to serve the needs of the community.

- 4. Nationally accredited police departments police less than 10% of Orange County cities.**

RESPONSE: The La Habra Police Department agrees with this finding.

- 5. Not all Orange County cities have at least one officer trained in Crisis Intervention.**

RESPONSE: The La Habra Police Department agrees with this finding.

The La Habra Police Department has officers specifically trained in Crisis Intervention.

- 6. There is a broad spectrum of on-going training provided to patrol officers in order to develop their abilities and strategies in dealing with the mentally ill. Some departments provide minimal training; others have comprehensive programs in place.**

RESPONSE: The La Habra Police Department agrees with this finding.

In addition to sending officers to formal training classes, the La Habra Police Department conducts daily briefing training on a variety of topics with input from the command staff, the Professional Standards Unit, as well as the patrol shift supervisors. Briefing training typically consists of viewing a training DVD followed by a facilitated discussion by the shift supervisor.

With respect to training police officers on the topic of mental illness, La Habra patrol officers viewed several training DVDs during the past two years including the California POST Training.

Network videos with the following titles; "Recognizing Mental Illness: A Proactive Approach," "Law Enforcement Response to Homelessness, 2004," "Law Enforcement Response Homelessness, Update," "Elder & Dependent Adult Abuse." Also, in 2012 all of the patrol officers viewed a DVD entitled, "Close Encounters, Managing Field Encounters with Persons with Mental Illness" produced by the Mental Health Association of Orange County. This training introduced patrol officers to the "TACT" method, in which officers consider *time*, *atmosphere*, *communication*, and *tone* during their contacts.

7. Five Orange County police departments have their patrol officers ride periodically with the homeless liaison officer. Seventeen do not.

RESPONSE: The La Habra Police Department agrees with this finding.

The La Police Department collaborates with the Orange County Department of Mental Health (OCDMH) and together have created the La Habra Homeless Liaison Team consisting of one patrol sergeant, four specially trained police officers as well as one OCDMH licensed mental health clinician, who partner with various La Habra patrol officers on monthly ride-alongs. The Homeless Liaison Officer Team performs the duties and responsibilities listed below:

1. Respond to assist patrol officers in defusing potentially volatile situations involving the homeless.
2. Assist patrol officers in assessing homeless individual's needs for mental health or social services, and assist them to access under-utilized available services such as US Department of Veterans Affairs, community based organizations, shelters, etc.
3. Assist patrol officers in arresting homeless individuals for criminal offenses by less-confrontational means through specialty training in handling homeless individuals with mental illness or chemical dependency.
4. Facilitate the safe and compassionate detainment of those individuals who, pursuant to WIC 5150, need to be evaluated and/or admitted to a mental health facility.
5. Assist patrol officers in arranging and coordinating the transportation of homeless individuals to an appropriate mental health facility or custody facility depending on the needs.
6. Maintain a liaison with allied agencies, groups and mental health service providers and families of the homeless.
7. Respond to the La Habra Jail to assess homeless individual's needs and find appropriate resolution and/or placement.
8. Train patrol officers and others on the safe and compassionate handling of persons with mental illness.

8. Departments are reaching out – or beginning to reach out – to neighboring departments and to other skilled professionals, both in dialogue about the mentally ill and homeless issues in their cities, and learn more effective strategies in dealing with these individuals.

RESPONSE: The La Habra Police Department agrees with this finding.

The La Habra Police Department regularly participates in the Orange County Mental Health Working Group, and sends the Homeless Liaison Officers to attend monthly meetings with allied agency colleagues in an effort to share ideas and strategies, support one another, and work collectively across city borders to provide outreach, and compassionate interactions with the homeless, particularly those with mental illness.

9 All police departments believe that on-going training should be supported by Mental Health Services Act funding.

RESPONSE: The Grand Jury has not requested a response from city police departments regarding this finding. The response for this finding is directed to the Orange County Health Care Agency.

10. All police departments adhere to written policy, procedure and/or protocol regarding contact with mentally ill persons.

RESPONSE: The La Habra Police Department agrees with this finding.

The La Habra Police Department has adopted the Lexipol® policy manual, which includes Section 418 dealing with mental illness commitments, officer considerations and responsibilities, transportation guidelines, restraints, documentation, weapons security within facilities, mentally ill persons charges with crimes, confiscation of firearms and other weapons associated with WIC 5150 commitments, return of confiscated firearms and weapons, and training as required by Penal Code § 13515.25.

The La Habra Police Department also participates in Lexipol's "Knowledge Management System" which provides online daily training bulletin reviews to each police employee. The police employees, including officers, review the written policy and supporting training materials and answer questions relating to the particular policy being reviewed to demonstrate an understanding and awareness of the policy. This daily process is documented and retained.

11. Policy and lawmakers in the County of Orange continue to examine Laura's law in light of its potential impact on mentally ill and all citizens for positive outcomes.

RESPONSE: The Grand Jury has not requested a response from city police departments regarding this finding. The response for this finding is directed to the Orange County Board of Supervisors.

GRAND JURY'S RECOMMENDATIONS:

1. Require specific continuing education for all police officers and sheriff's deputies in interacting with the mentally ill and homeless population:

- a. Orange County City police Chiefs and the Sheriff shall corroborate with the Orange County Sheriff's Association to set the type, hours and frequently of this supplemental training.**
 - i. Include crisis intervention training (Perhaps the Memphis model).**
 - ii. Training is to be documented.**

RESPONSE: The La Habra Police Department has not implemented this recommendation.

The issue of training for dealing with the mentally ill was discussed on August 7, 2013, at the Orange County Chiefs of Police and Sheriff's Association (OCCPSA). If, in the future, the OCCPSA develops guidelines, protocols, or otherwise establishes training standards for Orange County police departments relating to dealing with persons with mental illness, the La Habra Police Department commits to participating in OCCPSA processes and adopting OCCPSA protocols. In the meantime the La Habra Police Department will continue to provide training that is compliant with, and in most case exceeds, POST minimum standards.

2. All OC city police departments and the Sheriff's Department shall be accredited with a national accreditation agency within five years.

RESPONSE: The La Habra Police Department has not implemented this recommendation.

There are varying opinions relating to police department accreditation amongst government officials, law enforcement leaders, and members of the communities they serve. While some are very strong supporters of police accreditation, others vehemently oppose it, while still others are unsure or confused as to what accreditation is or what it means. In law enforcement as well as other professions, such as higher education, accreditation has at times been controversial in recent years.

The most widely known entity that accredits police departments is the Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA®). This organization, establishes methods and standards for law enforcement agencies to voluntarily demonstrate their commitment to excellence in law enforcement. The key to CALEA Accreditation is peer review of policies, procedures and practices.

Within Orange County, nearly every law enforcement agency currently shares common protocols (established by the OCCPSA) and department policies (established by Lexipol®). With such a countywide collaborative approach to transparency and the standardization of police policies and procedures, Orange County law enforcement has achieved a peer-review equivalent standard that is arguably superior to law enforcement standards in other parts of the state or country.

Notwithstanding the existing law enforcement standards within Orange County, an effort to achieve CALEA accreditation requires both fiscal and personnel commitments due to the annual cost and labor to maintain the accreditation standards. CALEA charges each police agency \$10,100 annually to maintain accreditation. This annual cost of CALEA membership does not include a full-time police employee who will be necessary to generate, coordinate, and maintain the immense amount of work required to prepare for and sustain compliance with CALEA standards. During these economically challenging times, law enforcement agencies are unable or unwilling to commit such fiscal and personnel resources to achieve accreditation without a countywide approach and fiscal support.

The La Habra Police Department is not opposed to the concept of accreditation, but share concerns over the cost and personnel commitments to achieve an accreditation seal of approval which may not provide a greater level of service to the La Habra community.

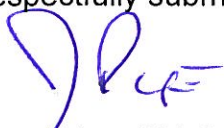
3. The County of Orange Board of Supervisors shall implement a pilot program for Laura's Law with the necessary accommodations to insure that the program will function effectively as an essential tool to help those with mental illness, thus benefiting law enforcement, and the citizen of Orange County.

RESPONSE: The Grand Jury has not requested a response from city police departments regarding this finding. The response for this finding is directed to the Orange County Board of Supervisors.

4. The Orange County Department of Mental Health Services and the Orange County Board of Supervisors shall provide funding for on-gong police officer training through Mental Health Services Act funding.

RESPONSE: The Grand Jury has not requested a response from city police departments regarding this finding. The response for this finding is directed to the Orange County Board of Supervisors and the Orange County Health Care Agency.

Respectfully submitted,



Jerry Price, Chief of Police
La Habra Police Department