

Executive Order 203 Compliance Group

November 18, 2020 Meeting Notes

Members Present: Malta Town Supervisor Darren O'Connor; City of Mechanicville, Supervisor Tom Richardson; Undersheriff Rick Castle, Saratoga County Sheriff's Department; Dr. Michael Prezioso, Commissioner of Mental Health & Addiction Services; District Attorney Karen Heggen; Public Defender Andrew Blumenberg; Opal Hinds, Esq.; Assistant County Attorney Michael Hartnett – Advisor to the Group; Frank McClement, Saratoga County Veterans Service Agency Director, Kevin Herrick, Saratoga County Sheriff Investigator, Rick Jordan, Transitional Services Association, Megan Johnson, Saratoga County Mental Health & Addiction, Brendan Norton, Healing Springs Recovery Center, Sam Bastien, Four Winds Hospital, Jennifer Eslick, Executive Director of Crisis Services Northern Rivers, Paula Tancredi Penman, Associate Executive Director Transitional Services,

Dr. Prezioso welcomed those in attendance. Dr. Prezioso asked the members of the Group to introduce themselves as the participants in attending in person and via the phone.

Dr. Prezioso said he wanted to take a moment to remind everyone of the process. The process has been designed in furtherance of Executive Order 203, the New York State Police Reform and Reinvention Collaborative. The Order directs a comprehensive review of police force deployments, strategies, policies, procedures and practices for the purpose of addressing the particular needs of the community served, and promoting community engagement to foster trust, fairness and legitimacy. Stakeholders including but not limited to membership and leadership of the local police force, members of the community, interested non-profit and faith based community groups, the local office of the District Attorney, the local Public Defender, and local elected officials shall be consulted. Members have identified stakeholder groups, have been or are in the process of being identified and will have the opportunity to speak to the Executive Order 203 Compliance Group for 3 minutes each. Members of the public are invited to call in to listen to stakeholder input and Compliance Group discussion. Stakeholders in the public are strongly encouraged to submit comments in written form. A link has been placed on the Saratoga County web home page to the Executive Order 230 Compliance Group page. This page contains meeting notes as well as a fillable form where input can be submitted. The input will be incorporated in a report to be considered by the Board of Supervisors in time to meet the Governor's April 1st 2021 deadline.

Dr. Prezioso said at this time he would like to turn to the folks in the room and give them an opportunity to provide their feedback for 3 minutes.

Frank McClement, Saratoga County Veterans Service Agency Director – “I don't have a particular presentation but looking through the outline for this discussion, one of the things that jumped out at me was item #9 Community Based Outreach and Conflict Resolution. There was a question posed about are there ways we can expand community outreach without requiring additional resources, are there additional community outreach programs that would justify expending additional County resources? One thing I would like to point out, and I'd like to point to is the partnership between Mental Health, our District Attorney's office, Probation and our Sheriff's Department, as well as we invited all of our local Law Enforcement agencies in the County, when we offered a DCJS Certified Veterans Justice Outreach training program for our law enforcement officers and our Probation officers. It was something that we have done, I believe we've held two so far, and we took a break and planning to come back again, something we could do every other year. It didn't require a lot of money or funding, it was something that we worked with the Veterans Justice Outreach coordinators at the Department of Veterans Affairs. We brought in the VA Police Department, and we conducted a training in house for our Sheriff's Department deputies, those that work at the correctional facility as well as any staff at the District Attorney and Probation offices. We trained everyone at the Probation office and we've trained a significant number of deputies as well as our District Attorney who participated in and some ADA's. Essentially what we were able to do with this is educate our law enforcement officers on 1. Military mindset and military culture, we discussed the issues facing veterans with mental health issues and PTSD, and most importantly we highlighted the resources that are available to them, not only through the Department of Veterans Affairs but also the New York State Division of Veterans Services as well as here at the County with my agency, and our PFC Joe Dwyer peer connection program which exists to connect veterans with other veterans who are struggling through transition or have maybe made some bad choices and are looking to get back on the right track. It was very successful, our first outing, that we did it again and we hope to do it again in the future. And again, I

would like to highlight that it's something that, you know, we're all here working already in this area, and I think it had a big impact on our Department as well as the veterans in the communities because it provided our Law enforcement officers, we asked a lot of them and a lot of times there will be individuals that identify these situations on the ground, and they're seeing a veteran in the community that they've interacted with on a few different occasions, and they can see that there's some underlying issues going on, so for them to have the background and the information on some resources available, I think it's a big service to the Veteran and also to the Law enforcement officers. There was a tremendous amount by the individual officers themselves, I found that they were all very pleased and happy to learn about those resources and give them something they can add to their tool bag. And again, I would like to highlight that, it was something that we put together without requiring a whole lot of resources and there was a tremendous amount of success that I feel came from the program. The other thing I would like to mention is bringing some of those resources directly into the jail for those veterans that are already justice involved, and connecting them to those resources so that they can move forward in a positive way once they have resolved those justice issues with the Court, Probation and so forth. That also has been very successful and the ability to connect those individuals to mentors and provide positive reinforcement and relationships to them is a bonus, but also something that with some simple communication and partnerships we were able to put together and we saw tremendous success"

Sam Bastien, Four Winds Hospital – "First of all I want to thank Dr. Prezioso for inviting Four Winds to participate in this very important and timely evaluation of policing. I would like to point out that in my seven and a half years at Four Winds, our relationship with local law enforcement has been very, very positive. We have appreciated the support we've received from the Saratoga Police Department, the Sheriff's office and NYS Police. I think that the thing I am really familiar with is that we have the stakeholders group between Mental Health and substance use services and the local law enforcement has always participated in that and I think that has done a lot to improve the quality of services to all citizens of the County, and I think it has a positive impact on policing as well. If there is one area I think could do with a little improvement, would be in the ability of law enforcement to understand, their police officer status in terms of managing individuals who are undergoing a mental health crisis. Sometimes it's a little unclear as to what they can or cannot do and we have someone that needs to be, for example, transported to the ER for evaluation and treatment, and sometimes there is a little tenuous of where we have a very good relationship with County Mental Health, and we continue to have these conversations with local police departments as well. I should probably point out that Saratoga police department has been particularly helpful in helping us to prepare for a potential active shooter on campus and there's ongoing conversations and they're usually very, very helpful. I've nothing really but positive things to say about law enforcement and the policing process."

Kevin Herrick, Saratoga County Sheriff Investigator – "I don't have anything at this point in time."

Rick Jordan, Transitional Services Association – "I also don't have anything really to add at this time, Sybil just asked me to jump on a couple of minutes ago to hear what everyone had to say and then she's going to submit some written stuff."

Megan Johnson, Saratoga County Mental Health & Addiction – "I guess I would echo some of what Sam Bastien just said in the room, also just to share with folks, from our prospective and our partnership with law enforcement. Here in our Department, we serve about 1,500 individuals and families at any given time with a variety of behavioral health and substances abuse services. And, we also play a role with crisis intervention for both our own patients as well as the general public and we work closely with local police departments to respond to those persons in crisis. So, in those instances, if our medical staff or our designees determine that an individual is in need, is at risk of harm to self or others, and needs immediate evaluation care, and treatment and hospital, law enforcement acts as our partners in the removal and transportation of those individuals to medical facilities, primarily to Saratoga Hospital. So, we make that determination request and then they act on it and most often law enforcement is really the only responder in the community, they are often out there on their own interfacing with folks who are in crisis for an enormous variety of reasons. Though, sometimes they may be accompanied, by mobile crisis staff, or at other times might also be called to a setting in which there are already trained mental health professionals present, such as coming to our facility to help us kind of de-escalate and then remove somebody to the hospital, or they may be called to another healthcare facility, such as Four Winds, or to schools, etc. And just to give you a sense of the numbers. Thus far in 2020 we have partnered with law enforcement on over 200 mental health emergency transports already. These are individuals out in the community who are in extraordinarily difficult circumstances, often at the lowest point in

their lives. And similarly to Sam, our experience with law enforcement in those times has been very, very positive. Our observation has been that they really handle these situations with patience and with skill and with sensitivity. Because these situations can really be unpredictable though, and potentially very dangerous, it certainly can't hurt to look for some ongoing kind of support and training opportunities for our law enforcement partners, particularly around, verbal de-escalation techniques and things of that nature just to make sure, as Frank said, that they have all of the kind of tools at their disposal that may be needed in this enormous array of circumstances that they may be called to respond to. And I think it would also be advantageous to ensure that we have adequately invested in and make available mobile crisis teams. I think Jen Eslick on the phone may speak to that a little bit also. And that it's widely known how to access our mobile crisis teams, and that those teams are really broadly utilized to the greatest degree that they can be, and should be, so that we can reduce the necessity of law enforcement, even being involved in these situations in the 1st place. That's my input for today."

Brendan Norton, Healing Springs Recovery Center – "I'm kind of echoing the same sentiments regarding Saratoga County Sheriff's department, I feel they do a wonderful job interacting with individuals with substance use disorder and current mental health issues. There's been a few instances we've had where we've needed them to do wellness checks on individuals who, experience suicidal ideation, and the interactions that I've witnessed personally, have been nothing but positive. There was no shaming. There was there was really just real empathy towards the individual, total professionalism. There was only one instance that I can say that I felt was a little inappropriate, but it was addressed by the supervisor the very next day. And even with our interactions with the corrections department and getting the recovery unit going in Saratoga County Jail was just, I can't say enough positives about them. We started with the family recovery table in the visitation area, which quickly turned into a peer engagement program, which then turned into a recovery unit, and that all took place within a year. And Ben Deeb, who is our Certified recovery peer advocate who took the lead on that has, been able to bed to bed 100 mates from treatment. He's on the line too, so I'm not going to steal his thunder but we work closely with the corrections officers Academy to train them with the science of addiction and recovery so they better understand substance use disorder and all of them are mandated to take Narcan training. All the new officers coming on board are equipped with Narcan. I just have nothing really but positive things to say about the Sheriff's department. With Captain Morley's 2nd chance program, when he goes out to individuals after an overdose, he offers them and their family support and will connect them with us, connect the families with me and connect the individuals with one of our peer advocates. I know they're not the social workers of the world, but they certainly have a lot of empathy and provide nothing but positive interactions with our folks."

Ben Deeb, Healing Springs Recovery Center – "I was going to say pretty much the same thing as Brandon that in the last 2 years that I've been working alongside the sheriff's road patrol and corrections, I've seen nothing but a willingness from them to continue to learn, be engaged with the public. They attend all the overdose visuals and do Narcan trainings, and with Captain Marley going back day after overdose to Narcan train the individual and their families, being invited in to do the C.O. academies and talk about, even right down to the verbal interaction and stigma with the population and how language matters. I've seen a huge swing in corrections officers to want to learn and they're more curious about what recovery entails and looks like. Saratoga is kind of taking the lead on what corrections models should look like, on fully encompassing the wellness of the individuals that are in the jail, focusing on re-entry, allowing EMT so they can be more recovery successful post release. I have nothing negative to say about the way that my interactions with the road patrol have gone with individuals with mental health or substance use disorder struggles. They're trauma informed. They show up at our Memorial awareness events and fundraisers, they sit on the stakeholders board to know what's going on in the community. In my opinion, they're rock stars. Everything comes at them fast and I think people are quick to judge the way that things are handled without being on scene. I feel that they handle themselves with professionalism from every aspect."

Jennifer Eslick, Executive Director of Crisis Services Northern Rivers – "Hi Good morning. So as a whole, I'm just reiterating what Megan said. We definitely would love to partner with law enforcement. We already work closely with you when we have to call you and when we're out on site, or if you have called us. But I would like to continue to build on that, so that we can help on calls that maybe you don't need to get called on. And over time, families would call us directly, or clients calls directly instead of calling the 911 system. But we would need your help in doing that, and getting our number out there, so that we can decrease the behavior off calls through the 911 system. But also would love an opportunity to even do some presentations or some meetings with law enforcement to talk about our services and how we can be supportive to you all, and also help with decreasing clients that are brought to

the ER because the assessment that has done under 941, we can also do that assessment in the community. to kind of lower the emergency services with EMS or police, having to go to the hospital. Overall we have had no identified negative interactions and I do agree with everybody else that law enforcement has managed behavioral health calls quite well. The only thing I'd ask is that you possibly look at partnering with us and using us more often so that we can decrease the behavioral health calls through the 911 system.”

Paula Tancredi Penman, Associate Executive Director Transitional Services – “I do not have a statement at this time. We will submit a written comment.”

Dr. Prezioso opened the floor for discussions.

Ms. Heggen asked for clarification on the Mobile Response Unit, before they talk about referring someone to a local crisis unit, it would be helpful to understand what currently exists. Dr. Prezioso offered some history prior to turning it over to Ms. Eslick. Dr. Prezioso said that Saratoga County has partnered with neighboring counties. There are two different mobile crisis systems, one deals with children and Saratoga County is in partnership with Warren and Washington counties on the youth mobile crisis team. There are five counties in partnership for the adult team, Rensselaer, Schenectady, Warren, Washington and Saratoga. The contracts are with Parsons, and they are the ones that actually operate the mobile teams. Dr. Prezioso turned it over to Jen to talk a little bit more fully about what those teams are comprised of, geography, hours of operation etc. Ms. Eslick said that although there are two contracts, they are all one service, teams go out for kids and adults by calling the central line, 518-292-5499. A live clinician will answer, take the information and either go out on site to do an assessment or potentially process it, or triage over the phone. It all depends on the nature of the call and also what the needs of the client, youth or family is. A licensed behavioral health clinician answers the phone to take the referent's information or even the actual client calling to manage the behavioral health crisis. Sometimes even just for support, they have a lot of adult clients that were high utilizers of the ER that now just call them directly, and they can provide some phone support and still go on site if needed, but sometimes they just like to do check ins and that has prevented them from continuing to use the ER for those check ins. Ms. Eslick said that they are currently in operation Monday through Friday from 7am to 11pm and on Saturday and Sunday, 11am to 7pm. They are working on going 24/7 sometime in the next year. Ms. Eslick said that she can get their flyers and information out to whomever is interested. Dr. Prezioso asked Ms. Eslick to send the information to him so that he can distribute to the group plus others. Dr. Prezioso said that there is gratitude among law enforcement that the program exists and a great desire to have the resources increased so that it does not take quite so long to get from the places where they are located. Maybe this is something that can be included in the report related to the need for resources. Dr. Prezioso asked Ms. Eslick to talk about where their bases are. Ms. Eslick said that they have two locations covering six counties. One location in Queensbury and one in Albany, however this office is moving back to Schenectady. The way they manage Saratoga County is they look at what office the teams can get to Saratoga faster. The north team may go to half of the county and the south team to the other half, but sometimes even if they don't have a team in the south, and there is still a call, they will still send the north team. They really just try to manage the calls and get the teams out there. The one thing about partnering with law enforcement that would be helpful to talk about it sometimes they get called out to calls that they determine is safe, and drive away. But maybe some families continue to call police. If law enforcement can call Northern Rivers, even after they have driven away, they can still facilitate an assessment and go out and provide support to the family. Ms. Eslick said that they don't just do the assessment to determine safety on whether to stay in the community or to go to the hospital, they have other programs like crisis stabilization programs for youth that they can refer to, to deter from the hospital. They also do follow up the next day to make sure the crisis has been diverted and/or if they need to come back out or speak again to the individual that called them. They also connect to treatment or reconnect to providers that may have already been involved or that did not know their client was in crisis. It's not just coming out and doing a mental health evaluation, they do a lot of coordination and collaboration and getting folks connected to treatment or health home care management. One of the things they have worked with a lot of law enforcement with is even just having their magnets to hand out when they go to calls, and encourage individuals to call the number instead of 911 when they are struggling, to get help deciding whether they need to go to hospital. Ms. Eslick said that they try not to use law enforcement unless they have to. They go out in teams of two, do a screening to determine that the teams can go out safely to the location of the client. As long as the situation is safe, they will actually go without law enforcement. Law enforcement are only involved if the situation is warranted or if law enforcement is already calling them because they are required onsite.

Supervisor O'Connor asked if Ms. Eslick and her group can contribute towards decreasing the number of times that a 941 possible situation can result in actual custody? In other words, is she seeing that there are too many 941 arrests? Ms. Eslick said that she can't speak to how many 941's occur in Saratoga County, she believes that they can decrease folks that may end up at the hospital, or get brought in for the assessment, that the officers have concerns but obviously are not able to do the actual mental health assessment. Instead of having somebody sent by ambulance or police actually having to bring them to the hospital, her team can actually come on site and do that same assessment to help determine whether or not that person actually does need to go to the hospital. Out of 20 calls, they might send 1 person to the hospital. They really understand what the criteria is to keep somebody under the mental hygiene law, but also many times callers, even someone who is suicidal, may not necessarily need to go to the hospital, they may just need that support or them to get involved and see how resources can be provided. Ms. Eslick said that she believes they could decrease the number of folks that are brought in by 941 if they were involved in calls that law enforcement are called to. There is always going to be some folks that do need to go to the hospital, whether it's via law enforcement, or her team, but if they come out and do the evaluation and they determine that they actually do need to go to the hospital, then they would work with the Hospital on getting a 945 which rises the evaluation to a different level, needing to be seen by a psychiatrist, as opposed to just being seen by an ER doctor. Dr. Prezioso said that the distinction is that a 941 allows law enforcement under their own authority to bring someone who they suspect may have a mental health issue to the hospital. 945 are all issued through the County Office of Mental Health and Addiction Services and there are specific criteria when they coordinate both with law enforcement to get the order out to them so that the person can be transported safely to the hospital for further evaluation. Dr. Prezioso said that they will also coordinate with the hospital based on the specific presentation of the individual. The other issue is that reports of a person in distress under 945 can only come from a parent, an adult child, or a treater. These come to the Office of Mental Health and Addiction and are processed 24 hours a day, information is faxed to both Law enforcement and making sure the Hospital is aware so that they are aware that a person is arriving and the receiver is in a position to know a little bit about what's happening up front. Dr. Prezioso said that 941 and 945 gets the person to the hospital for the evaluation, but it's not a decision to admit the person. That evaluation takes place at the hospital and it's up to the hospital to decide. That's why it's so important to have an integrated system of care on the other side of things, because more often than not, a person does not require that level of care, but will need some level of care and that's where work with folks from mobile crisis, and the other providers in the county really steps into play.

Supervisor O'Connor asked if we have had any experience in the last 5-years, litigation based on 941 apprehensions. Mr. Hartnett said he does not know off the top of his head but can find that information out and report back. Undersheriff Castle said that as a matter of practice, the Sheriff's office does not use 941's. They are looking at a process to institute this but they rely almost exclusively on pick up orders issued by the hospital. Therefore they do not have any litigation relative to 941 simply because they, as the Sheriff's office, do not employ that at all. Mr. Castle said that he believes the City police do, and he's unsure if the State Police do. Mr. Castle said that they do have a draft policy to put this into effect, just to have another tool in their tool belt, but it's not done at this time.

Undersheriff Castle said that the Sheriff's office is very interested in diverting things at the 911 level if there is a way that they can send proper resources, instead of just simply sending a deputy to everything. Mr. Castle said that a lot of times they are sending deputies to mental health calls that they know are not going to rise to the level of where a person needs to go to the hospital, they are sending a police officer simply because they called 911, and ending up with a police officer on the scene who really has nothing that they can do for the person at the time, which leaves them in a bad situation to just walk away, or try to get a pick up order to get someone to the hospital who really doesn't qualify for a pick up order, and in a lot of cases the pick-up order is denied. Mr. Castle asked Ms. Eslick if she had any recommendations or envisions a program like that working. Ms. Eslick said that the first step would be to have a meeting to talk about how they have been able to help other law enforcement in the other counties. Every department has different policies on how they manage their behavioral health calls, sometimes it's dispatch determination. For example in Schenectady they have worked closely with the police department and now Scotia and Glenville, sometimes even if the officers are called they will say to dispatch to please call the mobile crisis team to request them to be on site. This way they are at least in route so that when the officers get there and realize they don't actually need to be there, the mobile crisis team is already in route to come. Or if an officer gets out there and they know it's not something they need to 941 or call in for pick up order, they will still call the team even though they are driving away to have them still provide support to that family so that maybe over time that family will start using the mobile crisis team instead of calling 911. Ms. Eslick said that Schenectady County are even looking at having

dispatch being able to screen what the police respond to and what the crisis team respond to. Some of the discussions that are happening in other counties is trying to build the crisis team into the 911 system.

Ms. Heggen asked how many instances Northern Rivers has been involved in over the last year or so, just to get a sense of the level of involvement. Ms. Eslick said that she believes the need is a lot higher than they actually get called on. As an example for calls, in October they received 32 calls for adults, from either a client, law enforcement or provider. Of these calls 16 were new clients that they did not have contact with before. In October for children aged birth to 17, there were 40 calls, 24 of which were new contacts. So in total, 72 calls in Saratoga in the month of October. Ms. Eslick said that in Albany where they are more familiar with Northern Rivers that figure is double or triple. Ms. Eslick said that she hopes they can increase their support in Saratoga County.

Dr. Prezioso said that it's important to consider how one part of the system touches another part of the system. To the extent that mobile crisis can intervene and divert from hospital use, that certainly is a more targeted of an effective service, less expensive service, than EDUs can also divert people away from hospitalization. Then as you move out concentric circles, to the state hospital system where beds are closing, that's why we end up oftentimes with people who are in need of services, but the resources at the local level are pretty well constrained. The State has not been able to maintain its same level of services either, and Dr. Prezioso believes this is why the Jail has become number 1 of the largest providers of mental health service in the area. Ms. Eslick added that the calls can range from a parent calling because their child is damaging property because their cell phone was taken away all the way up to someone being suicidal, homicidal or psychotic. Ms. Eslick gave examples of the range of services that were recently provided in coordination with the Troy Police, Rotterdam with the V.A., and Schenectady with the US Marshals.

Supervisor Richardson thanked everyone for their input and said that this has been an eye opener for him, realizing all the services that are available, and services that are more in need now than in the past.

Dr. Prezioso said that the next meeting will be held on December 2nd, it was agreed earlier to skip next week since it's Thanksgiving week. The plan is to hear from Faith Groups at that meeting.

Dr. Prezioso said that they are looking to meet the following week. Undersheriff said that another group that they need to reach out to is community leaders, community activists. There is no central repository as to who those people would be. Supervisor O'Connor said that part of reaching out to this type of undefined category is to push out the survey that was prepared, and send a notice to residents to look out for this survey. Dr. Prezioso said that the link is up and running on the website, the link to the Executive Order 203 Compliance group page is directly on the County's homepage. The page contains meeting all notes, and the link to the survey. Dr. Prezioso that a press release will be coordinated through the County's PR Firm to make sure the information gets out to the public. Mr. O'Connor asked that the link be sent out to all Supervisors so that they can put it on their Town websites also. Mr. Richardson suggested that a notice be sent to Supervisors and Mayors of different village to participate in the meeting on the 9th of December*. Mr. O'Connor said that there may be individual town board members that may want to offer their views also. Dr. Prezioso recapped that December 2nd will be for faith based groups and December 9th* will be for elected officials. Dr. Prezioso said that he will work with County Administration to get the press release put out directing people to the webpage and the link to the survey so that they can get a broader swath of feedback.

Mr. O'Connor asked if there would be follow up with the Superintendents in terms of the students. The survey could be used, possibly a different survey for students. Mr. Castle said that he does not see a problem sending out a slightly different version than what is being sent out for general inquiry. Mr. O'Connor suggested reaching out to some of the Superintendents to ask for their views before we decide which way to go.

On a motion by Mr. Richardson, seconded by Mr. O'Connor, the Group unanimously adjourned.

Respectfully Submitted,

Therese Connolly
Deputy Clerk of the Board

**December 9th date has been changed, new date TBD*