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DEPARTMENT OF
POLICE

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April 16, 2001
Ref: 4-43

Law and Legislation Committee
Sacramento, California

Honorable Members in Session:

**SUBJECT: State of California - Psychiatric Emergency Response pilot program
Assembly Bill 1566 (AB 1566) Support Letter**

LOCATION AND COUNCIL DISTRICT: City-wide

RECOMMENDATION

It is recommended that the Law and Legislation Committee review and recommend for City Council approval the attached proposed letter of support for a California State Legislature bill pertaining to the implementation of a three-year psychiatric emergency response pilot program in Sacramento County, Assembly Bill 1566.

CONTACT PERSONS

Chief Arturo Venegas, Jr. – 264-5121
Tina Lee-Vogt, ASO – 264-7346

FOR COMMITTEE MEETING OF May 3, 2001

SUMMARY

This report provides information on a bill now active before the California State Legislature, Assembly Bill 1566 (AB 1566). If passed and approved by the Governor, this bill would appropriate funds to implement a three-year psychiatric emergency response pilot program in Sacramento County.

COMMITTEE/COMMISSION ACTION

None.

BACKGROUND

Existing law requires that each county have a plan for the provision of community health services. AB 1566 would create the Psychiatric Emergency Response pilot program. The State Department of Mental Health, in conjunction with the Sacramento County Sheriff's Department, the Sacramento Police Department, and local mental health agencies in Sacramento County would be required to design and implement a three year pilot project for the program. To implement the program, a total of \$5.37 million would be appropriated from the state budget.

Police Department patrol officers are often the first responding treatment providers when people with mental illness are in crisis. Unfortunately, our officers are often ill-equipped to adequately handle these crises. Further, many are unfamiliar with the mental illnesses presented and the various treatment options available. The intent of this legislation is to provide a more efficient and cost effective program to ensure that individuals with mental illness receive proper care and attention. The Police Department recommends City Council support of the this legislation.

FINANCIAL CONSIDERATIONS

To implement the Psychiatric Emergency Response pilot program, a total of \$5.37 million would be appropriated from the State budget. The Police Department would not require any additional City funds to participate in the program.

POLICY CONSIDERATIONS

Support of this legislation is consistent with the City's efforts to enhance the quality of life for its residents.


ENVIRONMENTAL CONSIDERATIONS

The actions recommended in this report are exempt from the California Environmental Quality Act according to CEQA guidelines Section 15378(3)(b)(1).

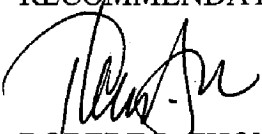
ESBD CONSIDERATIONS

None. No goods or services are being purchased.

Respectfully submitted,


ARTURO VENEGAS, JR.
Chief of Police

RECOMMENDATION APPROVED:


ROBERT P. THOMAS
City Manager

Attachments
Draft letter of Support
AB 1566

AV:tlv

Date

The Honorable Dave Cox
California State Assembly
State Capitol
Sacramento, CA 95814

Dear Assembly Member Cox:

SUBJECT: Assembly Bill 1566

On behalf of the City of Sacramento, it is my pleasure to offer this letter of support for Senate Bill 27 which would appropriate funds to implement a three-year psychiatric emergency response pilot program in Sacramento County.

If approved, SB 27 would provide \$5.37 million to implement the Psychiatric Emergency Response pilot program. This legislation would allow the Sacramento Sheriff's Department and the Sacramento Police Department to work more closely with the State Department of Health and local mental health agencies to provide a more efficient and cost effective program to ensure that individuals with mental illness receive proper care and attention.

Thank you for sponsoring this significant public safety legislation.

Sincerely

ASSEMBLY BILL

No. 1566

Introduced by Assembly Member Cox

February 23, 2001

An act to add Chapter 7 (commencing with Section 5551) to Part 1 of Division 5 of the Welfare and Institutions Code, relating to mental health.

LEGISLATIVE COUNSEL'S DIGEST

AB 1566, as introduced, Cox. Mental health: Psychiatric Emergency Response program: Sacramento County.

Existing law requires that each county have a plan for the provision of community mental health services.

This bill would make various legislative findings and declarations regarding the number of people with mental illness who come into contact with members of law enforcement; the inadequacy of law enforcement personnel to appropriately deal with these persons and make adequate mental health referrals; the financial burden placed on the court, probation and law enforcement systems as a result of this problem; and the need for the teaming of law enforcement officers with licensed mental health clinicians to deal with persons with mental illness who come into contact with members of law enforcement.

This bill would create the Psychiatric Emergency Response pilot program, which would require the State Department of Mental Health, in conjunction with the Sacramento County Sheriff's Department, the City of Sacramento Police Department, and local mental health agencies in Sacramento County, with the consent of the county, to design and implement a 3-year pilot project in which the County of Sacramento would contract with a corporation that specializes in

enabling local agencies to establish psychiatric emergency response teams as described.

This bill would require that the State Department of Mental Health, in collaboration with the other agencies involved, report to the Legislature on or before January 1, 2003, and January 1, 2004, as prescribed.

This bill would express the intent of the Legislature that state funding for purposes of this bill be appropriated in the Budget Act.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) The population of people with mental illness and homeless
4 people with mental illness in Sacramento County has increased
5 every year, while treatment and services available to these people
6 have decreased as a result of budget cutbacks. As a result of the
7 increased population of people with mental illness and the
8 concomitant reduction in services, the jails in the county have
9 become the de facto treatment site of people with mental illness.

10 (b) Patrol officers of the Sacramento County Sheriff's
11 Department and the Sacramento City Police Department are often
12 the first responding treatment providers when people with mental
13 illness are in crisis. Responding to these calls is time-consuming
14 for officers, who are often ill-equipped to deal with the crises
15 presented. Patrol officers' time is often diverted from their
16 primary duty of performing criminal investigations. Further,
17 patrol officers, most of whom are unfamiliar with the mental
18 illnesses presented and the various treatment options available for
19 persons with mental illness, will often choose incarceration or
20 unnecessary hospitalization at the Sacramento County Mental
21 Health Treatment Center.

22 (c) The Sacramento County Sheriff's Department responds to
23 approximately 525 calls per month involving persons with mental
24 illness. While some of these calls are dispatched to officers as ones
25 involving the necessity of a 72-hour hold and evaluation pursuant
26 to the Lanterman-Petris-Short Act, often the calls actually involve
27 people with mental illness, but are dispatched as matters involving

1 incorrigible children, the need for providing assistance to the fire
2 department, being drunk in public, defrauding an innkeeper,
3 disturbances involving a customer, welfare checks, and suicide
4 attempts.

5 (d) The Sacramento County Sheriff's Department and the City
6 of Sacramento Police Department are required to deal with an
7 increasing population of persons, and homeless persons, with
8 mental illness. These people are often charged with minor crimes
9 such as failure to pay the fare for public transportation, failure to
10 appear in court, or camping illegally by the river. These people
11 have often failed to take their medication, and are in crisis when
12 arrested. This population is cycling through the criminal justice
13 system at twice the rate of offenders who do not have a mental
14 illness.

15 (e) Persons with mental illness often come to the attention of
16 law enforcement as a result of the reporting of nuisance crimes.
17 The responding officer will often arrest and book the person as the
18 disposition of the matter, when a mental health referral would be
19 the appropriate disposition.

20 (f) In March 1999, the Mentally Ill Offender Crime Reduction
21 Grant Program reported an average of 150 people per day were
22 booked into the Sacramento County jail system. Arrest data
23 revealed that 13.5 percent of those arrested in a year had previously
24 received treatment from county mental health inpatient and
25 outpatient programs. The program concluded that approximately
26 9,720 persons arrested every year have mental health issues. This
27 figure is likely an underestimate because the program identified as
28 having mental health issues only those people who had utilized the
29 public mental health system.

30 (g) In a 10-day study conducted in April 1995, the Department
31 of Psychiatry for the University of California at Davis reported
32 that 19.5 percent of arrestees booked into the main jail in
33 Sacramento had prior admissions to Sacramento County mental
34 health facilities. The majority of the arrests were for
35 misdemeanors (66 percent), and a large number were as a result of
36 the commission of violations involving alcohol or drugs (45
37 percent).

38 (h) The results of the 1995 study of the University of
39 California, Davis, show that arrestees with mental health histories
40 were more likely to be homeless (7 percent) than arrestees without

1 a mental health history. It is estimated that 40 percent of homeless
2 individuals encountered by patrol officers have a history of mental
3 health treatment. An eight-day study of admissions to the
4 Sacramento County Mental Health Treatment Center in October
5 1999 revealed that 13 percent of all admissions of persons
6 precipitated by law enforcement officers were of people who were
7 homeless. Based on this finding, in one year, law enforcement
8 officers will admit as many as 676 homeless patients into the
9 treatment center.

10 (i) In dispatch calls involving a mentally ill person who has not
11 committed a crime and does not meet the criteria required to place
12 the person on a 72-hour hold for evaluation, an officer may do
13 nothing more than attempt to mediate the problem as a result of the
14 officer's lack of expertise in mental health issues and referral
15 options. The officer's inability to provide adequate mental health
16 service often results in repeated calls for service dealing with the
17 same person with mental illness.

18 (j) Conversely, many persons with mental illness may be
19 placed under 72-hour holds unnecessarily and when another
20 disposition would be more appropriate for the person, such as a
21 referral to one of the various programs in the county. The
22 Sacramento County Mental Health Treatment Center Crisis Unit
23 receives an average of 700 admissions per month. Sixty to 70
24 percent of these admissions are people brought in by law
25 enforcement, at an average cost of \$1,700 per admission. Thus,
26 inappropriate response by law enforcement officers to persons
27 with mental illness has a significant impact on the Sacramento
28 County Mental Health System.

29 (k) A typical call involving a person with mental illness can
30 take two officers out of service for up to one hour each, and for an
31 additional hour if the person needs to be transported to the
32 Sacramento County Mental Health Treatment Center. Additional
33 time may be required when medical clearance is necessary as a
34 result of, for example, inebriation, a preexisting medical
35 condition, or a suicide attempt. A police or sheriff's unit may be
36 taken out of service for up to five hours as a result of a call
37 involving a person with a mental illness.

38 (l) A policy paper published by the Pacific Research
39 Foundation estimates the cost of using the criminal justice system
40 as a treatment option, and often the first or only treatment option,

1 for persons with mental illness, costs the county up to \$53,000,000
2 per year, as follows:

3 (1) Ten million six hundred thousand dollars (\$10,600,000) for
4 the county jail.

5 (2) Two million two hundred eighty thousand dollars
6 (\$2,280,000) for the probation department.

7 (3) Seven million six hundred thousand dollars (\$7,600,000)
8 for patrol services for the Sacramento County Sheriff's
9 Department.

10 (4) Twenty-one million dollars (\$21,000,000) for patrol
11 services for the City of Sacramento Police Department.

12 (5) Eleven million nine hundred thousand dollars
13 (\$11,900,000) for the courts.

14 (m) Persons with mental illness are ultimately the
15 responsibility of the mental health system. Without specialized
16 training or assistance from the mental health system, law
17 enforcement officers are ill-equipped and ill-prepared to
18 effectively and appropriately handle persons suffering from
19 mental illness.

20 (n) When a person in our society has a medical emergency and
21 authorities are contacted, highly trained paramedics respond to
22 provide emergency medical treatment and transportation to a
23 hospital where appropriate treatment may be administered by
24 people trained to administer the treatment. When a person in our
25 society has a psychiatric emergency and authorities are contacted,
26 an officer who is minimally trained in psychiatric assessment and
27 treatment options will respond and will typically choose to arrest
28 and book the person, transport the person to the county mental
29 health hospital, or do nothing, which often results in further calls
30 to authorities.

31 (o) The Legislature recognizes the importance of developing a
32 cooperative program, involving both members of law
33 enforcement and the mental health system, to properly manage,
34 treat, and provide appropriate referrals to persons with mental
35 illness who come into contact with members of law enforcement.

36 SEC. 2. It is the intent of the Legislature in enacting this act
37 to require the State Department of Mental Health, in conjunction
38 with the City and County of Sacramento to design and implement
39 a three-year pilot program involving both members of law
40 enforcement and the mental health system, to properly manage,

1 treat, and provide appropriate referrals to persons with mental
2 illness who come into contact with members of law enforcement.

3 SEC. 3. Chapter 7 (commencing with Section 5551) is added
4 to Part 1 of Division 5 of the Welfare and Institutions Code, to read:

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CHAPTER 7. PSYCHIATRIC EMERGENCY RESPONSE PILOT
PROGRAM

9 5551. The State Department of Mental Health shall, in
10 conjunction with the Sacramento County Sheriff's Department,
11 the City of Sacramento Police Department, and local mental health
12 agencies in Sacramento County, with the consent of the city and
13 county, design and oversee the implementation of a three-year
14 pilot program to provide, through a team approach between law
15 enforcement and a corporation providing psychiatric emergency
16 response consultation services, for a psychiatric emergency
17 response team pilot program.

18 5551.1. (a) In order to implement this program, the county
19 shall contract with a corporation with expertise in training law
20 enforcement to work with mentally ill individuals and in enabling
21 local agencies to establish psychiatric emergency response teams.
22 The program provided for under this chapter shall require
23 adequate training of law enforcement officers, and adequate
24 teaming with licensed mental health clinicians, in order to
25 establish psychiatric emergency response teams that will refer
26 individuals to needed services.

27 (b) The purpose of the program provided for under this chapter,
28 shall be to provide mobile crisis intervention to individuals who
29 are experiencing mental health crises involving contact law
30 enforcement. The program shall be designed and implemented to
31 achieve the goal of increasing safe and effective responses and
32 services to persons with mental illness who come into contact with
33 law enforcement, while reducing unnecessary incarceration or
34 hospitalization, increasing public safety, decreasing unnecessary
35 arrests and prosecutions of persons with mental illness, and
36 returning patrol officers to service more quickly.

37 (c) Each psychiatric emergency response team shall consist of
38 a law enforcement officer and a licensed mental health clinician.



1 5551.2. The Sacramento County Sheriff's Department and
2 the Sacramento City Police Department shall each provide all of
3 the following:

4 (a) Officers to be trained and function as team members
5 pursuant to the program. These officers shall complete a training
6 academy in psychiatric emergency response. These officers shall
7 also work closely with the corporation providing the services, the
8 department, and law enforcement agencies that may be involved
9 in the program.

10 (b) Patrol vehicles and a work area at each station to house the
11 teams.

12 (c) Initial employee background investigations for clinical
13 staff. These investigations shall be the equivalent of a civilian
14 background investigation.

15 5551.3. The department shall, to the extent that funds are
16 appropriated for this purpose, provide funding to the City and
17 County of Sacramento to implement this pilot program.

18 5551.4. (a) The department shall, in conjunction with the
19 Sacramento County Sheriff's Department and the Sacramento
20 City Police Department, report to the Legislature no later than
21 January 1, 2003, as to the effectiveness of the program and any cost
22 savings to law enforcement.

23 (b) The department shall, in conjunction with the Sacramento
24 County Sheriff's Department and the Sacramento City Police
25 Department, report to the Legislature no later than January 1,
26 2004, as to the effectiveness of the program, any cost savings to
27 law enforcement, a recommendation as to whether the program
28 should be continued, and a recommendation as to how the program
29 may be implemented in other counties if it is recommended that it
30 be continued in Sacramento County.

31 SEC. 4. It is the intent of the Legislature that the sum of five
32 million three hundred seventy thousand dollars (\$5,370,000) be
33 appropriated in the Budget Act, as follows, for purposes of Chapter
34 7 (commencing with Section 5551) of Part 1 of Division 5 of the
35 Welfare and Institutions Code:

36 (a) Two million dollars (\$2,000,000) for the first year of the
37 program.

38 (b) One million six hundred fifty thousand dollars
39 (\$1,650,000) for the second year of the program.

- 1 (c) One million seven hundred twenty thousand dollars
- 2 (\$1,720,000) for the third year of the program.

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