

FW: 911 Call Diversion/Alternative Response for people with disabilities

From City Clerk <city.clerk@sanjoseca.gov> Date Mon 2/3/2025 7:46 AM

To Agendadesk < Agendadesk@sanjoseca.gov>

From: Anna Ahammad < Sector 2005 7:26 PM Sent: Saturday, February 1, 2025 7:26 PM To: City Clerk <city.clerk@sanjoseca.gov> Cc: The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; District8 <district8@sanjoseca.gov> Subject: 911 Call Diversion/Alternative Response for people with disabilities

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Some people who received this message don't often get email from **Learn why this is important** Hello, I'm Anna Ahammad and I live in District 8.

I am concerned about the City Manager's Alternative & Co-Response Options Report. The report finds that the disability community wants the City to focus on alternative response options, but goes on to focus on and recommend co-response.

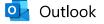
National best practices and ADA compliance calls for alternative response, not co-response. Sending police with the alternative response defeats the purpose of diverting these calls. We need a report that addresses alternative response as it relates to people with disabilities other than just mental health disabilities.

My 12 year old son has a developmental disability as well as co-occurring mental health disabilities. He was suicidal last fall. It has been difficult to find quality treatment, and I worry that we could end up needing to call for emergency services. I have done everything I can to provide him with appropriate support and most recently found the fabulous services of the California START program. <u>https://www.dds.ca.gov/services/crisis-safety-net-services/start-program/</u>

This program works to prevent crises ahead of time by thoroughly supporting the individual with the disability and their family. If there is a crisis, we know that we can call their emergency line for support. Having people trained in supporting individuals with disabilities during crises has been a godsend. Escalation with police or hospitalization would only inflame the situation and further traumatize my son and family. The disability community prefers alternative response, not co-response. Mobile crisis units also help both the individual and the City avoid traumatizing, expensive, and unnecessary hospitalizations.

____Lindsey Mulrooney, Reducing "Avoidable" ED Visits for Mental Health Could Cut Billions in Costs, Improve Patient Outcomes, American Journal of Managed Care (December 2022), <u>https://www.ajmc.com/view/reducing-avoidable-ed-visits-for-mental-health-could-cut-billions-in-costs-improve-patient-outcomes</u>. We ask that you direct the staff to prioritize alternative response over co-response and a recommendation for the budget, direct staff to do more research on physical disability response (deaf/hard of hearing, blind, have mobility disabilities,etc) and non apparent disabilities such as autism and that the city budgets for a comprehensive community education campaign to raise awareness of 988 and direct TRUST line. Thank you so much for your time and commitment to improvement.

Best wishes, Anna Ahammad (She/her)



FW: City Council meeting 2/4/2025 - Agenda item 3.3

From City Clerk <city.clerk@sanjoseca.gov>

Date Mon 2/3/2025 7:46 AM

To Agendadesk < Agendadesk@sanjoseca.gov>

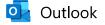
From: Sally Cooperrider < Sent: Sunday, February 2, 2025 1:13 PM To: City Clerk <city.clerk@sanjoseca.gov> Subject: City Council meeting 2/4/2025 - Agenda item 3.3

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You don't often get email from <u>Learn why this is important</u> I would like to voice my support for non-police alternatives to mental health crisis calls.

One of the most frightening incidents in my life was when my daughter had a psychotic break. She was confused and angry, and she ran outside and took the lid of a small barbecue off of a neighbor's porch to use as a shield. The concerned neighbors called 911, and the police arrived and escorted my daughter and me back inside our house. The police officer told my daughter, who was holding up the barbecue lid near me, to put the lid down. Fortunately she did put the lid down. I was not concerned that my daughter would hurt me, what terrified me was that the police office told me later that if my daughter hadn't put the lid down, he would have shot and killed her in order to protect me. I never want that to happen to another family. If it had been crisis counselors who had come to our house, rather than police officers, I am sure that the situation could have been resolved with much less danger. I am grateful that my daughter was not shot, and that she recovered from that psychotic episode and is living a happy and productive life.

Sally Cooperrider



FW: City Council 2/4 - Agenda Item 3.3 - Support Non-Police, Alternative Response

From City Clerk <city.clerk@sanjoseca.gov> Date Mon 2/3/2025 7:46 AM

To Agendadesk < Agendadesk@sanjoseca.gov>

From: Allegra Watson < Section 2, 2025 2:42 PM To: City Clerk < city.clerk@sanjoseca.gov> Cc: The Office of Mayor Matt Mahan < mayor@sanjoseca.gov>; District9 < district9@sanjoseca.gov> Subject: Re: City Council 2/4 - Agenda Item 3.3 - Support Non-Police, Alternative Response

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Dear City Clerk Toni Taber, Mayor Matt Mahan, and Vice Mayor & City Councilmember Pam Foley,

I am emailing you to submit a public comment for the February 4th City Council Meeting Agenda Item 3.3.

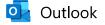
I am a registered voter and lifetime resident of District 9. I am calling on the Mayor and City Councilmembers to vote for the Ortiz, Candelas, and Cohen memo on Agenda Item 3.3. This memo recommends the development of a Manager's Budget addendum that supports non-police alternative response and explores funding options for alternative response to divert appropriate calls from 911 to 988, as well as the continued engagement with San Jose's disabled communities.

The recent 911 Diversion Report states that alternative response is national best practices and finds that co-response is ineffective. However, the report's recommendation contradicts its findings and recommends co-response. This recommendation fails to achieve the report's goal of 911 police response diversion. The 911 Event Data Analysis Report from February 2024 found that at **least 60,000 calls per year could be diverted from 911 and have an alternative to police response**.

Police are responding to situations where they are not needed - wasting taxpayer dollars and increasing the likelihood of death, injury, and further harm for those with disabilities and darker skin. In fact, sending police as default responders to mental health crisis violates the ADA, even in co-response. There are alternative response options like TRUST which have trauma informed teams to provide support to those in mental health and substance abuse crises. The City must provide funding and education for these response teams to provide meaningful support to those in crisis.

Vote for the Ortiz, Candelas, and Cohen Memo, and direct the city manager's office to redo the report to focus on alternative response & diverting 911 calls away from police response.

Thank you, Allegra Watson



FW: Feb 4 Agenda Item 3.3 - Please support non-police alternative response & share TRUST information broadly

From City Clerk <city.clerk@sanjoseca.gov> Date Mon 2/3/2025 7:46 AM

To Agendadesk <Agendadesk@sanjoseca.gov>

From: Karen Matsueda <

Sent: Sunday, February 2, 2025 3:10 PM

To: City Clerk <city.clerk@sanjoseca.gov>

Cc: The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; District3 <district3@sanjoseca.gov> **Subject:** Feb 4 Agenda Item 3.3 - Please support non-police alternative response & share TRUST information broadly

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As a 30-year resident of San Jose, member of Showing Up for Racial Justice, and sister of a man who has lived with severe mental illness his entire adult life, I am deeply invested in doing everything we can to provide accessible, community-based resources to our most vulnerable when they are in crisis. That is why I am an enthusiastic advocate for alternate non-law-enforcement crisis response solutions such as TRUST.

I'm writing to you today about Tuesday's City Council Agenda Item 3.3 - the PSFSS City Manager's Alternative & Co-Response Options Report. I urge you to reject the current report and direct the City Manager's office to redo it, focusing on **true** alternative response and on diverting 911 calls **away** from police response.

The report's stated goal was to "create better outcomes for community members and better utilize police resources." However, the report focuses on co-response solutions despite consulting with many disability community organizations that called for a non-police alternative response. Mobile crisis units staffed by non-police professionals, like TRUST, are an essential component of an emergency response system. According to the Substance Abuse and Mental Health Services Administration's (SAMHSA) National Guidelines for Behavioral Health Crisis Care, "centrally deployed, 24/7" mobile crisis teams are a necessary component of a proper mental health emergency response system". In fact, following the DOJ's June 2023 investigation into Minneapolis policing practices, the U.S. Department of Justice stated that "a law enforcement-led response to calls involving behavioral health issues can cause real harm in the form of trauma, injury, and death to people experiencing behavioral health issues, as well as other impacts."

Mail - Agendadesk - Outlook

We need trusted community-based mental health support for healing, thriving, and true public safety in San Jose. As inequality grows in San Jose due to the ever-growing tech industry, and as fear of law enforcement grows among the immigrant community due to aggressive federal actions, this need is increasingly prevalent. We need highly accessible non-police alternate response options like TRUST, rather than **any** co-response model involving law enforcement.

The City has dedicated funds for a year to a San Jose specific TRUST team to respond to crisis calls within San Jose. Can I count on you to continue to support non-police, alternative responses to 911 call diversion? Can you prioritize publicizing the TRUST program and contact information and referring your constituents to TRUST? Can you direct the City Manager's office back to their original assignment of finding alternatives to police-staffed crisis response?

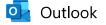
I appreciate your time and consideration of my letter and look forward to hearing from you.

Thank you,

Karen Matsueda

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"We are each other's harvest; we are each other's business; we are each other's magnitude and bond." -Gwendolyn Brooks



FW: 4 February 2025 Item 3.3: Options for Expanding Alternative Response and Co-Response Programs to 911 Calls for Service

From City Clerk <city.clerk@sanjoseca.gov> Date Mon 2/3/2025 10:52 AM

To Agendadesk < Agendadesk@sanjoseca.gov>

From: Joanna Kent <

Sent: Monday, February 3, 2025 10:41 AM

To: City Clerk <city.clerk@sanjoseca.gov>

Cc: The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; Foley, Pam <Pam.Foley@sanjoseca.gov>; District9 <district9@sanjoseca.gov>

Subject: 4 February 2025 Item 3.3: Options for Expanding Alternative Response and Co-Response Programs to 911 Calls for Service

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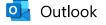
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I am the mother of two children, one of whom has a rare disease and resides in the Cambrian neighborhood. Unfortunately, I won't be able to attend. It is so difficult for a parent to be able to participate in who works and has their children to care for. This is about issue (4 February 2025) "Item 3.3: Options for Expanding Alternative Response and Co-Response Programs to 911 Calls for Service."

As a mother of a child with severe cognitive impairment, I know many people in the disability community who are scared to call for help for fear that the police will hurt or even kill our children. I know this sounds dramatic, but we have seen that if the officer feels threatened, they will do what it takes to keep themselves safe - regardless of being called to help.

Please consider that this report does not focus on what the disability community requested: prioritize an Alternative Response method and NOT a Co-Response Option. This report focuses purely on Co-Reponse. I ask that you direct the staff to prioritize alternative response over co-response and a recommendation for the budget, direct staff to do more research on physical disability response (deaf/hard of hearing, blind, have mobility disabilities,etc), and non-apparent disabilities such as autism and that the city budgets for a comprehensive community education campaign to raise awareness of 988 and direct TRUST line.

Thank you all for your time, Joanna Kent



FW: 911 Calls: Prioritize Alternative Response

From City Clerk <city.clerk@sanjoseca.gov>

Date Mon 2/3/2025 11:25 AM

To Agendadesk < Agendadesk@sanjoseca.gov>

From: Madhura Pednekar < Section 2015 Sent: Monday, February 3, 2025 11:24 AM</p>
To: The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>; District1@sanjoseca.gov>
Subject: 911 Calls: Prioritize Alternative Response

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Some people who received this message don't often get email from <u>Learn why this is important</u> Hi, I'm Madhura Pednekar. I am a longtime resident of San Jose District 1 and I am a caregiver to a person with disabilities.

I am concerned about the City Manager's Alternative & Co-Response Options Report. The report finds that the disability community wants the City to focus on alternative response options, but goes on to focus on and recommend co-response.

We ask that you direct the staff to **prioritize alternative response over co-response and a recommendation for the budget, direct staff to do more research on physical disability response** (deaf/hard of hearing, blind, have mobility disabilities,etc) and non apparent disabilities such as autism and that the city budgets for a comprehensive community education campaign to raise awareness of 988 and direct TRUST line.

In the lawsuit Bread for the City v. D.C. the court held that sending police rather than qualified mental health responders to persons in mental health crisis may violate the ADA. *Bread for the City v. District of Columbia,* No. 1:23-cv-01945-ACR (D.D.C. Feb. 22, 2024).

The United States Department of Justice is in charge of interpreting the language of the Americans with Disabilities Act. In *Bread for the City v. D.C.* the Department of Justice filed a statement of interest supporting the contention that sending police as default responders to mental health crises violates the ADA."

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- 2.
- 3. Following its June 2023 investigation into Minneapolis policing practices, the U.S. Department
- 4. of Justice stated that "a law enforcement-led response to calls involving behavioral health issues can cause real harm in the form of trauma, injury, and death to people experiencing behavioral health issues, as well as other impacts."

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a.

b.

c. ____Department of Justice,

d. Investigation of the City of

e. Minneapolis and the Minneapolis Police Department

f. 64 (June 2023), https://www.justice.gov/opa/press-release/file/1587661/download.

g.

h.

i.

j. Its March 2023 investigation into the Louisville Metro

k. Police Department and found similar patterns. See

I. Department of Justice,

m. Investigation of the Louisville Metro Police Department and Louisville Metro Government

n. 60 (Mar. 2023), at 60, https://www.justice.gov/crt/case-

o. document/file/1572951/download. They also investigated Phoenix, Arizona.

p. https://www.justice.gov/crt/media/1355866/dl?inline

q.

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8. Mobile crisis units staffed by non-police professionals, like TRUST, are an essential

9. component of an emergency response system. According to the Substance Abuse and Mental Health Services Administration's (SAMHSA) National Guidelines for Behavioral Health Crisis Care, "centrally deployed, 24/7" mobile crisis teams are a necessary component

10. of a proper mental health emergency response system.

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a.

b.

c. ____Substance Abuse and Mental Health Services Administration

d. (SAMHSA), National Guidelines

e. for Behavioral Health Crisis Care – A Best Practice Toolkit

f. 10 (2020), at 10,<u>https://www.samhsa.gov/sites/default/files/national-guidelines-for-behavioral-health-crisis-care-02242020.pdf</u>.

g.

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14. Much like Emergency Medical Technicians (EMTs) respond to

- 15. physical health emergencies, mobile crisis teams provide mental health de-escalation and treatment wherever the individual in crisis is, whenever the services are needed. Mobile crisis teams include mental health clinicians and peer supporters who, per SAMHSA's
- 16. national guidelines, should "[r]espond without law enforcement accompaniment."

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a. b. c. ____SAMHSA d. from above at 18. e.

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- 20. The National Alliance on Mental Illness (NAMI) agrees, stating that "[w]hile law enforcement
- 21. may still play a role in some mental health crises, the primary response should come from mental health crisis response professionals."

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a. b. c. ___**SAMHSA from above at 10**. d.

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25. With the training, tools, and expertise to assess an individual's needs and offer appropriate

26. community-based interventions, mental health clinicians and peers provide people experiencing mental health crises the best opportunity for stabilization and healing.

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a. b. c. ___SAMHSA from above at 10. d.

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30. Mobile crisis units also help both the individual and the City avoid traumatizing, expensive,

31. and unnecessary hospitalizations.

32.

a.

b.

- c. <u>Lindsey Mulrooney</u>,
- d. Reducing "Avoidable" ED Visits for Mental Health Could Cut Billions in Costs, Improve Patient Outcomes,
- e. American Journal of Managed Care
- f. (December 2022),
- g. <u>https://www.ajmc.com/view/reducing-avoidable-ed-visits-for-mental-health-could-cut-billions-in-costs-improve-patient-outcomes</u>.

h.

Additionally:

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- National best practices and ADA compliance calls for alternative response, not co-response,
- yet report focuses almost solely on co-response
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- Instructions were to find ways to divert calls from 911, but co-response is still activating
- police, thereby not a diversion
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- Report notes that the disability community called for alternative response but focus
- on expanding co-response
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- ٠
- Report says they won't consider diverting calls for individuals who are a threat to themselves
- or others. A mental health crisis often is by definition when a person is at risk to themselves, so this basically negates any efforts to prevent harm to any disabled person who is having a crisis because it will automatically go to the police. So all in all,
- because of the limited scope, this fails to really move much forward at the deepest level. People will still defer to calling the police when a person has a mental health crisis involving suicidal thinking.
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- ٠
- ٠
- The crisis intervention trainer is quoted as telling trainees "Your duty is to protect
- the public at large, not save someone from themselves," which defeats the purpose of life-saving mental health response
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 - Report ignores County's MRSS program, which is alternative response for youth up to age

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- Report acknowledges that MCRT is largely Alternate Response, yet only recommends expanding
- PERT which is Co-Response.

- They added a racial equity analysis, yet none of their recommendations actually does •
- anything to address the disparities at the intersection of race and disability.

- They offered no options and failed to benchmark alternate response for people with • disabilities
- other than mental health disabilities.

- CIT discussion fails to acknowledge the disparities/issues highlighted in the
- Merc/Stanford
- investigation which proves SJPD CIT trained officers are MORE LIKELY to use
- lethal force against people with disabilities and in a mental health crisis

- Crisis Intervention Training may meet national standards, but comes with the caveat that ٠
- field training will often preclude any CIT training. Police are the wrong responder.

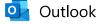
- CIT Trainer is quoted as telling trainees, "Your duty is to protect the public at large, •

- not save someone from themselves" which defeats the purpose of life-saving mental health response and underscores that cops are not the right responder.
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- We DO support funding an awareness campaign of 988 and alternate response options such
- as TRUST, MRSS and MCRT
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- Though the report lacks detail, we support the recommendation to expand 911 to 988 Call
- Transfer Criteria
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- We support the policy option to continue trust funding (it's cheaper than funding the
- police!)
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- We support using Opioid Settlement Funding to fund TRUST
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- Section 3C Additional Policy Options actually has very good suggestions that should be
- pursued but weren't brought up in the Memo.
- •

Please support the recommendations made by the Public Safety, Finance and Strategic Support Committee on October 17, 2024, including prioritizing alternative responses for 911 calls.

Thank you!

Madhura



FW: Item 3.3 The City Manager must redo this report!

From City Clerk <city.clerk@sanjoseca.gov>

Date Mon 2/3/2025 12:14 PM

To Agendadesk < Agendadesk@sanjoseca.gov>

From: Deborah St. Julien < Section 2005 12:09 PM</p>
Sent: Monday, February 3, 2025 12:09 PM
To: City Clerk <city.clerk@sanjoseca.gov>; The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; district2@sanjose.gov
Subject: Item 3.3 The City Manager must redo this report!

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Dear Council Member Campos,

Greetings! So pleased to have you representing me and my community!

My name is Deb St. Julien. I have recently been re-districted into District 2, but have live in the same place for 40 years. I am a member of Showing Up for Racial Justice, Santa Clara County and President of the Urban Sanctuary's Board of Directors.

I am writing in solidarity with SURJ's partners - the Race, Equity and Community Safety Committee and Silicon Valley De Bug to implore you to direct the City Manager's Office to redo this report in the vein of the original intent of the 911 Diversion Report and focus on non-police, alternative response models such as TRUST as initially instructed–and actually divert calls from 911.

I list some of the reasons why below:

In February 2024, the City of San Jose released a report on calls that could be diverted from police response called the <u>911 Event Data Analysis Report</u>. That report found that at least 60,000 calls per year could be diverted from 911 and have an <u>alternative to police in response</u>— a finding that would both free up the time of SJPD, but also put the right responder out for whichever situation. In response to this report the City Council instructed the City Manager to **research** alternative response models for those calling with mental health, unhoused and disability issues and to come back with **recommendations**.

In October 2024 the City Manager returned their report to the Public Safety, Finance and Strategy Committee. It was titled "Options for Expanding Alternative Responses and Co response Programs to 911 Calls Service Report." However, almost all of the suggestions focused on co-response rather than alternative response models. Co-response involves the

presence of a police officer. Their report focuses on co-response, despite findings saying co-response is not recommended, and that national best practices call for alternative response.

Their report that went to PSFSS notes that the disability community "Many community members and advocates prefer alternative response over co-response programs for crisis events involving people with disabilities due to improved outcomes when specialized care is provided, particularly when law enforcement is not required for scene safety", **but this report claims only some members preferred this–but never mentions whether anyone in the disability community preferred co-response–this calls into question how everything in this report is framed.**

The council directed staff to explore alternate response for incidents involving people with **disabilities.** The report completely fails to examine other types of alternate response for **diverting calls other than mental health crisis.** City staff had a year to explore models across the country and even globally that have success in this field and managed to not mention a single one.

The report compares current co-response programs in other jurisdictions, **but fails to offer any comparisons on alternative response.** For example, they detail Los Angeles' co-response program. However, LA is currently working to expand their alternate response program from 35 teams to 120 teams.

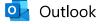
Instructions were to find ways to divert calls from the police, but co-response is still activating police, therefore not a diversion.

Again, for these reasons and more, I ask you to direct the City Manager's Office to redo this report in the vein of the original intent of the 911 Diversion Report and focus on non-police, alternative response models such as TRUST as initially instructed–and actually divert calls from 911.

Also, along with this, I ask you support the Ortiz, Candelas, Cohen memo in response to this report.

Look forward to working with you to insure the safety of all community members.

Sincerely, Deborah St. Julien Resident District 2 Volunteer, SURJ@SCC President, BOD, Urban Sanctuary San Jose Faith Community President



FW: Agenda Item 3.3 for tomorrow's City Council meeting

From City Clerk <city.clerk@sanjoseca.gov>

Date Mon 2/3/2025 1:55 PM

To Agendadesk < Agendadesk@sanjoseca.gov>

From: Francesco Yepez < Section 2015 1:43 PM Sent: Monday, February 3, 2025 1:43 PM To: City Clerk <city.clerk@sanjoseca.gov> Cc: The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; District2 <District2@sanjoseca.gov> Subject: Agenda Item 3.3 for tomorrow's City Council meeting

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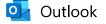
Some people who received this message don't often get email from <u>Learn why this is important</u> Hello,

I hope this email finds you well. My name is Francesco Yepez and I'm a psychologist in training who lives in District 2 in San Jose. I'm sending this message as written comment on Agenda Item 3.3 alongside other members of SURJ Santa Clara County who share my concerns about the city's approach to public safety.

The 911 Diversion Report released late last year states that alternative response to mental health emergencies is national best practice. Yet, the report recommends co-response, where police officers respond to crises alongside mental health clinicians. Not only are these programs ineffective, but they fail to address the unique challenges of marginalized people who are re-traumatized by encounters with police when they are in crisis. I urge you to affirm the national best practices by continuing your investment in TRUST, which sends the right responders to these kinds of situations. Vote for the Ortiz, Candelas, and Cohen memo, which will divert mental health emergencies away from police and to trained professionals who can support people in crisis. Invest in TRUST, NOT co-response.

Thank you,

-Francesco



FW: Agenda Item 3.3 public comment

From City Clerk <city.clerk@sanjoseca.gov> Date Mon 2/3/2025 2:02 PM

To Agendadesk < Agendadesk@sanjoseca.gov>

From: Lucas, Jennifer@SCDD < Sent: Monday, February 3, 2025 2:00 PM To: City Clerk <city.clerk@sanjoseca.gov> Cc: The Office of Mayor Matt Mahan <mayor@sanjoseca.gov> Subject: Agenda Item 3.3 public comment

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Some people who received this message don't often get email from <u>Learn why this is important</u> Mayor Mahon and San Jose City Council members,

My name is Jennifer Lucas and I work for the Central Coast Office of the CA State Council on Developmental Disabilities (SCDD). The State Council on Developmental Disabilities supports systems change, capacity building, and quality of services within the community for individuals with intellectual and developmental disabilities (IDD) and their families. Our office, located in San Jose, covers seven counties, including Santa Clara County. We often hear concerns from people with disabilities, family members and other professionals about concerns regarding law enforcement response behavioral health crisis. Our office would like to express our support for the use of alternate, non-police crisis response for people with disabilities.

The estimated population of people with intellectual and developmental disabilities in Santa Clara County is over 30,000 and around a third are served by San Andreas Regional Center. The National Association for the Dually Diagnosed (NADD) estimates that somewhere between 30 and 40% of people with IDD also have a cooccurring psychiatric disability. However, there are numerous systemic barriers that prevent people with IDD and other disabilities from being able to access and receive appropriate behavioral health services, and this increases the likelihood of a behavioral health crisis. Rather than mental health teams and professionals being the initial response to someone in desperate need of behavioral health support, law enforcement is often sent. Critically, police officers

Mail - Agendadesk - Outlook

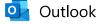
typically do not fully understand developmental disabilities, which can be apparent or non-apparent, such as autism spectrum disorder (ASD) and intellectual disability, let alone cooccurring psychiatric disabilities. It is common for people with IDD to experience communication barriers, sensory differences and/or processing differences. For some, flashing lights on a police car alone can result in sensory overload and escalate a crisis. The U.S. Department of Justice stated that "a law enforcement-led response to calls involving behavioral health issues can cause real harm in the form of trauma, injury, and death to people experiencing behavioral health issues, as well as other impacts." This is avoidable. For people experiencing a mental health crisis, mobile crisis teams staffed by non-police professionals are usually the least restrictive, most appropriate response.

Our office supports the funding of an awareness campaign of 988, the expansion of 911 to 988 call center, and the use of alternate response options such as TRUST. We request you vote for Councilmembers Ortiz, Candelas and Cohen's January 31, 2025 memo on the subject of "Options for Expanding Alternative Response and Co-Response Programs to 911 Calls for Service" and to thoroughly research alternative response programs .

Thank you for considering the needs of the disability community. Please do not hesitate to contact me with any questions.

Jennifer Lucas Pronouns: she/her State Council on Developmental Disabilities Central Coast Office

www.scdd.ca.gov



FW: Item 3.3: Options for Expanding Alternative Response and Co-Response Programs to 911 Calls for Service

From City Clerk <city.clerk@sanjoseca.gov> Date Mon 2/3/2025 2:21 PM

To Agendadesk < Agendadesk@sanjoseca.gov>

1 attachment (158 KB)
 PHP Letter - Expanding Alternative Response.pdf;

From: Beverly Wong < Section 2000 Sect: Monday, February 3, 2025 2:06 PM To: City Clerk <city.clerk@sanjoseca.gov> Subject: Item 3.3: Options for Expanding Alternative Response and Co-Response Programs to 911 Calls for Service

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You don't often get email from **To the Office of the City Clerk**:

Learn why this is important

Attached please find a letter from Parents Helping Parents regarding Item 3.3 on the San Jose City Council afternoon meeting agenda tomorrow.

Regards, Beverly Wong

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Beverly Wong Advocacy & Civic Participation Manager PHP - Parents Helping Parents www.php.com Parents Helping Parents (PHP) is a nonprofit organization that provides information, training, individual assistance, and resources. PHP is not a law firm or legal service agency, and as such, the information contained in this email or in phone conversations is provided for the purpose of informing the review, but should not be considered legal advice. For legal advice, you should consult an attorney.



February 3, 2025

San Jose City Council c/o Office of the City Clerk 200 E. Santa Clara St. Tower 14th Floor San José, CA 95113

Re: Item 3.3: Options for Expanding Alternative Response and Co-Response Programs to 911 Calls for Service

Dear San Jose City Council:

I'm writing on behalf of Parents Helping Parents (PHP) to express our support of the recommendations in the Memorandum dated January 31, 2025, by Council Members Peter Ortiz, Domingo Candelas, and David Cohen, on the subject of Options for Expanding Alternative Response and Co-Response Programs to 911 Calls for Service. In addition, we would like to ask the City to rigorously research alternative response programs for all instructed categories, and return findings to City Council in time for inclusion in the FY 2026 budget.

Parents Helping Parents has been helping families of children with special needs since 1976. Our mission is to help children and adults with special needs receive support and services they need to reach their full potential by providing information, training, and resources to build strong families and improve systems of care. We are the Parent Training and Information Center (PTI) for families whose children are experiencing disabilities in five counties: Santa Clara, San Mateo, Santa Cruz, San Benito, and Monterey. Our main office is in San Jose and we have satellite offices in East San Jose and Gilroy.

We believe that calls involving individuals with disabilities and mental/behavioral health emergencies often require expertise and protocols that can best be handled by non-police resources. Studies show that people with disabilities represent over half of those killed by law enforcement in the U.S. annually. They have a 43% chance of arrest. Youth with disabilities are 13% more likely to be arrested than their peers without a disability. The complexity of emergency situations involving people with disabilities and/or mental/behavioral health situations can result in tragic outcomes when the appropriate resources are not utilized at the scene.

We are requesting the City Council to instruct the City Manager to redo its October 2024 "<u>Options for</u> <u>Expanding Alternative Response and Co-Response Programs to 911 Calls for Service Report</u>", in order to focus on the needs of the disability community. In February 2024, the City Council instructed the City Manager's Office to research and make recommendations on alternative response models for emergency calls related to mental health issues, unhoused issues, and people with disabilities.

> Parents Helping Parents, Inc. Sobrato Center for Nonprofits – San Jose ~ Telephone ~ Fax www.php.com ~ A 501(c)3 nonprofit agency



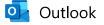
Despite this directive, and the fact that national best practices and the Americans with Disabilities Act (ADA) call for alternative response models, the October 2024 report focuses almost entirely on co-response models. By focusing on co-response models, the report does not adequately address the City Council's request for guidance on diverting 911 calls from police, since co-response is still a police response. Furthermore, the report's focus on co-response ignores the requests of the disability community for expanding alternative response as opposed to co-response programs, a preference which is documented in the report itself.

We ask the City Council to direct staff to prioritize alternative response over co-response and to conduct more research on response to community members with physical disabilities (e.g. deaf/hard of hearing, blindness, mobility disabilities) and non-apparent disabilities such as autism. We also request that the City Council votes in favor of the recommendations outlined in the January 31st memo from Council Members Ortiz, Candelas, and Cohen, including a budget allocation for a comprehensive community education campaign to raise awareness of 988 and the direct TRUST line.

Sincerely,

Beverly Wong Advocacy & Civic Participation Manager





FW: Non police Alternative response not co -response

From City Clerk <city.clerk@sanjoseca.gov>

Date Mon 2/3/2025 3:09 PM

To Agendadesk < Agendadesk@sanjoseca.gov>

From: kalpana Dharmapuri < Sent: Monday, February 3, 2025 2:51 PM To: City Clerk <city.clerk@sanjoseca.gov> Cc: The Office of Mayor Matt Mahan <mayor@sanjoseca.gov> Subject: Non police Alternative response not co -response

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Respected City Managers, Mayors and Council Members,

My name is Kalpana Dharmapuri. I am a homemaker and parent of a child with Autism living in San Jose California.

Our area comes under District 8.

I hope this email finds you well. I am reaching out to express my concerns regarding the findings and recommendations in the Alternative & Co-Response Options Report. While the report acknowledges that the disability community favors alternative response options, the report from the city primarily focuses on co-response, which is both costly and less effective. Additionally, relying on police as default responders to mental health crises raises concerns regarding ADA compliance.

As a parent of a child with autism, I deeply understand the risks involved when law enforcement responds to a mental health crisis without specialized training. A police officer unfamiliar with autism-related behaviors may misinterpret a meltdown as a threat, potentially leading to harm, unnecessary arrest, or further trauma. This is a fear shared by many parents and individuals in the disability community.

To ensure a more effective and compassionate approach, I strongly urge the City to:

- 1. **Prioritize alternative response over co-response** by investing in mobile crisis teams staffed by trained mental health professionals, rather than law enforcement. Programs like TRUST provide a proven, community-centered model.
- 2. **Implement mobile crisis staff in all schools** to ensure that students in crisis receive appropriate intervention without unnecessary police involvement.
- 3. Expand research and funding for responses to both physical disabilities (deaf/hard of hearing, blind, mobility disabilities) and non-apparent disabilities (autism,

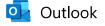
developmental disabilities).

4. Allocate budget for a comprehensive community education campaign to raise awareness of the 988 crisis line and direct TRUST services.

I urge you to direct staff to prioritize these alternative response measures in future budget considerations. Thank you for your time and commitment to ensuring that our city provides safe, effective, and inclusive crisis response options. I would appreciate the opportunity to discuss this matter further and look forward to your response.

Sincerely,

Kalpana Dharmapuri



FW: Item 3.3: 911 Diversion Report: We Need Non-Police / Alternative Response, Not Co-Response

From City Clerk <city.clerk@sanjoseca.gov> Date Mon 2/3/2025 3:31 PM

To Agendadesk < Agendadesk@sanjoseca.gov>

From: Emily hendon < Section 2020 Sent: Monday, February 3, 2025 3:26 PM To: City Clerk <city.clerk@sanjoseca.gov> Cc: The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; District 6 <district6@sanjoseca.gov> Subject: Item 3.3: 911 Diversion Report: We Need Non-Police / Alternative Response, Not Co-Response

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Mayor and City Councilmembers,

My name is Emily Hendon. I live in District 6 and am a member of SURJ Santa Clara County.

I am concerned about the City Manager's Alternative & Co-Response Options Report. As you know, the report finds that co-response is ineffective and alternative response is considered the best practice. The ACLU and the Department of Justice say that sending police to a mental health crisis violates the ADA.

In the lawsuit Bread for the City v. D.C. the court held that sending police rather than qualified mental health responders to persons in mental health crisis may violate the ADA. *Bread for the City v. District of Columbia,* No. 1:23-cv-01945-ACR (D.D.C. Feb. 22, 2024).

The United States Department of Justice is in charge of interpreting the language of the Americans with Disabilities Act. In *Bread for the City v. D.C.* the Department of Justice filed a statement of interest supporting the contention that sending police as default responders to mental health crisis violates the ADA."

Furthermore, following its June 2023 investigation into Minneapolis policing practices, the U.S. Department of Justice stated that "a law enforcement-led response to calls involving behavioral health issues can cause real harm in the form of trauma, injury, and death to people experiencing behavioral health issues, as well as other impacts." (Department of Justice, *Investigation of the City of Minneapolis and the Minneapolis Police Department* 64 (June 2023).

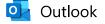
Mail - Agendadesk - Outlook

Mobile crisis units staffed by non-police professionals, like TRUST, are an essential component of an emergency response system. According to the Substance Abuse and Mental Health Services Administration's (SAMHSA) National Guidelines for Behavioral Health Crisis Care, "centrally deployed, 24/7" mobile crisis teams are a necessary component of a proper mental health emergency response system.

Much like Emergency Medical Technicians (EMTs) respond to physical health emergencies, mobile crisis teams provide mental health de-escalation and treatment wherever the individual in crisis is, whenever the services are needed. Mobile crisis teams include mental health clinicians and peer supporters who, per SAMHSA's national guidelines, should "respond without law enforcement accompaniment."

We insist that the City Council instructs the City Manager's Office to redo this report in the vein of the original intent of the 911 Diversion Report and focus on non-police, alternative response models such as TRUST as initially instructed–and actually divert calls from 911, which as the City Manager and many of her staff know is a much more "trauma informed" response.

Sincerely, Emily Hendon



Fw: Feb 4 Item 3.3 Options for Expanding Alternative Response and Co-Response Programs to 911 Calls for Service

From City Clerk <city.clerk@sanjoseca.gov>Date Mon 2/3/2025 4:18 PMTo Agendadesk <Agendadesk@sanjoseca.gov>

Office of the City Clerk | City of San José

200 E. Santa Clara St., Tower 14th Floor San Jose, CA 95113 Main: 408-535-1260 Fax: 408-292-6207

How is our service? Your feedback is appreciated!

From: Nicole Buccalo <

Sent: Monday, February 3, 2025 4:02 PM

To: City Clerk <city.clerk@sanjoseca.gov>; The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; District3 <district3@sanjoseca.gov>

Subject: Feb 4 Item 3.3 Options for Expanding Alternative Response and Co-Response Programs to 911 Calls for Service

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Hello Mayor Mahan and Councilmember Salas,

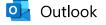
I work in District 3 as a Licensed Clinical Social Worker focused on homelessness and am a member of Showing Up for Racial Justice Santa Clara County.

I am concerned about the City Manager's Alternative & Co-Response Options Report. The report finds that co-response is ineffective and **alternative response** is considered best practice, but goes on to focus on and recommend co-response. The ACLU and the Department of Justice say that sending police to a mental health crisis violates the ADA.

Instructions were to find ways to divert calls from the police, but co-response is still activating police, therefore not a diversion. Co-response is not reimbursable by Medi-Cal because it violates the ADA, but alternative response is fully reimbursable by Medi-Cal. When times are as tight as they are, getting every bit possible reimbursed is actually a good thing.

We insist that the City Council instructs the City Manager's Office to redo this report in the vein of the original intent of the 911 Diversion Report and focus on non-police, alternative response models such as TRUST as initially instructed–and actually divert calls from 911.

Thank you, Nicole Buccalo, LCSW



Fw: REAL Letter re Item 3.3, Alternative Response and Co-Response for 911 Calls

From City Clerk <city.clerk@sanjoseca.gov>

Date Mon 2/3/2025 4:22 PM

To Agendadesk < Agendadesk@sanjoseca.gov>

1 attachment (171 KB)
 REAL Coalition Sign-on Letter re Item 3.3, Community Safety 911 Analysis 02.03.2025.pdf;

Office of the City Clerk | City of San José

200 E. Santa Clara St., Tower 14th Floor San Jose, CA 95113 Main: 408-535-1260 Fax: 408-292-6207

How is our service? Your *feedback* is appreciated!

From: Angel Aliano <

Sent: Monday, February 3, 2025 4:17 PM

To: The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov> Cc: City Clerk <city.clerk@sanjoseca.gov>; Reed, Jim <Jim.Reed@sanjoseca.gov>; Fruen, Joseph <Joseph.Fruen@sanjoseca.gov>; Kiyomi.HondaYamamoto@sanjoseca.gov <kiyomi.HondaYamamoto@sanjoseca.gov>; Kiyomihonda.yamamoto@sanjoseca.gov <kiyomihonda.yamamoto@sanjoseca.gov>; Nguyen, Lam <Lam.Nguyen@sanjoseca.gov>; Moreno, Brisa <Brisa.Moreno@sanjoseca.gov>; Roth, Chris <Chris.Roth@sanjoseca.gov>; Fleming, Jonathan <Jonathan.Fleming@sanjoseca.gov>; Adera, Teddy <Teddy.Adera@sanjoseca.gov>; Kyra Kazantzis < Gianella Ordonez < Context (Style Clark < Context); Kylie Clark < Context); Shannon Zhang < Context (Style Clark < Context); Kylie Clark < Context); Shannon Zhang < Context (Style Clark < Context); Style Clark < Context (Style Clark < Context); Style Clark < Context (Style Clark < Context); Style Clark < Context (Style Clark < Style Style Clark < Style S

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Dear Mayor Mahan, Vice Mayor Foley, and City Council,

Please see a letter from the Race Equity Action Leadership (REAL) Coalition regarding Item 3.3, Alternative Response and Co-Response for 911 Calls. We look forward to your discussion on this topic.

Best, **Ángel Aliano** | Policy + Advocacy Associate **Silicon Valley Council of Nonprofits** Web: <u>svcn.org</u> | Twitter: @<u>SVCN</u> Pronouns: he/him

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February 3, 2025

Mayor & City Council, et. al City of San José 200 East Santa Clara Street, 18th Floor San José, CA 95113 Sent via electronic mail

Re: Item 3.3, Options for Expanding Alternative Response and Co-Response Programs to 911 Calls for Service.

Dear Mayor Mahan, Vice Mayor Foley, and City Council:

This letter was prepared and submitted by the **Community Safety Workgroup of the Race Equity Action Leadership (REAL) Coalition**, on behalf of the Coalition and 43 undersigned community members and organizations.

We write today to share our thoughts and feedback regarding item 3.3 on the February 4 council agenda, <u>Options for Expanding Alternative Response and Co-Response Programs</u> to 911 Calls for Service.

REAL Recommendations

Direct Staff to:

- Research alternative response models and return to City Council by May, in time for inclusion in the Fiscal Year 2026 budget.
- Conduct a study session during budget season so council can understand:
 - The relationship between 911 and 988 dispatch systems.
 - Impediments and solutions to expanding criteria for routing calls to 988.
 - The benefits and challenges of routing some call types (e.g. welfare checks) to 988.
 - Why alternative response options are superior to co-response models for residents with physical, developmental, mental and sensory disabilities.
- Develop a plan to use Opioid Settlement Funds to continue funding of a dedicated San José TRUST team.

• Develop a plan for an active community education plan to raise awareness of TRUST and 988, and reduce reliance on 911.

Discussion

It has been nearly three years since the city received the comprehensive report and policy recommendations from the Reimagining Public Safety Committee. While we have seen movement on a few of the recommendations, the City Council needs to act with urgency to adopt policies and practices that will make San José a safer city.

We have an opportunity to divert thousands of calls a year away from the police and to the right responder. Doing so will save lives, save money, and reduce response times for everyone as police are able to focus on situations that require their skills.

We appreciate months of open and constructive dialog with city staff, in particular Thomas Westphal and Raania Mohsen. We think the staff memo reflects their commitment to learning from community experts and promoting policies that will benefit the health, safety and wellbeing of all residents.

There are many positives in the staff memo and report, including:

- A finding that TRUST can be funded with Opioid Settlement Funds.
- A policy suggestion that the city should continue to fund TRUST.
- A racial equity analysis that makes clear that expanding alternative response is likely to result in greater racial equity for community members.
- A policy suggestion to fund community education on 988 and TRUST.
- A policy suggestion to hire more non sworn (unarmed) officers to deal with some calls.
- Recognition that any decisions on IPV programming should incorporate the ongoing work to identify a non-police response pilot program.

However, the memo and report are too focused on expanding co-response options and fall short in carrying out the full Council direction from February 2024 of exploring more alternative response models, "especially calls involving mental health crises, homelessness, and youth."

We find the staff memo and report lacking in these ways:

- All of the research reflected in the report is focused only on co-response. As the staff report details, "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 recognizes, "...national best practices for providing mental health services" *do not support co-response* as noted by the <u>Substance Abuse and Mental Health Services Administration report</u>. (emphasis added). Page 15 of the memo lays out all the reasons people with developmental and physical disabilities are at heightened risk of harm for law enforcement.
- While including a list of cities using co-response models the memo does not inform the Council that <u>Los Angeles is expanding alternative response</u> and Washington County, Oregon is facing an Americans with Disabilities Act <u>lawsuit over its</u> <u>co-response program.</u>
- 3. In another lawsuit, Bread for the City v. D.C., the court held that sending police rather than qualified mental health responders to persons in mental health crisis may violate the ADA. *Bread for the City v. District of Columbia*, No. 1:23-cv-01945-ACR (D.D.C. Feb. 22, 2024). The United States Department of Justice is in charge of interpreting the language of the ADA. In *Bread for the City v. D.C.* the DOJ filed a statement of interest supporting the contention that sending police as default responders to a mental health crisis violates the ADA.
- The memo recommends expanding the SJPD Psychiatric Emergency Response Team (co-response) but contains nothing about helping to expand the Mobile Crisis Response Team or Mobile Response and Stabilization Services (both alternative response).
- 5. The recommendation to explore expanding criteria for 988 calls is vague, lacking a timeline or any specifics about which criteria will be used, metrics for success, or how any expansion will be decided. We understand the need to work collaboratively with the County, which is why we believe this work needs to be brought into the open. Hence our call for a study session during the budget season. It appears staff has not explored other models for alternative response, like the CARE program in Chicago.

- 6. The staff recommendations don't actually follow the memo's racial equity analysis.
- 7. The memo contains language saying co-response or alternative response is never appropriate for someone who is a danger to themselves, which demonstrates a lack of understanding of suicidality, and could endanger community members who may be suicidal but not be a threat to anyone including themselves.
- 8. The memo doesn't acknowledge the evidence that the SJPD's Crisis Intervention Training (CIT) has failed to protect community members, as documented in this <u>report showing the grievous harm</u> that can happen when CIT trained officers respond to mental health crisis calls.

Memos:

- We support the <u>memo from Councilmembers Ortiz</u>, <u>Candelas and Cohen</u> calling for more community engagement with disabled community members, expedited work on expanding 988 calls, and funding TRUST in the next budget.
- We also support the call for accelerated action in the <u>memo from Councilmember</u> <u>Mulcahy</u>.

Digging into this challenging work is a sign of progress, but it's time for action, and we urge all of you to support our policy recommendations to create a healthier and safer city.

Sincerely,

Milan Balinton African American Community Service Agency	Elisa Koff-Ginsborg Behavioral Health Contractors' Association (BHCA)
Jeremy Barousse	Josh Selo
Amigos de Guadalupe Center for Justice	Bill Wilson Center
and Empowerment	Black Leadership Kitchen Cabinet
Vaughn Villaverde	Leadership Team
Asian Americans for Community	Black Leadership Kitchen Cabinet
Involvement	Marsha Hovey
Richard Konda	CADRE
Asian Law Alliance	

Joshua Yang Californians for Justice

Fred Buzo Catholic Charities of Santa Clara County

Flo Kelly Coalition on Homelessness, SF

Erin O'Brien Community Solutions

James Nguyen De Anza College Political Science Department

Eugene Torres Family Supportive Housing

Kristopher Scott Fresh Lifelines for Youth (FLY)

Wesley Saver HealthRIGHT 360

Kelly Vazquez HomeFirst

Teresa Yolotl Gomez Indian Health Center of Santa Clara Valley

Darcie Green Latinas Contra Cancer

Brittany Alvarez Latino Education Advancement Foundation Alison Brunner Law Foundation of Silicon Valley Angelica Cortez **LEAD Filipino** Anjee Helstrup-Alvarez MACLA/Movimiento de Arte y Cultura Latino Americana Héctor Sánchez-Flores **National Compadres Network** Colsaria Henderson **Next Door Solutions to Domestic** Violence Eva Terrazas **Pacific Clinics** Leslie Stafford Parent Advisory Board, Stanford Autism Center **Beverly Wong** Maria Daane **Parents Helping Parents** Cindy Bautista **PASOS at Sacred Heart Community** Service Susan Baird

Racial Justice Commission at Almaden Hills United Methodist Church

Poncho Guevara Sacred Heart Community Service

Michael Dao	Regina Celestin Williams
San José State University Human Rights	SV@Home
Institute	Yvonne Maxwell
Sean Allen	Ujima
San Jose/Silicon Valley NAACP	Deborah St. Julien
Huy Tran	Urban Sanctuary San Jose
Services, Immigrant Rights and Education Network (SIREN)	Cynthia Kaufman Vasconcelos Institute for Democracy in
Kyra Kazantzis	Action
Silicon Valley Council of Nonprofits	Sujatha Venkatraman
Jennifer Lucas	West Valley Community Services
State Council on Developmental Disabilities, Central Coast Office	Jeffrey Buchanan Working Partnerships USA
Sandra Asher	

About the REAL Coalition

Sanding up for Racial Justice (SURJ)

The REAL community of 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 distribution, education, environmental, farming, legal, disability rights, LGTBQ rights, ethnic, immigrant rights, housing and homelessness, criminal justice reform, urban planning, intermediary organizations, and others. Over 125 organizations have participated in the REAL coalition.

You can reach REAL by emailing