



August 26, 2013

Hon. Thomas J. Borris
Presiding Judge
Orange County Superior Court
700 Civic Center Drive West
Santa Ana, Ca 92701

Subject: Westminster Police Department response to Orange County Grand Jury Report

Dear Judge Borris:

This letter is in response to the 2012 – 2013 Orange County Grand Jury report entitled, *“To Protect and To Serve: A Look at Tools to Assist Law Enforcement in Achieving Positive Outcomes with the Homeless Mentally Ill.”*

Findings:

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.”*

We agree with this finding.

F2. *“Field officers desire more in-depth training in dealing with the mentally ill on the street.”*

We agree with this 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.”*

We partially disagree with this finding. The City of Westminster falls below the listed ratio of officers to citizens when considering the Police Department staffing to the population (.94 per 1000). This ratio decreases commensurate with the influx population to our Little Saigon business district on weekends and holidays, particularly around the time of Lunar New Year.

F4. *“Nationally accredited police department's police less than 10% of Orange County cities.”*

We agree with this finding based upon the information contained in the Grand Jury report.

F5. *“Not all Orange County cities have at least one officer trained in crisis intervention.”*

We agree with this finding based upon the information contained in the Grand Jury report.

F6. *“There is a broad spectrum of ongoing 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.”*

We agree with this finding based upon the information contained in the Grand Jury report.

F7. *“Five departments have their patrol officers ride periodically with the homeless liaison officer. Seventeen do not.”*

We agree with this finding based upon the information contained in the Grand Jury report.

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.”*

We agree with this finding; however, we cannot speak for all police departments.

F9. *“All police departments believe that ongoing training should be supported by Mental Health Services Act funding.”*

We agree with this finding; however, we cannot speak for all police departments.

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

We agree with this finding; however, we cannot speak for all police departments.

F11. *“Policy and lawmakers in the County of Orange continue to examine Laura's Law in light of its potential impact on the mentally ill and all citizens for positive outcomes.”*

We agree with this finding based upon the information contained in the Grand Jury report.

Recommendations:

R1. We agree with the finding.

The Westminster Police Department will implement the type, frequency and hours of this supplemental training upon agreement by the Orange County Police Chief's and Sheriff-Coroner. All of the training will be documented and kept on file with the California Peace Officers Standards and Training (POST) database as well as our local files.

R2. The recommendation will not be implemented because it is not warranted.

Although we respect and value the Orange County Grand Jury's position in regard to all Orange County City Police Departments seeking accreditation with a national accreditations agency, we disagree. To infer that Orange County Law Enforcement agencies not nationally accredited are second-rate or less professional than those who have obtained accreditation is misguided. The Westminster Police Department has numerous processes and policies in place that exceed CALEA standards to

which best practices and the latest technology are used to achieve favorable outcomes and enhanced accountability.

It is also our understanding that CALEA and other national accreditation bodies were created to provide those States' without peace officer standards, a blueprint in creating standardization, as well as best policies and practices. California is not one of those States. We along with over 600 other agencies in California participate in the California Peace Officers Standards and Training (POST) program. California Peace Officers Standards and Training regulations were established and adopted in compliance with and by authority of Penal Code sections 13500 et seq., and are codified in Title 11, Division 2 of the California Code of Regulations. Our ongoing participation is witness to our compliance with all regulatory requirements established by The State of California.

One partner in maintaining our ongoing compliance with POST is the Golden West Criminal Justice Training Center at Golden West College, who provides continuing professional training for peace officers. Golden West College is accredited with the Western Association of Schools and Colleges and the California Peace Officers Standards and Training.

Finally, the unfunded mandate and long-term commitment of personnel to the accreditation process is the core basis for disagreement with this Grand Jury recommendation. The Grand Jury report stated, "...not spending the money to accredit the city police department is a classic example of pennywise; pound foolish." Our situation is not one of financial frivolity. The economic downturn over the past 5 years and the elimination of redevelopment triggered massive reductions in service and staffing at the City of Westminster. The City still struggles with a significant structural deficit and the recovery is slow. The loss or tasking of any personnel to the accreditation process would create an unnecessary burden on our existing employees, our operations and our mission. To make a long-term commitment of any personnel at this time would be irresponsible and impractical given our situation and the fact we are already in compliance with POST standards as previously stated.

R3. No response required.

R4. No response required.

Respectfully,



Kevin Baker

Chief of Police

Westminster Police Department