

## Jones, Michael (CMO)

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**From:** Agendadesk  
**Sent:** Wednesday, October 16, 2024 2:42 PM  
**To:** Jones, Michael (CMO)  
**Subject:** Fw: REAL comments on 911 analysis agenda item - PSFSS October 17  
**Attachments:** \_REAL Community Safety WG 911 call letter October 2024.pdf

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**From:** City Clerk <city.clerk@sanjoseca.gov>  
**Sent:** Wednesday, October 16, 2024 2:38 PM  
**To:** Agendadesk <Agendadesk@sanjoseca.gov>  
**Subject:** Fw: REAL comments on 911 analysis agenda item - PSFSS October 17

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**From:** Matt King <mattk@sacredheartcs.org>  
**Sent:** Wednesday, October 16, 2024 2:28 PM  
**To:** Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Ramirez, Lucas <lucas.ramirez@sanjoseca.gov>; Torres, Omar <Omar.Torres@sanjoseca.gov>; Arreola, Kiara <Kiara.Arreola@sanjoseca.gov>; Kamei, Rosemary <Rosemary.Kamei@sanjoseca.gov>; Zeelig, Aaron <Aaron.Zeelig@sanjoseca.gov>; Fleming, Jonathan <Jonathan.Fleming@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Batra, Arjun <arjun.batra@sanjoseca.gov>; Dexter, Michele <Michele.Dexter@sanjoseca.gov>  
**Cc:** Westphal, Thomas <Thomas.Westphal@sanjoseca.gov>; Mohsen, Raania <Raania.Mohsen@sanjoseca.gov>; Kenney, Kailyn <Kailyn.Kenney@sanjoseca.gov>; Matt King <mattk@sacredheartcs.org>; City Clerk <city.clerk@sanjoseca.gov>  
**Subject:** REAL comments on 911 analysis agenda item - PSFSS October 17

[External Email. Do not open links or attachments from untrusted sources.]

You don't often get email from mattk@sacredheartcs.org. [Learn why this is important](#)  
Hello,

Thank you for reviewing and responding to our attached comments. We look forward to continued discussion.

m

Matt King  
pronouns: he/him/his  
Policy Director  
Sacred Heart Community Service  
[REDACTED]

I'm often in the eastern time zone and that may affect my response time

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

October 16, 2024  
Via electronic mail

Re: [Options for Expanding Alternative Response and Co-Response Programs to 911 Calls for Service](#).

Dear Chair Jimenez and committee members Torres, Doan, Kamei and Batra,

This letter was prepared and submitted by the **community safety workgroup of the REAL Coalition**.

We write today to share our thoughts and feedback regarding item (d)3 on the October 17 agenda for the Public Safety, Finance, and Strategic Support Committee (PSFSS), [Options for Expanding Alternative Response and Co-Response Programs to 911 Calls for Service](#).

### **REAL Recommendations**

We ask members of PSFSS to defer accepting the report and direct staff to return within 60 days with:

1. Updated recommendations to increase investment in existing and new alternative response options.
2. An official, written response from the California Department of Health Care Services as to the legality of funding TRUST with Opioid Settlement Funds.

### **Discussion**

We are grateful for the sincere and thoughtful engagement we've received from Thomas Westphal, Raania Mohsen and Kailyn Kenney. They've been generous with their time and curiosity, and in several ways the staff memo reflects their commitment to listening to community members with direct lived experience. We are pleased to see staff acting expediently to ensure the money set aside for TRUST results in expanding the service in San José.

That said, we are concerned that the memo before you this week, in service of meeting the direction offered by the City Council in February, falls short in meeting the needs of community members living with disabilities, who are especially vulnerable to mistreatment by law enforcement, especially when they are also people of color.

We think the staff memo:

- Contradicts the spirit of its own findings.
- Offers nothing new for alternative response options.
- Promotes co-response options that put the onus of safety on community members instead of law enforcement.
- Fails to address disabilities other than mental health, developmental disabilities or substance abuse disorder.
- Accepts a partially-informed decision by the City Attorney that TRUST cannot be funded with Opioid Settlement Funds.

## **REAL's response to staff findings**

### **Finding #1 community preference for alternative response**

The first finding, that members of disabled communities and their representatives, prefer alternative response programs over co-response programs (with law enforcement), is the key finding, and all decisions made by city officials should follow from it.

### **Finding #2 standards for crisis intervention training**

The report compares training provided by the San José Police Department to other jurisdictions but fails to consider how effectively it's meeting the needs and protecting the safety of community members. The recommendations do not account for feedback provided by community members, or grapple with the finding that outcomes for people with disabilities interacting with law enforcement are worsening, as detailed by this [California Reporting Project Investigation](#). The city should come up with a plan to independently evaluate CIT training to determine the root cause of worsening outcomes, ensuring the training is evaluated by individuals and organizations with lived experience and a disability justice lens.

### **Finding #3 co-response: disability**

As the staff report details, "Many community members and advocates also supported prioritizing further investment and resources in alternative response and community-based programs over co-response programs, as *alternative team response can create more equitable outcomes for communities of color and others disproportionately impacted by the criminal justice system.*" (emphasis added). And it also recognized, "...national best practices for providing mental health services" *do not support co-response* as noted by the [Substance Abuse and Mental Health Services Administration report](#). (emphasis added)

We do agree with the recommendation to hire more clinicians and others with the skills to communicate with people with particular disabilities, such as those fluent in American Sign Language.

While detailing co-response models in other jurisdictions, the staff memo is not telling the entire story. Chicago recently decided to [eliminate co-response models](#), and there are pending Americans with Disabilities lawsuits pending in [Oregon](#) and [Washington D.C.](#)

San José should strive to remove armed officers from as many situations as possible rather than put the onus of safety on community members, as detailed in several examples from other jurisdictions cited in the staff memo.

### **Finding #4 911 to 988 transfer**

We agree with the spirit of the recommendation but it is vague and limited. The city needs to explore specific opportunities, like referring youth calls to the Mobile Response and Stabilization Services, and identifying specific call types that can be handled by someone other than law enforcement, like welfare checks. We note and appreciate the language in the report detailing

city staff's continued efforts to reach an agreement with the county on further 911 to 988 transfers.

**Finding #5 TRUST pilot**

We applaud the city for contributing to TRUST expansion and expect to see further investment in the Fiscal 2026 budget.

**Finding #6 opioid funding**

The city needs to seek an official ruling from the California Department of Health Care Services on the legality of using this money to fund TRUST.

**Finding #7 988 education**

As mentioned in the staff memo, the city should identify who will do this education and outreach work, and fund it.

**Findings #8 and #9 related to domestic violence**

We find the city's approach here well-intentioned but missing the full range of evidence-based options. Similar to co-response for people with disabilities, there is a great deal of evidence that alternative response programs are needed to ensure people subjected to intimate partner and interpersonal violence get the support and services they need. We look forward to engaging in the pilot for community-led services and agree the results of that pilot should inform next steps and further investments in IPV programming.

Thank you again for the hard and thoughtful work presented by city staff, and for your consideration of our recommendations. As always, we stand ready to work together to create a city where everyone has health, safety and success.

In partnership,

Community Safety Workgroup of the REAL Coalition

Cc: Thomas Westphal, Raania Mohsen, Kailyn Kenn

**About the REAL Coalition**

The REAL community of Silicon Valley based nonprofit leaders and allies has been meeting since June 2020 to use our positional power to advocate for a more racially-just and equitable society; to establish a peer network of leaders committed to fighting white supremacy and systemic racism in ourselves and our institutions; and to hold each other accountable to the promises we made in the Nonprofit Racial Equity Pledge. The REAL coalition is broadly representative of the nonprofit community including human and community services, behavioral health and health, arts and culture, domestic violence, older adults, food security, education, environmental, farming, legal, disability rights, LGTBQ rights, ethnic, immigrant rights, housing and homelessness, criminal justice reform, urban planning, and intermediary organizations, and others. Over 125 organizations have participated in the REAL Coalition.

