

Humboldt County Civil Grand Jury Police Training Report

Guardians Before Warriors: Humboldt County Law Enforcement Training

“No cop wants to hurt someone or see his or her picture on the front of *USA Today* as the most recent [Officer Involved Shooting].”
Eureka Police Department blog, Sept. 4, 2015

SUMMARY

Humboldt County is faced with a significant number of people exhibiting substance abuse and mental health problems. These issues have garnered much attention from the County and municipal government officials. These entities have depended on law enforcement agencies in concert with social service personnel to manage these complex problems.

For many years the Department of Health and Human Services (DHHS) offered a program called Critical Incident Teams training (CIT) to local policing agencies. CIT, an international training program, was designed to provide police officers with strategies to deal with people with mental health problems who interact with law enforcement. In recent years attendance at CIT training has dwindled to the point that no training has been offered since 2014. In the recent past there have been several Officer Involved Shootings (OIS) in Humboldt County. Some of them involved people with serious mental health issues.

Because those suffering with mental health issues may not respond appropriately to the tactics the police traditionally use, the Humboldt County Civil Grand Jury (HCCGJ) decided to explore what type of de-escalation and intervention training was needed and available to the Humboldt County law enforcement community and its dispatchers.

It appears that the CIT training offered by the Department of Health and Human Services was discontinued because of a disconnect between DHHS’s mental health staff and law enforcement agencies as to what direction the training should take. The HCCGJ is heartened that representatives from the Mental Health Branch and law enforcement recently attended a national forum centered on CIT training.

The Humboldt County Civil Grand Jury recommends that County law enforcement agencies work with mental health stakeholders (clients, families and advocates) and the Humboldt County Department of Health and Human Services to create and offer consistent, comprehensive, relevant and culturally-sensitive crisis intervention and de-escalation training programs.

BACKGROUND

A growing number of deadly Officer Involved Shootings (OIS) have put local law enforcement agencies around the United States under public scrutiny. Having such a tragedy occur in one’s city or county is an unacceptable way to discover the need for greater support for local law enforcement as guardians of public safety.

In August 2015, the Police Executive Research Forum (PERF), a national police research and policy organization, released its evaluation of the implications of the Ferguson, Missouri, shooting as part of their *Critical Issues In Policing Series*. In *Re-Engineering Training On Police Use of Force*:

We are responsible to our communities, and to the officers who risk their lives and act courageously, day in and day out. These officers need our guidance and they need state-of-the-art principles.

In a recent Officer Involved Shooting, two Arcata Police Department officers responded to a call and attempted to verbally de-escalate a situation outside a local store in which a man was acting aggressively and drinking alcohol. Even though the man was shot when he attacked one of the officers, he survived the incident.

In a May 18 press conference, the Arcata Police Chief stated, regarding the Officer Involved Shooting:

It's a dynamic situation and they're trying to respond, coax, coach this individual to comply. Sometimes compliance happens immediately, sometimes it doesn't happen at all... That officer is making that decision in a second if not less than a second, so it's big and we feel the weight of it, the officer feels the weight of it, the officer's family feels the weight of it, it's difficult...it's a difficult time.

We send officers through [Crisis Intervention Training] and they are learning skills and techniques on interacting with people in crisis. The focus is primarily related to mental health and trying to give the officers some understanding and then also tools that they can use to try to diffuse, de-escalate. Maybe some key words, phrasing... Both of these officers have gone through the CIT Training.

The Arcata Police Department reports that all of their officers have CIT training. Many Humboldt County Sheriff's deputies and Eureka Police Department officers are CIT-trained. Problems have plagued the Humboldt County Department of Health and Human Services CIT program in the past two years that have caused subsequent cancellations of the training. The Eureka Police Department has developed their own program called De-escalation Intervention Response Training (DIRT). They had hoped to have it in place by the spring of 2016, but by June 2016 that had not happened. It may eventually become available to other police departments.

This gap in de-escalation training is of concern to the Humboldt County Civil Grand Jury. Because fewer officers are being offered de-escalation training in Humboldt County, the HCCGJ decided to conduct an investigation.

METHODOLOGY

The Humboldt County Civil Grand Jury studied several local first responder de-escalation training programs as well as police cadet training at the College of the Redwoods Law Enforcement Training Center. The HCCGJ examined law enforcement policies and practices from the State of California (including the California Highway Patrol) and of local law enforcement agencies.

The Humboldt County Civil Grand Jury also reviewed recent research published by an array of national organizations concerned with countering bias in decision-making and de-escalation as a function of police professionalism. Various media reports of police interactions around the country were reviewed.

Interviews were conducted with officers from local law enforcement agencies, the Community Corrections Resource Center, professionals from the Humboldt County Department of Health and Human Services (DHHS), and mental health advocates.

DISCUSSION

Aware of the national climate and recent local incidents, especially those involving mental illness as a key factor, the Humboldt County Civil Grand Jury elected to focus this report on police training designed to de-escalate potentially violent situations involving the mentally ill. In our exploration of police training programs, the HCCGJ also discovered that the recent loss of professional psychiatric staff within the DHHS Mental Health Branch has negatively impacted their Crisis Intervention Training (CIT) program.

Police Interactions: The *Policy Manuals* of both the Humboldt County Sheriff's Office and the Eureka Police Department include the topic of "Crisis Intervention Incidents." Both manuals acknowledge, "interaction with [those experiencing a mental or emotional crisis] has the potential for miscommunication and violence."

In 2014, the Eureka Police Department dealt with 125,000 calls for service; numbers for 2015 were not available. Eureka's population is approximately 28,000, but can swell to 60,000 during any given day. Up to 30% of police interactions are with those who are mentally ill, according to a 2014 U.S. Department of Housing and Urban Development report. Other encounters with individuals labeled "Not Otherwise Specified" (NOS), exhibit the behaviors of mental illness.

While the number of County residents with traditional psychiatric diagnoses, such as bipolar disorder or schizophrenia, has held steady for many years, the number of NOS diagnoses has increased dramatically. The number of diagnosed NOS cases in 2014-2015 was two and a half times greater than in 2007. The first four months of 2016 indicate almost as many NOS cases (84%) as all of 2007. Many people with an NOS diagnosis can also be multiple substance abusers and some exhibit dangerously erratic behavior. Their support and care depends on a coordinated effort of both the psychiatric and law enforcement communities. Currently the Humboldt County law enforcement community deals with the majority of these cases.

Exacerbating this situation have been the significant changes in DHHS staffing throughout the County in recent years. These changes have negatively impacted services throughout the County, including law enforcement training programs offered through the Mental Health Branch of the Department of Health and Human Services, and has been especially severe in outlying areas.

Basic Training: Local basic training of police cadets utilizes a state-mandated Commission on Peace Officer Standards and Training (POST) certified curriculum taught through the College of the Redwoods Law Enforcement Training Center Administration of Justice program.

De-escalation of violence is a main theme in almost all classes, and is woven into all subjects taught. Simulator training gradually accustoms cadets to less emotional responses as well as to the quick thinking, good communication, and calm decisions essential in such situations. However, the great majority of cadets have never experienced a violent encounter. Although some de-escalation techniques are covered, Crisis Intervention Training (CIT) is not specifically given at the basic training level.

Crisis Intervention Training (CIT): Crisis Intervention Training is a generic term for a variety of programs used around the country designed to improve first responder actions and public safety, and to redirect individuals with mental illness from the judicial system to the health care system. The California Institute for Behavioral Health Solutions September 2015 report titled *Crisis Intervention Training: Current Practices and Recommendations for California* makes a distinction between “Crisis Intervention Teams,” by which they mean only the 40-hour, community-building Memphis Model, and all other such programs, which they refer to as “behavioral health crisis intervention trainings.”

The 40-hour CIT comprehensive training focuses on building ongoing community partnerships between law enforcement, mental health professionals, community organizations, and individuals and families who have experienced mental illness. These five key partners form the strength of Crisis Intervention Teams training. They collaboratively plan and implement training and protocols to reduce the risk of injury to police officers, bystanders and mentally ill persons. Responsive intervention teams include CIT-trained law enforcement personnel, CIT-trained mental health staff, and CIT-trained mental health advocates. The CIT Memphis Model recommends that all dispatchers should also be trained to appropriately elicit sufficient information to identify a mental health related crisis.

According to CIT International:

Outcome research has shown CIT to be effective in developing positive perceptions and increased confidence among police officers; providing very efficient crisis response times; increasing jail diversion among those with mental illness; improving the likelihood of treatment continuity with community based providers; and impacting psychiatric symptomatology for those suffering from a serious mental illness as well as substance abuse disorders. This was all accomplished while significantly decreasing police officer injury rates.

Many different versions of crisis intervention training are in use by law enforcement agencies statewide. Recent California legislation addresses this unevenness. Senate Bill (SB) 11 requires at least 15 hours of behavioral health instruction on mental illness and intellectual disability be taught at academies (such as College of the Redwoods) for new recruits who are training to become police officers on, or before August 1, 2016. The previous standard was 6 hours. SB 29 requires police officers in supervisory roles conducting field training to receive at least 12 hours of behavioral health training including eight hours of crisis intervention instruction, to be implemented by June 30, 2017.

Since Humboldt County’s 36-hour CIT trainings began in 2007, 347 representatives from various County departments have attended. The Department of Health and Human Services has

coordinated at least one County CIT training each year since 2007. There were two such CIT trainings offered in 2007, 2008 and 2010. In the seven trainings offered between 2007 and 2010, 155 law enforcement officers and dispatchers attended. In the four trainings offered between 2011 and 2014 (the last year the training was offered), only 68 law enforcement officers and dispatchers attended. Of the 241 eligible Humboldt County Sheriff's Office employees, approximately 70 have attended. The Arcata Police Department requires its officers to take the training. Many Eureka Police Department officers have taken the CIT training, but officers hired since early 2014 have not had the opportunity to do so because it has not been offered since February of that year.

A 2013-2014 Humboldt County Civil Grand Jury report titled *How Do We Deal with Children in Crisis* recommends that "Crisis Intervention Training should be mandatory for all law enforcement officers." Those who responded to the recommendation stated:

- "There is merit in this training."
- The Board of Supervisors "does encourage..." CIT training.
- The "Community Corrections Partnership has set aside funding for local law enforcement agencies to attend DHHS trainings."

Unfortunately, local CIT training has not been offered since February 2014. One had been planned for the spring of 2016 but was cancelled on April 14 of that year.

The 2016 CIT program had fallen into significant disarray. Facilitation of the program was hurriedly assigned to two Mental Health Branch (MHB) staff members, neither of them the professional who had been in charge in recent years. While these suddenly-assigned staff are fully competent in CIT trainings, the tight deadline did not allow time to assemble a well-developed four-day program. This last-minute change was once representative of the top down way that decisions were made at the MHB, without the input of the people that the decisions affected.

Without time to determine what aspects had or had not worked before, the curriculum from the 2014 training was submitted to POST for accreditation in 2016. Organizers did not even know if the former presenters would be available.

In recent years, rather than being a community-wide project, CIT training in Humboldt County had been left up to the Mental Health Branch. This included all of the organization and preparation, the selection of curriculum, and communicating with participants. And, in recent years, the MHB has been increasingly consumed with internal problems. As stated in an interview,

In part, this explains why there was not a CIT training in 2015: because Mental Health was not driving it, it did not happen...This training has not really been organized to include effective participation from law enforcement and other community partners. Law enforcement should help determine what the curriculum is, and they should help select and vet presenters. They should be helping to script and enact role-plays that meet their training needs. In the absence of this kind of active participation from law enforcement, CIT is a glass that is not half full.

The organizers of the spring 2016 CIT program made the decision to postpone the 2016 training until fall. They will use the intervening time to create a solid program with input from all concerned; law enforcement, mental health clinicians, mental health advocates, clients and families living with mental illness.

De-escalation Intervention Response Training: The Eureka Police Department (EPD) De-escalation Intervention Response Training (DIRT) explores mental illness assessment and is especially focused on de-escalation techniques intended to reduce the tension in police interactions. The Humboldt County Civil Grand Jury finds the name DIRT regrettable and unprofessional, vaguely defaming the mentally ill and their families by association. The HCCGJ strongly recommends that the Eureka Police Department find an acronym for the program other than DIRT.

The program was announced in a September 4, 2015 EPD blog entry, *De-escalation and Rural Policing*:

The Eureka Police in collaboration with the Humboldt [County] Department of Health and Human Services, the Humboldt County Sheriff's Office, Fortuna PD and Ferndale PD convened a group of police officers and mental health subject matter experts to build training curriculum that may help prevent Officer Involved Shootings (OIS). The training will be given to all EPD officers and others from agencies who choose to send their officers.

The EPD blog entry goes on to say:

We are teaching to de-escalate problems with three cops that in a large agency would take 15 officers. It's a balance of safety and effectiveness. The goal is to use time, talk and tactics to slow things down and give the person time to come back to reality. Sometimes they don't. [Using] mental health communication techniques, emergency negotiations and scene leadership...students learn that every human life is worth protecting...They learn that when possible their actions should not make a crisis worse.

The first test of this new curriculum was offered as a train-the-trainers workshop by EPD on September 3 and 4, 2015. The final DIRT format and the length of the program (between 12 and 16 hours) were still being worked out as of the writing of June 2016. The DIRT curriculum seeks to include the best of the County CIT information on behavioral disorders as well as the best psychiatrically sound tactics for success in interactions with mentally confused and hostile persons. However, the HCCGJ was unable to discern if anyone within the County DHHS Mental Health Branch was consulted.

DIRT is mainly practical, tactical training and law enforcement team-building from their professional point-of-view and addressing their specific needs in the field. In the strongly scenario-driven training, teams learn to use communication skills and team-trust to take their time in any situation where it is feasible and to choose which officer will take which role in the chosen tactical maneuver, using the least harmful subduing tools. Unlike the full Memphis Model CIT program, the DIRT curriculum involves no community building. No mental health stakeholders (clients, families or advocates) were consulted in designing this curriculum nor are they expected to participate in it.

Participation in the DIRT will be expected of all EPD officers and dispatchers when the course becomes available, originally slated for spring 2016. The Sheriff's Office has expressed interest in including their officers in the future and the program is open to all County law enforcement agencies. EPD expressed the possibility of expanding de-escalation training to law enforcement agencies beyond Humboldt County.

Conclusion: The Humboldt County Civil Grand Jury commends the organizers of the 2007 Crisis Intervention Teams training for their vision of a community-wide response network designed to support law enforcement and the mentally unstable in crisis situations. Those community connections have waned in the intervening years. Now, the original Mental Health Branch facilitator who developed that CIT program has returned and is working to reinstate community relationships out of which can come a better program. Organizers of the spring 2016 CIT program made the decision to postpone this training until fall, and use the intervening time to create a solid program with input from all concerned; law enforcement, mental health clinicians, mental health advocates, clients and families living with mental illness.

Since the decline of law enforcement participation in the County CIT program, the Eureka Police Department spearheaded the development of the DIRT program, a concise, tactical training for police teams in the field. The Humboldt County Civil Grand Jury finds merit in both programs.

FINDINGS

F1. The four-day CIT program takes officers out of the field for a significant period of time and may leave smaller agencies too short-staffed to be effective in their communities.

F2. Repeated turnover of staff within the Mental Health Branch of the Department of Health and Human Services has negatively impacted their ability to offer the local CIT program.

F3. In crisis situations, public safety may rest on first contact with dispatchers, yet the recently enacted California Senate Bill 11 standardizing de-escalation/mental illness training for law enforcement personnel does not include the training of dispatchers.

F4. The Eureka Police Department is to be commended for taking the initiative in designing the new De-escalation Intervention Response Training (DIRT).

RECOMMENDATIONS

R1. The Humboldt County Civil Grand Jury recommends that County law enforcement agencies work with mental illness stakeholders (clients, families and advocates) and the Humboldt County Department of Health and Human Services to create and offer consistent, comprehensive, relevant and culturally-sensitive crisis intervention and de-escalation training program. **F1, F2**

R2. The Humboldt County Civil Grand Jury recommends that all County crisis intervention and de-escalation training programs be available to all Sheriff's Office and municipal police department dispatchers Countywide. **F3**

R3. The Humboldt County Civil Grand Jury recommends that some continuing education course on interactions with persons with mental, behavioral, substance use or intellectual disabilities be offered regularly for every dispatcher and every law enforcement officer who is assigned to patrol duties or who supervise patrol officers in the County. **F1, F2, F3, F4**

R4. The Humboldt County Civil Grand Jury recommends that the Eureka Police Department present the De-escalation Intervention Response Training program to the Commission on Peace Officer Standards and Training when the program is ready to be implemented. **F3, F4**

REQUEST FOR RESPONSES

Eureka Police Department (**R1, R2, R3, R4**)

Arcata Police Department (**R1, R2, R3**)

Rio Dell Police Department (**R1, R2, R3**)

Fortuna Police Department (**R1, R2, R3**)

Ferndale Police Department (**R1, R2, R3**)

Humboldt State University Police Department (**R1, R2, R3**)

Humboldt County Sheriff's Office (**R1, R2, R3**)

Mental Health Branch of the Humboldt County Department of Health and Human Services (**R1**)

INVITED RESPONSES

Commission on Peace Officer Standards and Training (POST) (**R4**)

Humboldt California Highway Patrol (**R1, R2, R3**)

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.

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