SPECIAL
DOVER HUMAN RELATIONS COMMISSION
A G E N D A

NOVEMBER 20, 2013 - 7:00 P.M.

CITY HALL COUNCIL CHAMBERS - 15 LOOCKERMAN PLAZA - DOVER, DELAWARE

Public comments are welcomed on any item and will be permitted at appropriate times. When possible, please notify the City Clerk (736-7008 or e-mail at CityClerk@dover.de.us) should you wish to be recognized.

1. Call to Order/Roll Call

2. Moment of Silence

3. New Business
   A. Discussion - Document Access and the Freedom of Information Act (FOIA)
   B. Review of Amendments to Chapter 58 - Human Relations Commission (Ordinance #2013-15) *(Deferred by Commission on October 30, 2013 Due to Time Constraints)*
   C. Discussion - Care2 Make a Difference Article: "Training Police About Mental Illness Can Help Reduce the Prison Population"

4. Scheduling of Future Meetings
   A. Quarterly Meeting - February 26, 2014

5. Announcements

6. Adjournment

/dd
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THE AGENDA ITEMS AS LISTED MAY NOT BE CONSIDERED IN SEQUENCE. THIS AGENDA IS SUBJECT TO CHANGE TO INCLUDE THE ADDITION OR THE DELETION OF ITEMS, INCLUDING EXECUTIVE SESSIONS.

CITY OF DOVER ORDINANCE #2013-15

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

That Chapter 58 - Human Relations, Article II - Human Relations Commission, be amended by inserting the bold, blue text and deleting the text indicated in bold, red, strikeout as follows:

Sec. 58-31. Purpose.

The city council has deemed it to be in the best interest of the city to establish a human relations commission to include members who are broadly representative of the entire community and who are committed to a philosophy of inclusion, intergroup cooperation, and fair treatment that will effectively help the city meet the following needs:

(1) *Fairness, respect*. Promote and develop an environment of fairness and respect among its citizens;

(2) *Monitoring*. Develop ways to measure and monitor community relations, particularly those that are sources of intergroup conflict;

(3) *Intergroup relations*. Involve all segments of the community in understanding and appreciating the benefits of positive intergroup relations;

(4) *Issues*. Offer a range of programs and services that will help its residents and neighborhoods prevent and resolve issues of human relations; and

(5) *Intergroup conflict.* Develop ways of anticipating, preparing for, and relieving community tensions arising from intergroup conflict.

(Code 1981, § 2-16; Ord. of 2-11-2002)

Sec. 58-32. Established; composition; appointment; representation; holding other office; removal from office; terms of office; vacancies; reappointments.

(a) *Established*. There is hereby established an advisory commission to be known as the "City of Dover Human Relations Commission," to carry out the objectives as described in this article.

(b) *Composition; appointment*. The **members of the human relations** commission shall **be appointed by the president of the council, based upon recommendations from and subject to confirmation by the council. The human relations commission shall** consist of ~~15~~ **nine** members, all residents of the city. ~~**Five of these members shall be appointed by the mayor and confirmed by the city council. Ten of these members shall be appointed by the president of the council, based upon recommendations from the council and confirmed by the council.**~~ **Two members shall be selected from each council district and one member shall serve from the city at-large.**

(c) *Representation*. In selecting the membership of the commission, ~~**the mayor and president of the council and the council shall take**~~ particular care **shall be taken** to ensure that the commission is broadly representative of racial, religious, gender and

ethnic groups residing in the city.

(d) *Holding other office; removal*. No member of the commission shall hold any elected or appointed office under the government of the United States or the state, county, or city. The ~~**mayor or**~~ city council president may remove members of the commission, with the concurrence of the city council, for substantial neglect of duty, or gross misconduct in office.

(e) *Terms of office; vacancies*. A member of the commission shall be appointed for a term of office of three years and until his successor has been appointed ~~**and has qualified**~~. The appointees shall be appointed for staggered terms of office. When a vacancy occurs in the membership of the commission, it shall be filled by appointment for the unexpired portion of the term in the same manner as the original appointment.

(f) *Reappointments*. Members may be reappointed.

(Code 1981, § 2-17; Ord. of 2-11-2002; Ord. No. 2010-23, 8-23-2010)

Sec. 58-33. Organization; quorum; meetings; rules of procedure; limitation of functions; agreements; compensation; legal counsel; reports.

(a) *Organization*. The human relations commission shall annually elect its own chairperson to preside over its meetings and may create and fill such other offices and committees among its members as may be found necessary and proper for its effective organization.

(b) *Quorum*. A majority of the membership of the commission shall constitute a quorum and, if a quorum is present, a vacancy on the commission shall not impair the right of the remaining members to exercise all the powers of the commission.

(c) *Meetings*. The commission shall hold **at least five meetings per year; one each quarter and one to be determined by the commission.** ~~**such meetings as may be deemed necessary for the completion of its purposes, responsibilities and functions. Regular meetings shall be held at least once per month unless there is no business to be considered by the commission.**~~ Special meetings may be called by the chairperson or three members of the commission.

All meetings shall be held at City Hall and in accordance with the Laws of Delaware regarding the Freedom of Information Act (FOIA) and City of Dover procedures. The commission will distribute its agendas and minutes through the City Clerk's Office.

(d) *Rules of procedure*. The commission is also authorized to adopt rules of procedure for the conduct of its meetings.

(e) *Functions limited*. The commission shall not involve itself in activities or functions already assigned by law or decree to other governmental bodies.

(f) *Agreements*. The commission may enter into agreements and build partnerships with other entities and organizations for the purpose of more efficiently and effectively carrying out its responsibilities.

(g) *Compensation*. Members of the commission shall receive no compensation.

(h) *Legal counsel*. The city solicitor shall provide legal counsel to the commission and shall be the legal representative of the commission in connection with its duties hereunder, on a case-by-case basis, or determine that outside counsel is needed and obtain such outside counsel for a particular matter.

(i) *Reports*. The commission shall ~~make such reports~~ **report** to the ~~mayor and~~ city council ~~as shall be periodically necessary~~ **on a quarterly basis regarding its affairs**. An annual report of its accomplishments and a summary of its recommendations~~, as appropriate,~~ shall be ~~sent~~ **provided** to the mayor and the city council.

(Code 1981, § 2-18; Ord. of 2-11-2002)

Sec. 58-34. Expenses.

(a) *Budget*. The city council may appropriate a budget for the city human relations commission to provide for necessary expenses and expenditures.

(b) *Other funding*. The commission may also receive funding from other governmental, philanthropic or private organizations for the exclusive purpose of carrying out its responsibilities.

(Code 1981, § 2-19; Ord. of 2-11-2002)

Sec. 58-35. Conflicts of interest.

If any member of the human relations commission concludes that ~~he has~~ **they have** a conflict of interest with respect to a matter which is pending before the commission, that member shall disqualify ~~himself~~ **themself** from participating in any deliberations, discussions and decision making processes of the commission.

(Code 1981, § 2-20; Ord. of 2-11-2002)

Sec. 58-36. Powers and duties.

The powers and duties of the human relations commission shall be to:

(1) *Recommendations*. Review city programs, activities, functions and ordinances, and make recommendations to the city council for new, amended or changed programs, functions, activities or ordinances which would support inclusiveness and civility among city residents and enhance communication and understanding among residents of the city;

(2) *Intergroup conflicts*. Inquire into incidents of intergroup conflicts and disputes within the city and take such action as may be designed to alleviate such conflicts and disputes;

(3) *Intergroup cooperation*. Promote and encourage communications between and cooperation of all groups interested in bettering human relations in the city;

(4) *Complaints*. Seek the active assistance of the state human relations commission in the

solution of complaints of alleged discrimination which fall within the jurisdiction of the state commission;

(5) *Research, education, etc*. Engage in such research, education and advocacy as, in the judgment of the commission or the city council, may be needed to improve human relations in the city;

(6) *Programs*. Develop and maintain programs that build positive relations among communities and enhance problem-solving skills among residents throughout the city;

(7) *Other functions*. Do all other acts and deeds necessary and proper to carry out and effectively accomplish the objectives, functions and services contemplated by the provisions of this article.

(Code 1981, § 2-21; Ord. of 2-11-2002)

ADOPTED: SEPTEMBER 23, 2013

http://www.care2.com/causes/training-police-about-mental-illness-can-help-reduce-the-prison-population.html

care2 make a difference

Training Police About Mental Illness Can Help Reduce the Prison Population

- by Crystal Shepeard
- November 8, 2013
- 2:30 pm

When someone is threatening to jump to their death from an overpass or a knife-wielding man is screaming he is going to kill his wife, mental health professionals are often not available or able to respond in time. Police officers are the first on scene when the mentally ill become a threat to themselves or others. How that initial confrontation is handled sets the course for all future action.

Most states require some level of mental health training for their officers. The type and amount of training varies greatly, from as little as eight hours of training to 40 (five states have no training requirement). While police departments understand the importance of having their officers trained, there is no guarantee that the first on the scene will have special insight into dealing a mentally ill person.

That lack of knowledge can be life threatening for everyone involved.

Since 2002, the Los Angeles Police Department's SMART unit has specialized in dealing with incidences dealing with the mentally ill. The Systemwide Mental Assessment Response Team is part of the LAPD's Mental Evaluation Unit (MEU), which is a team of specially trained officers and clinicians that manage responses. The SMART team consists of an officer and a mental health professional. The team, having been trained to see situations from each other's perspective, work in concert with the goal of deescalating the situation before anyone is harmed.

For example, a man with a knife threatening his wife could be saying he has to kill her. The police officer's training would be about trying to quickly eliminate the threat. The mental health professional would focus on his mental state. If it was determined that the person is suffering from a psychotic disorder and is hearing voices, for example, trained officers would approach the situation with that understanding and make any necessary adjustments to their engagement.

Keeping everyone from harm, however, is just the first step.

The criminal justice system is overwhelmed by individuals suffering from mental health problems. Many people who are mentally ill are unable to afford or access treatment, fueled largely by budget cuts which have reduced the availability of mental health services. This means that even if the officers and the courts agree that the suspect's mental health was a direct factor in their crime, there may be no place to send them — except to jail.

A 2006 study by the Bureau of Justice Statistics showed that more than half of all prison and jail inmates had mental health problems. These disorders ranged from mania and depression to psychotic disorders such as hallucinations and delusions. While most mentally ill people are not violent, many violent prisoners also suffer from mental illness. Furthermore, many mentally ill are

unable to do things like follow directions easily, causing them to get in trouble and possibly punished more, resulting in further deterioration of their mental state.

Needless to say, prisons are not equipped to deal with the burden.

Many are incarcerated for non-violent, often minor, offenses, but because of their untreated mental condition are considered unsafe and must be put in a facility. Many are taken to emergency rooms after an incident in the hopes that they can be admitted, at least for a few days. County hospitals and mental health facilities are often filled to capacity and are unable to accept anyone except the most severe cases. In the end, all that is left is the local jail, which begins the never ending journey of the mentally ill into the criminal justice system.

An officer with Crisis Intervention Training (CIT) could be the key to stopping the cycle from beginning.

With an estimated 10 percent of all police calls nationwide related to mental health or substance abuse issues, Crisis Intervention Training can go a long way in diverting low-risk offenders from going to jail. The most common training program was developed in 1988 by Memphis police officers in an effort to reduce the number of shooting deaths of mentally ill individuals. Today, CIT International offers a 40 hour program for police departments across the nation.

The program gives information on mental illness and how to recognize it. It also introduces them to the mental health system in their area, familiarizes them with the laws and, most importantly, sits them down with mentally ill individuals and their families. They often learn that not everyone "looks" mentally ill and that it can take just a few minutes of talking to them to discover that he or she may not be processing the situation the same as the officer.

That few minutes can save lives.

In North Carolina, a 16-year old boy broke into a relative's home to steal a cell phone. The officer who took the call had received information that the boy had a developmental disability. This did not mean the teenager didn't know right for wrong. However, the officer took a different action after his arrest and followed up with the foster home, school officials and a behavioral health team. In the end, he was not sent to jail but into an intensive treatment program.

At 16 years old, he could have been charged with a felony.

In 2012, there were 64 mentally ill individuals killed in violent encounters with police. There is little doubt that some situations make this outcome inevitable. However, having highly skilled officers on the front line could keep these deaths at a minimum.

While there are a few bright spots in departments across the country, the sad reality remains that budget cuts for local police departments as well as the woefully inadequate mental health system creates a high risk situation for the mentally ill. If local, state, and federal officials would prioritize training, many officers could be the first step in keeping the mentally ill out of the criminal justice system.

It would give a whole new meaning to their motto of protect and serve.

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