



September 3, 2013

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

Re: Response of City of Laguna Beach to Grand Jury Report - *"To Protect and To Serve: A Look at Tools to Assist Law Enforcement in Achieving Positive Outcomes with the Homeless Mentally Ill"*

Dear Judge Borris:

I have reviewed the June 19, 2013 Report of the Orange County Grand Jury entitled *"To Protect and To Serve: A Look at Tools to Assist Law Enforcement in Achieving Positive Outcomes with the Homeless Mentally Ill."* The Laguna Beach City Council has authorized me to submit this response. In accordance with California Penal Code Sections 933 and 933.05, my response addresses the Orange County Grand Jury Report's findings and recommendations pertaining to the Laguna Beach Police Department. In this regard, the Grand Jury required the Laguna Beach Chief of Police to respond to findings F1, F2, F3, F4, F5, F6, F7, F8 and F10, as well as recommendations R1 and R2.

Responses to Findings F1, F2, F3, F4, F5, F6, F7, F8 and F10

Finding F1: *"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 to Finding F1: I agree with this finding. This is, however, an emerging field of training for law enforcement and may take several years to adequately assess the necessary hours required to effectively identify all of the areas requiring an understanding by field staff. Golden West College has been working closely with Orange County's law enforcement agencies to develop an appropriate program. I think it is prudent that the training be allowed to evolve without placing premature hourly requirements on the programs.

Finding F2: *"Field officers desire more in-depth training in dealing with the mentally ill on the street."*

Response to Finding F2: Solely in reliance on the information set forth in the Grand Jury report, I agree with this finding.

Finding F3: *"There is one officer - in a very few instances two officers -for every one-thousand (1,000) 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 to Finding F3: I agree with this finding. However, readers of the report should be aware that this finding describes the ratio between number of officers employed by an agency and the census number of population. It does not take into consideration random periods during the day or night when the ratio can be as high as one officer to 5,000 or more. The total number of officers employed by a department must cover a variety of work schedules spreading the total staff over twenty-four hours a day seven days a week. It also does not take into consideration significant variations in population that may well exceed the census population. Tourist communities such as Laguna Beach can easily have significant increases in population during a busy summer weekend.

Finding F4: *"Nationally accredited police departments police less than 10% of Orange County cities."*

Response to Finding F4: I agree with this finding. I am personally aware that only the Garden Grove and Tustin Police Departments are the only Orange County police departments currently accredited through the Commission on Accreditation for Law Enforcement Agencies.

Finding F5: *"Not all Orange County cities have at least one officer trained in Crisis Intervention."*

Response to Finding F5: Solely in reliance on the information set forth in the Grand Jury report, I agree with this finding.

Finding F6: *"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 to Finding F6: Solely in reliance on the information set forth in the Grand Jury report, I agree with this finding.

Finding F7: *"Five departments have their patrol officers ride periodically with the homeless liaison officer. Seventeen do not."*

Response to Finding F7: Solely in reliance on the information set forth in the Grand Jury report, I agree with this finding.

Finding F8: *"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 to learn more effective strategies in dealing with these individuals."*

Response to Finding F8: I agree with this finding. The Laguna Beach Police Department's Community Outreach Officer is working with other officers and professionals in the county to establish a countywide "working group," which confers periodically to share ideas and discuss common issues.

Finding F10: *"All police departments adhere to written policy, procedure and/or protocol regarding contact with mentally ill persons."*

Response to Finding F10: Solely in reliance on the information set forth in the Grand Jury report, I agree with this finding.

Responses to Recommendations R1 and R2

Recommendation R1: *"Require specific continuing education for all police officers and sheriff's deputies in interacting with the mentally ill and homeless population;*

- *Orange County City Police Chiefs and the Sheriff-Coroner shall [collaborate] with the Orange County Chiefs and Sheriff's Association to set the type, hours and frequency of this supplemental training;*
- *Include Crisis Intervention Training (perhaps the Memphis model);*
- *Training is to be documented."*

Response to Recommendation R1: This recommendation has been implemented for Laguna Beach police officers. The Grand Jury report did not include comments concerning the 16-hour law enforcement training course titled "Crisis Intervention Training for Law Enforcement-Understanding Mental Illness" that is provided by Golden West College. The Orange County Chiefs' and Sheriff's Association has on at least two occasions that I recall met and discussed this training at its monthly meetings with a representative from Golden West College. Over 1-1/2 years ago, attendance at the class was incorporated into the Laguna Beach Police Department's Training Plan as required training for all field staff, detectives and supervisors. To date, 24 sworn officers have attended, and this attendance has been documented as part of their permanent training records. As stated above, this is an emerging area of training in law enforcement and may take several years to adequately assess the necessary hours required to effectively identify all of the areas requiring an understanding by field staff.

Recommendation R2: *"All Orange County City Police Departments and the Sheriff's Department shall be accredited with a national accreditation agency within five (5) years."*

Response to Recommendation R2: This recommendation will not be implemented for Laguna Beach. I am aware of only one accreditation organization; the Commission on Accreditation for Law Enforcement Agencies (CALEA). CALEA is a standards-based program providing approximately 480 topics that are continually reviewed and updated by the CALEA national membership at each year's annual conference. However, the Police Department currently utilizes Lexipol as an alternative to CALEA-accreditation.

Lexipol emerged over 12 years ago through an Orange County-based company committed to risk management and legally sound "best practices" in public safety. Lexipol provides a comprehensive policy program for over 95% of law enforcement agencies in California and more than 1,500 law enforcement agencies throughout 15 states. Lexipol has proven to be a valuable system for ensuring consistent and professional law enforcement while emphasizing strict adherence to the continual changes in both statutory laws and case decisions at the state and federal level. An additional benefit is that many of Lexipol's policies have been endorsed in both state and federal court when challenged.

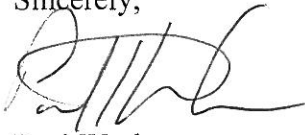
While CALEA "accreditation" provides many recommendations to agencies, CALEA, unlike Lexipol, does not provide the policy content to satisfy these "recommendations." In order to be CALEA-accredited, a department goes through a taxing and time consuming process of locating each standard in its written policies and, where a standard is missing, the policy must be amended. Implementation would unduly burden the department's staff requiring the assignment

of a management level employee to oversee the project over hundreds of hours. After completion of this process, an inspection team arrives and again verifies that each standard is covered in the policies. This process reoccurs every three years.

The City would also be required to pay CALEA an initial fee of \$10,000 and an ongoing recertification fee of \$4,000. Because of the cost and additional workload involved, I cannot agree with this recommendation.

In closing, the City of Laguna Beach would like to thank the Grand Jury for the opportunity to respond to this report.

Sincerely,

A handwritten signature in black ink, appearing to read 'Paul Workman', written over a horizontal line.

Paul Workman
Chief of Police

cc: City Manager
City Council