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Sent: Monday, August 17, 2020 8:39:01 AM
To: Gary Phillips <Gary.Phillips@cityofsanrafael.org>; Maribeth Bushey <Maribeth.Bushey@cityofsanrafael.org>; Kate Colin <Kate.Colin@cityofsanrafael.org>; Andrew McCullough <Andrew.McCullough@cityofsanrafael.org>; John Gamblin <John.Gamblin@cityofsanrafael.org>
Cc: Rob Epstein <Rob.Epstein@cityofsanrafael.org>; Lindsay Lara <Lindsay.Lara@cityofsanrafael.org>; Diana Bishop <563@srpd.org>
Subject: Proposed Changes to Police Use of Force Policy

Dear Council Members,

I have come to know many of you over the many years both as a constituent, and as a clinical behavioral healthcare provider and senior management staff for Marin County's Behavioral Health and Recovery Services Division before I retired late last year.

I write to comment on the proposed new SRPD use of force policy to bring to your attention an element of use of force which is almost never mentioned in police policies. While policies typically mention as this one does 'serious bodily injury,' no policies mention 'aggravation of serious mental disorder.' Conduct of a police officer towards someone who has a 'serious mental disorder' can be just as damaging to that individual as physical injury, leaving or exacerbating severe, permanent scars on those with serious mental impairments.

Having such language in the order would remind SRPD officers of the need to de-escalate conflict involving those who are mentally challenged. There are growing evidences based on numerous researches and literatures that have been written, that trauma-induced events such as negative interactions with law enforcement and other authority figures, can exacerbate one's undetected/untreated trauma symptoms which includes, but not limited to, increased agitation, resistance/avoidance (fight vs. flight), depression and anxiety. This and other risk factors only serve to compound to an already severely mentally ill person who suffer with acute mental health symptoms associated with their existing mental health disorder.

The following language, defining 'aggravation of serious mental disorder,' based on the California Welfare and Institutions Code, should be in the definitions section at 300.1.1 and included throughout the policy wherever there is a reference to 'serious bodily injury:'

Aggravation of Serious Mental Disorder – aggravation of a serious mental disorder which is defined as “severe in degree and persistent in duration, which may cause behavioral functioning which interferes substantially with the primary activities of daily living, and

which may result in an inability to maintain stable adjustment and independent functioning without treatment, support, and rehabilitation for a long or indefinite period of time. Serious mental disorders include, but are not limited to, schizophrenia, bipolar disorder, post-traumatic stress disorder, as well as major affective disorders or other severely disabling mental disorders. This section shall not be construed to exclude persons with a serious mental disorder and a diagnosis of substance abuse, developmental disability, or other physical or mental disorder.” (Welfare and Institutions Code § 5600.3)

I hope you will agree that including such language is important and key to ensuring that the mental health condition of an individual is not severely aggravated by the actions of a police officer or other public authority figures.

Best regards,

Cesar Lagleva
San Rafael resident