

MILPITAS POLICE DEPARTMENT



Armando Corpuz
Chief of Police

June 6, 2018

(ENDORSED)
FILED
JUN 27 2018

Clerk of the Court
Superior Court of CA County of Santa Clara
BY Janice Jones DEPUTY

Honorable Patricia Lucas, Presiding Judge
Santa Clara County Superior Court
191 North First Street
San Jose, CA 95113

Subject: Response to Final Grand Jury Report entitled, "Police and the Mentally Ill: Improving Outcomes."

Dear Judge Lucas:

The Milpitas Police Department is in receipt of your May 9, 2018 letter referencing the 2017-2018 Santa Clara County Civil Grand Jury Final Report, **Police and the Mentally Ill: Improving Outcomes.**

This letter serves as our response to the Grand Jury's report per California Penal Code § 933 (c), which requires the governing body of the particular public agency or department which has been the subject of a Grand Jury final report to respond to the Presiding Judge of the Superior Court on the findings and recommendations pertaining to the matters under the control of the governing body.

Finding 1

The presence of mental illness in a given incident report is not mandated by AB 71. Reporting this data would assist law enforcement agencies in understanding the relationship between mental illness and officer involved shootings, and help in revising their training programs.

Recommendation 1

Law enforcement agencies submitting AB 71- required data should report, to the extent possible, whether mental illness was involved in their use of force data, starting in 2019. This applies to all the agencies reviewed by the Grand Jury, which includes the Milpitas Police Department.

Response to Finding 1:

The Milpitas Police Department Agrees with Finding 1.

Collecting data on the relationship between mental illness and officer involved shootings may benefit future police training, police response, and operational outcome. To the extent possible, the Milpitas Police Department is agreeable to reporting the data.

Finding 2

The Grand Jury found that training in crisis intervention and de-escalation techniques beyond what is included in the POST Basic Police Academy helps improve the outcome of law enforcement contacts with the mentally ill.

Response to Finding 2:

The Milpitas Police Department agrees with Finding 2.

Law enforcement training, in many disciplines, beyond academy training is a state standard. We agree that training in crisis intervention and de-escalation techniques can benefit law enforcement contacts with the mentally ill.

Since 2008, the Milpitas Police Department has had officers and dispatchers attend a 40-hour POST-approved Crisis Intervention Training and training in de-escalation techniques with the intent that all officers and dispatchers will attend the training. Currently, 73% of officers associated to field work has received such training.

Recommendation 2A

The law enforcement agencies of Gilroy, Los Altos, Los Gatos-Monte Sereno, Milpitas, Morgan Hill, Mountain View, Palo Alto, Sunnyvale and San Jose, and the Santa Clara County Sheriff's Office, should prepare a plan to ensure that all their officers receive POST-approved Crisis Intervention Training and De-Escalation technique training, beyond the training included in the POST Basic Police Academy, by the end of calendar 2018.

Response to Recommendation 2A:

The Milpitas Police Department agrees to Recommendation 2A.

The Milpitas Police Department is developing a Department training plan. Crisis intervention training and training in de-escalation techniques will be included in the training plan. The plan will be adopted prior to the end of calendar 2018.

Recommendation 2B

The law enforcement agencies of Gilroy, Los Altos, Los Gatos-Monte Sereno, Milpitas, Morgan Hill, Mountain View, Palo Alto, Sunnyvale and San Jose, and Santa Clara County, should provide funding for their law enforcement agencies to complete POST-approved Crisis Intervention Training and De-Escalation technique training, beyond the training included in the POST Basic Police Academy, by June 30, 2019.

Response to Recommendation 2B:

The Milpitas Police Department agrees with Recommendation 2B.

The Milpitas Police Department maintains a training budget that funds all police training, including Crisis Intervention Training and De-Escalation technique training.

Recommendation 2C

The law enforcement agencies should execute their plan to ensure that all officers receive POST-approved Crisis Intervention Training and De-Escalation technique training, beyond training included in the POST Basic Police Academy, by June 30, 2020: Gilroy, Los Altos, Los Gatos-Monte Sereno, Milpitas, Morgan Hill, Mountain View, Palo Alto, Sunnyvale and San Jose, and the Santa Clara County Sheriff's Office.

Response to Recommendation 2C:

The Milpitas Police Department agrees, in part, with Recommendation 2C.

The Milpitas Police Department will implement a training plan to ensure that current officers and dispatchers receive POST-approved Crisis Intervention Training and De-escalation technique training prior to June 30, 2020.

However, California POST does not mandate 40-hours of crisis intervention training in police academies. The addition of new staff throughout any given year will make it difficult for any law enforcement agency, including Milpitas, to maintain 100% staff training throughout the year. Therefore, future staff training will remain ongoing.

Recommendation 2D

The following law enforcement agencies should include Crisis Intervention Training and De-Escalation technique training in their Continuing Professional Perishable Skills and Communications training: Santa Clara County Sheriff's Office, the Sunnyvale Department of Public Safety and the following law enforcement agencies: Campbell, Gilroy, Los Altos, Los Gatos-Monte Sereno, Milpitas, Morgan Hill, Mountain View, Palo Alto, San José and Santa Clara.

Response to Recommendation 2D:

The Milpitas Police Department agrees with Recommendation 2D.

The Milpitas Police Department will add Crisis Intervention Training and De-Escalation technique training to Continuing Professional Perishable Skills and Communication training.

Recommendation 2E

The law enforcement agencies in the cities of Gilroy, Milpitas and Mountain View should expand their Crisis Intervention Training and De-Escalation technique training to include all of their officers, not just their Field Training Officers.

Response to Recommendation 2E:

The Milpitas Police Department agrees with Recommendation 2E.

The Milpitas Police Department's survey submission, in November 2017, does not accurately reflect the Department's stance on Crisis Intervention Training and De-Escalation technique training. The Milpitas Police Department has trained their staff in Crisis Intervention and De-

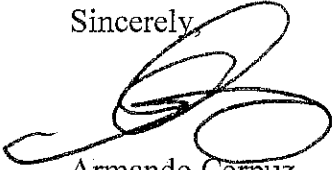
Escalation, since 2008, and it has been the intent to train all officers and dispatchers. However, the reference to Field Training Officer, in the survey submission, was intended to reference compliance with Senate Bill 29.

Findings 3 and 4

We found that Findings 3 and 4 were not relevant to the Milpitas Police Department and, therefore, have not provided a response.

Should you have additional questions or concerns regarding our response, please contact Captain Daryl Sequeira at (408) 586-2534.

Sincerely,

A handwritten signature in black ink, appearing to read 'Armando Corpuz', with a large, stylized flourish at the end.

Armando Corpuz
Chief of Police
Milpitas Police Department