

Social Worker, Therapist, Cop: Managing Today's Police Risk

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1



2



4 Million Adults with Untreated Severe Mental Illness

1 in 10 of All Law Enforcement Responses

1 in 4 of All Fatal Police Encounters



3

Are police contacts with mentally ill subjects *more risky*?

- Calls for service last longer
- Require additional officers
- Misdemeanors or “nuisance” offenses
- Often volatile situations, risking the safety of all involved



4

What does the public want?

Who is best suited to respond to emergency situations involving a mental health crisis?

➤ **80%** said first responders AND mental health professionals

➤ **9%** said first responders without mental health professionals



5

What do police officers want?

What service traditionally performed by police should be performed by a different government (or non-government) agency?

➤ **44%** said responding to a person experiencing a mental health crisis



6

Today's Discussion

1. Legal Risks
2. Current Officer Training
3. Policy Options



7

Legal Risks



8

Governing Cases

- *Deorle v. Rutherford*, 272 F.3d 1272 (9th Cir. 2001)
- *Bryan v. MacPherson*, 630 F.3d 805 (9th Cir. 2010)
- *Lal v. California*, 746 F.3d 1112 (9th Cir. 2014)
- *Sheehan v. City and County of San Francisco* (575 U.S. 600)



9

Current Officer Training


- Academy Training
- Crisis Intervention Training
- De-Escalation




10


Policy Options

- Keep law enforcement on it
- Take it away from law enforcement**
- Enact a hybrid model**




11

Policy - Lexipol



485.2 POLICY
 The University of California Santa Cruz Police Department is committed to providing a consistently high level of service to all members of the community and recognizes that persons in crisis may benefit from intervention. The Department will collaborate, where feasible, with mental health professionals to develop an overall intervention strategy to guide its members' interactions with those experiencing a mental health crisis. This is to ensure equitable and safe treatment of all involved.




12

Policy - Lexipol

University of California Santa Cruz Police Department
 Crisis Intervention Procedure

465.4 COORDINATION WITH MENTAL HEALTH PROFESSIONALS
 The Chief of Police should designate an appropriate Division Commander to collaborate with mental health professionals to develop an education and response protocol. It should include a list of community resources, to guide department interaction with those who may be suffering from mental illness or who appear to be in a mental health crisis.



13

Policy ("Take It Away") CAHOOTS Program

Crisis
Assistance
Helping
Out
On
The
Streams




14

Policy ("Take It Away") San Francisco's Street Crisis Response Team



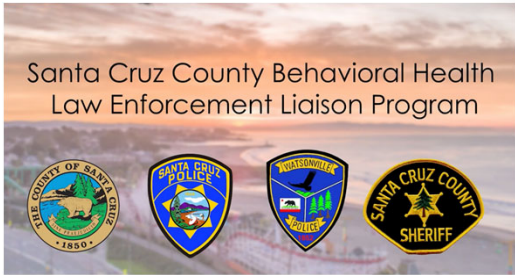

15

Policy ("Take It Away")
Funding



16

Policy – Hybrid Model
Santa Cruz Police Department



17

Finding an Impartial Jury in the Wake of
Defund the Police

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18

Overview

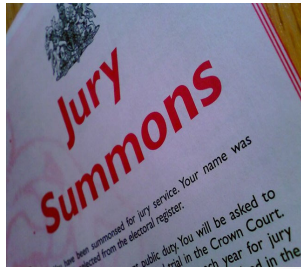
1. Juries in Federal Court
2. Selection Process
3. Value of Written Questionnaires
4. Questions/Topics to Explore



19

Juries in Federal Court

- Unanimous verdict
- Pulled from the District (as opposed to the county)



20

Selection Process

- Judge handles most of the questioning
- Attorneys typically allowed 15-30 minutes
- Between 6 and 12 jurors (0-3 alternates)
- Attorneys exercise challenged for cause (unlimited) and peremptory challenged (limited)
- Researching prospective jurors (social media as a tool)



21

Value of a Written Questionnaire

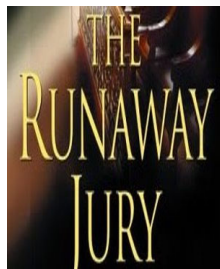
- Answer sensitive questions privately (often more truthful in responses)
- No always allowed by the Judge
- Questions to include
 - Focus on experiences (involvement in lawsuits, social justice organizations, or being a victim of a crime)
 - Activities (e.g., hobbies, memberships, television/reading habits)
 - Opinions, such as views on police authority
- Questions that are *generally* not allowed



22

Questions/Topics to Explore

- Scope of Voir Dire (cannot pre-try facts)
- How to question effectively
- Ferret out bias
- How to rehabilitate
- Watch out for *Batson* challenges!



23

QUESTIONS?

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24
