



ORANGE COUNTY SHERIFF'S DEPARTMENT

550 N. FLOWER STREET
SANTA ANA, CA 92703
714-647-7000
WWW.OCS.D.ORG

**SHERIFF-CORONER
SANDRA HUTCHENS**

August 8, 2013

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

Subject: Response to Orange County Grand Jury 2012-2013 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:

In accordance with Penal Code sections 933 and 933.05, enclosed please find the response to the FY 2012-2013 Orange County 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." If you have any questions, please contact Assistant Sheriff Don Barnes at (714) 647-1804.

Sincerely,

A handwritten signature in blue ink, appearing to read "Sandra Hutchens", written over a horizontal line.

Sandra Hutchens
Sheriff-Coroner

cc: Raymond Garcia, Grand Jury Foreman
Members, Board of Supervisors
Michael Giancola, County Executive Office

FINDINGS

F.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: *Disagrees with finding.*

All training provided to Deputy Sheriffs as part of Basic Academy and Advanced Officer Training (AOT) instruction is documented, certified, and approved by POST. Basic Academy training at the Orange County Regional Training Academy consists of nine hours of instruction in dealing with the mentally ill, only six of which are mandated by POST.

POST mandates AOT for all Deputy Sheriffs working in field assignments but provides some discretion to the employing agency as to the training content, as long as it meets certain general guidelines. Currently, the Sheriff's Department is emphasizing a 4-hour block of instruction for all Field Operations Deputies on interacting with the mentally ill and homeless population. The Department has also recently introduced a 24-hour block of crisis intervention training.

F.2

Field officers desire more in-depth training in dealing with the mentally ill on the street (interviews).

Response: *Agrees with finding.*

F.3

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: *Agrees with finding.*

F.4

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

Response: *Disagrees with finding.*

A widely recognized and accepted national accreditation body for law enforcement does not exist. The Commission on Accreditation of Law Enforcements Agencies (CALEA) has been touted as a national accrediting body but very few law enforcement agencies across the nation have sought or accepted accreditation from this organization. Therefore, CALEA cannot be

pointed to as a universal or gold-standard for policies, procedures, and training or a benchmark for industry standards.

The Grand Jury correctly noted that less than 10% of Orange County police agencies have undertaken the process of accreditation. Similarly, the number of accredited police agencies statewide is far below the 10% figure and some counties have no CALEA accredited agencies at all. Of the fifty-eight Sheriff's Departments in California, only one (Alameda) is accredited with CALEA, which was mandated as part of a consent decree. Some agencies that once received accreditation with CALEA have not sought re-accreditation. Other agencies, like the Orange County Sheriff's Department, have reviewed the CALEA accreditation process and concluded that it simply would not be beneficial to participate. Local law enforcement agencies across the nation adhere to standards and mandates derived from state governments and case law. POST serves as a state-wide accreditation body in California for training and standards.

The Sheriff's Department continually seeks best practices and excellence in its operations. Many benchmarks that measure performance and professionalism have been implemented. Additionally, OCSD has also developed a sophisticated and extensive database that captures crucial information to provide vigorous accountability and improve the level and quality of service that is delivered to the community.

F.5

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

Response: *Agrees with finding.*

F.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: *Agrees with finding.*

F.7

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

Response: *Agrees with finding.*

F.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 to learn more effective strategies in dealing with these individuals.

Response: *Agrees with the finding.*

F.10

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

Response: *Agrees with the finding.*

RECOMMENDATIONS

R.1

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 corroborate 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: *The recommendation will not be implemented because it is not warranted or is not reasonable.*

The Sheriff's Department agrees with the necessity and value of the recommended continuing education. The Training Division of the Department offers a variety of POST accredited courses that involve interacting with the mentally ill and homeless population. Currently, the Department is emphasizing a 4-hour block of instruction for all Field Operations Deputies on interacting with the mentally ill and homeless population that is given as part of the Advanced Officer Training (AOT) program mandated by POST. The Department has also recently collaborated with the Counseling Team International to introduce a 24-hour block of crisis intervention training as part of a peer support program. The Department will evaluate expanding this training to Field Operations personnel. All training attended is documented on the participating Deputy's official training records, which are mandated and accessible to POST.

The Sheriff's Department disagrees with recommendation to have the Orange County Chiefs of Police and Sheriff's Association (OCCOPSA) serve as a body to set or mandate training in this regard. Peace officer training standards is the purview of POST, which possesses the infrastructure to approve, monitor, and validate training.

R.2

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

Response: *The recommendation will not be implemented because it is not warranted or is not reasonable.*

The Orange County Sheriff's Department considered pursuing accreditation through the Commission on Accreditation of Law Enforcements Agencies (CALEA) in 2010 as a method of instituting improved and proactive policies and industry-wide practices. During the evaluation period however, it was determined and that the CALEA standards heavily focused on the absence or presence of policies that were more designed to support smaller or fledgling law enforcement departments. Many of these smaller departments often lack comprehensive polices and accountability measures already present in the Orange County Sheriff's Department. The evaluation concluded that our agency was largely compliant with most of the standards mandated by CALEA and determined that many of the mandatory standards necessary for accreditation through CALEA were inferior to those already utilized in the Orange County Sheriff's Department. Our department has embraced many reforms and best practice measures not even considered by CALEA. Engaging in the accreditation process would be costly, time-consuming and serve to detract from the state of the art policies and practices currently in use.

The Orange County Sheriff's Department continues to seek best practices and pursue excellence in its personnel, policies, and operations. It has adopted a state of the art policy manual, robust risk management, review, and accountability processes over recent years and continues to seek new and proactive ways of improving the level and quality of service and the professionalism of its members.