



# Managing Risk by Embedding Mental Health Co-Responders in Police Departments

**Douglas Hoffer**, Deputy City Attorney, Eau Claire, WI

# Individuals Experiencing Mental Illness

- ▶ Nearly 44 Million individuals in the U.S. suffer from mental illness each year.
  - ▶ Many lack access to adequate resources to address difficulties
  - ▶ Common for people to struggle with short-term emotional crises brought on by specific events, drug or alcohol use, or other factors
  - ▶ Suicide rates continue to increase across the country even among individuals with no known mental illness

# Law Enforcement Contact with Individuals Experiencing Mental Illness

- ▶ Police contacts with individuals experiencing mental illness are on the rise
  - ▶ People experiencing mental illness often neglect basic needs → leads to law enforcement welfare checks
  - ▶ Signs of mental illness can mirror signs of drug or alcohol abuse → leads to police calls to investigate disorderly conduct
  - ▶ No one else available to respond

# Increased risks in law enforcement contact with individuals experiencing mental illness:

- ▶ Behavior can be erratic, unpredictable, and sometimes dangerous
- ▶ Less likely to respond to verbal commands
- ▶ Use of force more likely
  - ▶ Higher likelihood of injuries and litigation
  - ▶ Litigation is expensive!! (Often millions of dollars)
  - ▶ Potential negative impact on PD relationship with community

# Risk Management Approach

- ▶ Identify, assess, and prioritize risks, and then develop policies and programs to manage or mitigate those risks.
- ▶ Police Work carries inevitable risks:
  - ▶ Injury or harm to public caused by officer or agency's actions
  - ▶ Injury or harm to officers
  - ▶ Injury or harm to public trust or public perception of agency
- ▶ Many national initiatives collecting data on these issues to help law enforcement agencies develop polices to better manage risk related to encounters with individuals experiencing mental illness.
- ▶ Be Proactive!! If it is predictable it is preventable!

# PD approach to individuals experiencing mental illness

- ▶ An area studied in great detail for over 40 years → continuous innovation
- ▶ Crisis Intervention Training for law enforcement
  - ▶ Recognized best practice for over 40 years
- ▶ Recent innovation: PD embedded mental health co-responders
  - ▶ Initial data promising
  - ▶ Complements existing crisis intervention training

# Benefits of Police Department Embedded Mental Health Co-Responders

- ▶ Increased safety of those involved in law enforcement encounters with individuals experiencing mental illness
- ▶ Helping to ensure that individuals experiencing mental illness are directed to the most appropriate resources
- ▶ Decreasing the number of law enforcement encounters with individuals experiencing mental illness
- ▶ Reducing the costs associated with these encounters
- ▶ Improving the speed with which problems associated with these encounters are solved

# Eau Claire, Wisconsin model

- ▶ Chief Matt Rokus: significant rise in police calls involving individuals experiencing mental illness required preventative approaches
- ▶ Initial approach: Co-response team comprised of mental health co-responder and special operations Sergeant.
  - ▶ Co-responder: licensed mental health clinician responsible for development and clinical oversight of program; mental health assessments for individuals in need, follow up contacts, and referrals where appropriate
  - ▶ Additional co-responder added later. Still exploring ways to expand program.
  - ▶ Coordination with crisis intervention



# PROGRAM EXAMPLES



Eau Claire Police Department



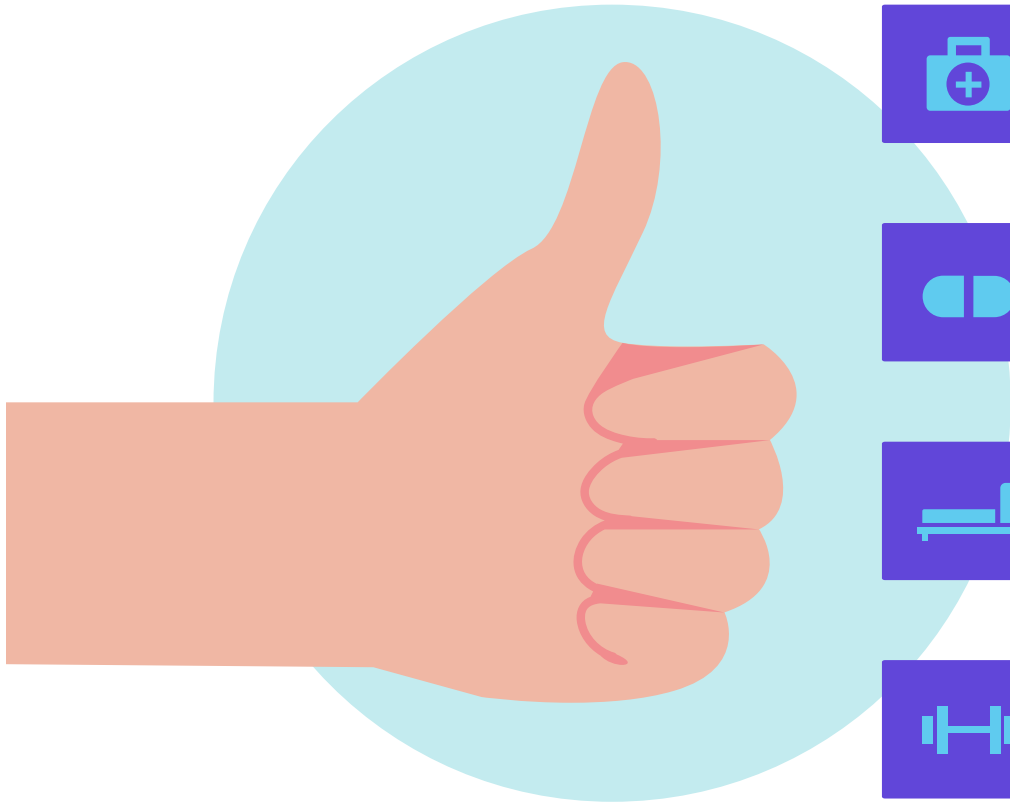
Yakima Police Department



San Antonio Police Department



Grand Junction Police Department



# Increasing Safety

- ▶ Police encounters with individuals experiencing mental illness more likely to use force (including lethal force)
- ▶ Individuals experiencing mental illness 16 times more likely to be killed in encounter with law enforcement
- ▶ Individuals experiencing mental illness can be erratic, unpredictable, and sometimes dangerous
- ▶ Current research suggests efficacy of:
  - ▶ Crisis intervention training → 80% decrease in police officer injuries in Memphis after introduction of CIT

# Increasing Safety Cont'd

- ▶ Current research also suggests PD embedded mental health co-responders increases safety of encounters with individuals experiencing mental illness
  - ▶ Grand Junction, CO → only used force in 5 calls over 2 year period after embedding mental health co-responders
- ▶ Illustrative examples:
  - ▶ *Kisela v Hughes* - SCOTUS case where lethal force used on person (later learned) to be experiencing mental illness.
  - ▶ *Aguirre v. City of San Antonio* - PD dispatched to respond to mentally disturbed individual walking down middle of busy divided highway. After being held down several minutes individual later died in police custody
- ▶ PD embedded co-responders provide complementary tools needed in these situations:
  - ▶ Co-responders can help diagnose and address mental illness issues
  - ▶ PD can keep public (and co-responders) safe

# Directing Individuals to Appropriate Mental Health Resources

- ▶ Mental health co-responders' behavioral health tools often more effective than incarceration
  - ▶ More timely and accurate assessments compared to arrest or incarceration
  - ▶ Individuals directed to appropriate resources
  - ▶ Co-responders gather helpful information used for better case management and follow up after initial contact.
  - ▶ Ability to develop ongoing plans in consultation with family members and others familiar with subject
  - ▶ Future contacts are trauma-informed
  - ▶ Ex. Yakima County jail - in 2013 48% of inmates needed mental health treatment; 54% needed substance abuse treatment
    - ▶ Yakima program now seeks to avoid incarceration if other tools more effective.

# Decreasing the Number of Encounters With Law Enforcement

- ▶ Repeat encounters with law enforcement for individuals experiencing mental illness is a significant problem
- ▶ Recent survey with Law enforcement: biggest problem is repeat contacts with same people experiencing mental illness who will not or cannot seek help
- ▶ Connecting individuals experiencing mental illness with appropriate resources helps decrease number of contacts with law enforcement
  - ▶ Grand Junction, CO - significant reduction in law enforcement encounters after instituting co-responder program. (78% of individuals contacted only once!)
  - ▶ Other communities have experienced similar decreases.

# Reducing Costs and Litigation

- ▶ Reducing number of encounters; reducing likelihood force is used, and improving overall resolution of encounters will lead to reduced law enforcement and litigation related risks.
- ▶ Unnecessary arrests and avoidable use of force can cost communities more money and invite more litigation
- ▶ Time law enforcement spends on contacts with individuals experiencing mental illness is time that cannot be devoted to other endeavors
  - ▶ Study - law enforcement encounters with individuals experiencing mental illness take 52 minutes with mental health co-responder involved; 2 hours 46 minutes without mental health co-responder.

# Law Enforcement Litigation Costs

- ▶ Cost of law enforcement use of force litigation is skyrocketing.
  - ▶ Even when use of force is consistent with legal standards
- ▶ Federal civil rights litigation
  - ▶ Often tried in counties with plaintiff friendly jury pools
  - ▶ Settlement costs at an all time high
  - ▶ Plaintiffs entitled to expensive attorney fees even when judgment might be small (often exceeding \$1 million)
- ▶ Consequence: anything that reduces likelihood of law enforcement use of force reduces litigation related risks.

# Deploying Mental Health Services More Efficiently

- ▶ Even when well trained officers make mental health assessments it can take hours for mental health professionals to arrive and assist
- ▶ Other government agencies often not staffed 24/7
- ▶ Mental health professionals embedded within law enforcement agencies are easier to coordinate
- ▶ Faster response times = better outcomes (preventing problems from getting out of hand)



# Other Benefits

- ▶ Co-responders can be a valuable resource
  - ▶ Provides valuable training for law enforcement officers
  - ▶ Ex. Eau Claire, WI - co-responder provides annual crisis intervention training to police department

# Challenges/Obstacles

- ▶ Not a silver bullet - mental health issues will always be challenging
- ▶ Budgeting issues. Where does money come from?
  - ▶ PD budget → less officers? Union concerns?
  - ▶ DHS budget → money without oversight?
  - ▶ Can your department budget support 24/7 coverage? If not, what is your approach?
- ▶ Sufficient supportive mental health resources?
  - ▶ Most mental health resources already strained.
  - ▶ Proper diagnosis of problem  $\neq$  availability of proper resources

# Conclusion

- ▶ Approach shows promise and likely worth additional experimentation and support.

# Questions?

- ▶ [douglas.hoffer@eauclairewi.gov](mailto:douglas.hoffer@eauclairewi.gov) (Deputy City Attorney)
- ▶ [Jasmine.Dutton@EauClaireWi.Gov](mailto:Jasmine.Dutton@EauClaireWi.Gov) (City Risk Manager)
- ▶ [Matt.Rokus@eauclairewi.gov](mailto:Matt.Rokus@eauclairewi.gov) (Police Chief)