

Ordinance No. 1198-2024

By Council Members Howse-Jones, Slife and Maurer

AN EMERGENCY ORDINANCE

To supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new ~~Chapter 147~~ Sections 135.333, 135.334, 135.335, 135.336, 135.48 and 135.481 relating to creation of the ~~Department~~ Bureau of Community Crisis Response in the Division of Emergency Medical Service, Department of Public Safety.

WHEREAS, individuals in crisis deserve a humane response that includes their being treated with dignity and respect with the goal of connecting them with appropriate and timely care; in similar fashion, families who seek public safety support for a loved one in crisis deserve to have confidence that their loved one will not be placed in imminent danger; and

WHEREAS, a tailored approach to crisis response involving (1) the City of Cleveland Division of Police Crisis Intervention Team (CIT), (2) Cleveland EMS, (3) peers with lived experience of mental illness and substance use, and (4) licensed clinicians is essential to serving the needs of the Cleveland community; and

WHEREAS, the complexities of mental health emergencies are addressed more safely, with greater impact, and more cost-effectively and efficiently with a behavioral health responders, and those which have deeper knowledge and understanding of the behavioral health issues present, trusted relationships with the people and communities involved, and specific knowledge surrounding the emergency; and

~~WHEREAS, Tanisha Anderson, a beloved mother, daughter, sister, niece, and resident of Cleveland would likely be alive today with these policies in place; and~~

WHEREAS, the City wishes to honor Tanisha Anderson, a beloved mother, daughter, sister, niece and resident of Cleveland, by putting policies in place to ensure people experiencing a crisis receive compassionate, appropriate, care; and

WHEREAS, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

~~Section 1. That, upon concurrence of the Board of Control, as required by Section 77 of the Charter of the City of Cleveland (“Charter Section 77”), the Department of Community Crisis Response is established.~~

~~Section 2. That the Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by enacting new Sections 147.01, 147.02, 147.03, 147.04, and 147.05 to read, respectively, as follows:~~

~~Section 147.01 Department of Community Crisis Response~~

~~(a) There is established a new Department of Community Crisis Response to be controlled and administered by a Director of Community Crisis Response, subject to the provisions of the Charter and ordinances of the City, and to the direction of the Mayor. The Director may appoint and employ such other officers and employees as may be necessary for the operation of the office and activities of the department.~~

~~(b) The Director of Community Crisis Response shall work in collaboration with the Departments of Public Safety, Public Health, Aging and Community Relations to administer and oversee the various forms of crisis response in the City, including the Co-Response Program and any new response teams developed and deployed. In his or her duties, the Director of Community Crisis Response shall coordinate with the Department of Public Safety and the Department of Public Health, as necessary, to ensure that the City’s first response programs are consistent and reflective of a coordinated and collaborative approach to emergency and crisis response in the City.~~

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~~———— (b) *Purchases of food, beverages and supplies.* The Director is authorized to purchase food, beverages and mementos for activities or events sponsored by the Department of Community Crisis Response.~~

~~———— (c) *Acceptance of gifts.* The Director is authorized to accept gifts of money, materials or services, provided that the value of the gift shall not exceed ten thousand dollars (\$10,000.00).~~

~~———— (d) *Other duties.* The Director shall perform all other duties pertaining to this office, which may be required of him or her by ordinance or by the Mayor.~~

~~———— Section 147.02 ———— Co-Response Program and Unarmed Response Team~~

~~———— (a) ———— The Director of Community Crisis Response shall provide administration and oversight of the clinicians of the co-responder team working in tandem with the Crisis Intervention Team (CIT) Coordinator/Captain of the CIT Unit.~~

~~———— (b) ———— The creation of an Unarmed crisis response team or other specialized teams which shall be dispatched, similar to EMS, in lieu of police to situations that involve persons in need of a behavioral health response and that do not pose a substantial threat of harm to self or the public. Such situations may include behavioral health crises, wellness checks, substance use related crises, and other appropriate circumstances as identified by a process of evaluation of current 911 call types.~~

~~———— (c) ———— An Unarmed Crisis Response team shall be dispatched when on-scene police or other emergency responders request assistance involving a person in need of crisis intervention or whose contact with police personnel is civil in nature. An unarmed crisis response team may also request to respond directly to such situations after listening to a specific call for service over the police radio that would benefit from the services provided by an unarmed crisis response team.~~

~~———— (d) ———— Unarmed specialized crisis responders shall provide a follow-up response to individuals identified by police, Co-Responders, EMS, or other emergency responders as requiring follow-up services or social service intervention.~~

~~———— (e) ———— For individuals involved in situations to which an unarmed crisis response is dispatched, responders shall assess what level of care would be appropriate to address the individual's immediate needs. Based on that assessment, responders may provide relevant resources to aid those individuals in accessing existing services in the City and County, provide referrals to relevant service providers, and facilitate placement in appropriate facilities. In facilitating placement to appropriate facilities, responders shall not rely on police personnel to transport individuals.~~

~~———— (f) ———— With the advice of the Department of Public Safety, the Department of Community Crisis Response shall adopt and regularly revise Crisis Response guidelines as necessary to ensure consistent responding practices. The Department of Community Crisis Response shall make the guidelines publicly available.~~

~~———— (g) ———— The Department of Community Crisis Response shall undertake a public informational campaign to seek input from and notify the public about the existence of the Co-Response Program and any new unarmed crisis response teams and about how to access these types of response.~~

~~———— Section 147.03 ———— Unarmed Crisis Response Program Reporting~~

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(a) — ~~The Department of Community Crisis Response and its City or County partners shall collect data on the effectiveness, impact, and cost-saving effect of the Co-Response Team and any new unarmed crisis response teams. Such data shall include quantitative response metrics that measure outcomes and processes and that serve the purposes of presenting results to the public and improving methodology. Such data to be collected shall also include qualitative data collected during first and follow-up response and through surveys of responders assessing the effectiveness of individual interventions and the overall effectiveness of established teams.~~

(b) — ~~The Department of Community Crisis Response shall publish an annual report summarizing the effectiveness and outcomes of the established teams. The report shall include at a minimum: analysis on the impact of the crisis response teams, including the increase in unarmed response to behavioral health related 911 calls for service, the program's utility in connecting individuals to relevant service providers, and its fiscal impact; assessment of availability of relevant service providers to provide a continuum of care; and recommendations for the long-term development of effective crisis response practices.~~

(c) — ~~The Department of Community Crisis Response shall create, publish, and update regularly a public-facing, user-friendly online dashboard. The dashboard will: present program data, including number of incidents disaggregated by neighborhood, type of incident, date and time of responses, and number of police hours saved; include a portal for community feedback concerning the program; and present general information of public relevance about the program.~~

~~Section 147.04~~ General Crisis Intervention Training

(a) — ~~The Division of Police shall provide all officers crisis intervention training on responding to individuals in crisis. "Crisis" means any situation in which a person's actions, feelings, and behaviors puts them at risk of being unable to care for themselves, to comprehend reality based on reasonable standards, or to function in the community in a healthy manner. A crisis may be caused by a mental health condition, including substance abuse disorder, or any other cause that results in such a situation.~~

(b) — ~~All officers shall be provided with eight hours of initial training during the police academy, and all officers will receive an annual 4 hours during in-service training thereafter. At the conclusion of initial training and annual in-service training, The initial training and annual in-service training shall be adequate in quality, type, and scope, and shall include the circumstance in which an unarmed crisis responder, co-response team, or Specialized CIT Officer should be dispatched or consulted and how situations involving individuals in crisis should be addressed if an unarmed crisis responder, co-response team or Specialized CIT Officer is not immediately available.~~

~~Section 147.05~~ Specialized Crisis Intervention Team Officers

(a) — ~~The Division of Police shall provide enhanced, specialized, crisis-intervention training in responding to individuals in crisis to Specialized Crisis Intervention Team (CIT) Officers. The enhanced training shall be 40 hours and shall be adequate in quality, type, and scope. This enhanced training shall include community mental health resources, common mental health diagnoses, the effects of drug and alcohol abuse, perspectives of individuals with mental health issues and family members of individuals with mental health issues, the rights of persons with mental illness, civil commitment criteria, crisis de-escalation, scenario-based exercises, and how to conduct a suicide risk evaluation.~~

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~~(b) Training and designation as a Specialized CIT Officer shall be voluntary. To be eligible for consideration, officers shall have a minimum of three years of experience as an officer in the City's Division of Police. The Division of Police shall provide an in-depth assessment of each applicant to determine the applicant's fitness to serve as a Specialized CIT Officer. This assessment shall include an examination of the officer's written application, supervisory recommendations, disciplinary file, and an in-person interview. Officers with a history of complaints of, or who have been disciplined for, excessive use of force against individuals in crisis are presumptively ineligible to be Specialized CIT Officers.~~

~~(c) All Field Training Officers shall receive the enhanced, specialized, crisis-intervention training set forth in division (a) of this section. Despite having received this training, a Field Training Officer will not be designated as a Specialized CIT Officer unless that Field Training Officer has volunteered to be a Specialized CIT Officer and has been selected based on the assessment set forth in division (b) of this section.~~

~~(d) The Division of Police shall ensure that a Specialized CIT Officer is on duty during each shift.~~

"Section 1. That the Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by enacting new Sections 135.333, 135.334, 135.335, 135.336, 135.48 and 135.481 to read as follows:

Section 135.333 Definitions

The following terms shall be defined, for the purposes of this chapter, as follows:

(a) "Appropriate care" means suitable high-quality health care that aligns with the patient's needs and integrates evidence-based practices.

(b) "Compassionate" means feeling or demonstrating sympathy and concern for others.

(c) "Crisis call diversion" means mental health clinicians embedded within Cleveland's 9-1-1 dispatch center.

(d) "Unarmed Crisis Responders" means social workers, behavioral health professionals, trained professionals with lived crisis experience and/or other professionals outside of police.

(e) "Unarmed Crisis Response Team" means unarmed teams dispatched as first responders to non-violent behavioral health and quality-of-life calls for service.

Section 135.334 Bureau of Community Crisis Response

(a) There is hereby established in the Division of Emergency Medical Service a Bureau of Community Crisis Response to be controlled and administered by a Deputy Commissioner of Community Crisis Response, subject to the provisions of the Charter and ordinances of the City, and to the direction of the Commissioner of Emergency Medical Service and in consultation with the Director of Public Health. The Commissioner of Emergency Medical Service, with the consent of the Director of Public Safety, may employ such employees as may be necessary for the operation of the office and activities of the bureau.

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(b) The Deputy Commissioner of Community Crisis Response shall work in collaboration with all City departments necessary to support the various forms of crisis response in the City, including the Co-Response Program and any new response teams developed and deployed. In his or her duties, Deputy Commissioner of Community Crisis Response shall coordinate with City departments, as necessary, to ensure that the City's first response programs are consistent and reflective of a coordinated and collaborative approach to emergency and crisis response in the City

(c) *Other duties.* The Deputy Commissioner shall perform all other duties pertaining to this office, which may be required of him or her by ordinance by the Commissioner of Emergency Medical Service, or by the Director of Public Safety.

Section 135.335 Unarmed Crisis Response Team

(a) The Deputy Commissioner of Community Crisis Response is authorized to create Unarmed Crisis Response Teams or other specialized teams which shall be dispatched as first responders, in lieu of police, to situations that involve persons in need of a behavioral health response and that do not pose a risk of harm to self or the public. Such situations may include behavioral-health crises, wellness checks, substance-use-related crises, and other appropriate circumstances, including situations as identified by a process of evaluation of current 9-1-1 call types.

(b) An Unarmed Crisis Response Team shall be dispatched through crisis call diversion, offering alternatives to policing and the criminal legal system, while responding to non-violent behavioral health and quality of life calls for service, and may be dispatched when on-scene police or other emergency responders request assistance involving a person in need of crisis intervention or whose contact with police personnel is civil in nature. An Unarmed Crisis Response Team may also independently respond directly to such situations after becoming aware of any call for service that would benefit from the services provided by an Unarmed Crisis Response Team.

(c) As part of their duties, Unarmed Crisis Responders shall provide a follow-up response to individuals identified as requiring follow-up services or social service intervention.

(d) As part of their response, Unarmed Crisis Responders shall assess what level of care would be appropriate to address the individual's immediate needs. Based on that assessment, responders may provide relevant resources to aid those individuals in accessing existing services in the City and County, provide referrals to relevant service providers, and facilitate placement in appropriate facilities.

(e) With the advice of the Department of Public Safety, the Department of Public Health, Cleveland City Council, and community stakeholders, the Bureau shall review annually, adopt and regularly revise as may be necessary, crisis response guidelines to ensure consistent responding practices. The Bureau of Community Crisis Response shall make all policies and guidelines publicly available and accessible.

(f) The Bureau of Community Crisis Response shall undertake a public informational campaign to seek input from and notify the public about the existence of the Unarmed Crisis Response Teams and about how to access these types of response.

Section 135.336 Unarmed Crisis Response Program Reporting

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(a) The Bureau of Community Crisis Response and its City or County partners shall collect data on the effectiveness, impact, and cost and return on investment of the Unarmed Crisis Response Teams and make such data publicly available to the extent legally permissible. Such data shall include quantitative response metrics that measure outcomes and processes and that serve the purposes of presenting results to the public and improving methodology. Such data to be collected shall also include qualitative data collected during first and follow-up response and through surveys of responders assessing the effectiveness of individual interventions and the overall effectiveness of established teams.

(b) The Bureau of Community Crisis Response shall publish an annual report summarizing the effectiveness and outcomes of the Unarmed Crisis Response Teams. The report shall include at a minimum: analysis on the impact of the Unarmed Crisis Response Teams, including the increase in unarmed response to behavioral health related 911 calls for service, the program's utility in connecting individuals to relevant service providers, and its fiscal impact; assessment of availability of relevant service providers to provide a continuum of care; and recommendations for the long-term development of effective crisis-response practices.

(c) The Bureau of Community Crisis Response shall create, publish, and update regularly a public-facing, user-friendly online dashboard. The dashboard will: present program data, including number of incidents disaggregated by neighborhood, type of incident, date and time of responses, and number of police hours saved; include a portal for community feedback concerning the program; and present general information of public relevance about the program.

Section 135.48 General Crisis Intervention Training

(a) The Division of Police shall provide all officers crisis-intervention training on responding to individuals in crisis. "Crisis" means any situation in which a person's actions, feelings, and behaviors puts them at risk of being unable to care for themselves, to comprehend reality based on reasonable standards, or to function in the community in a healthy manner. A crisis may be caused by a mental-health condition, including substance-abuse disorder, or any other cause that results in such a situation.

(b) All officers shall be provided with eight hours of initial training during the police academy, and all officers will receive an annual 4-hours in-service training thereafter. The 4-hours of annual in-service training may be satisfied by any training required annually to satisfy other mandated crisis intervention topics required by the Ohio Peace Officer Training Academy or other agency. The initial training and annual in-service training shall be adequate in quality, type, and scope, and shall include the circumstance in which an unarmed crisis responder, co-response team, or Specialized CIT Officer should be dispatched or consulted and how situations involving individuals in crisis should be addressed if an unarmed crisis responder, co-response team or Specialized CIT Officer is not immediately available.

Section 135.481 Specialized Crisis Intervention Team Officers

(a) The Division of Police shall provide enhanced, specialized, crisis-intervention training in responding to individuals in crisis to Specialized Crisis Intervention Team (CIT) Officers. The enhanced training shall be a minimum of forty (40) hours and shall be adequate in quality, type, and scope. This enhanced training

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shall include community mental health resources, common mental health diagnoses, the effects of drug and alcohol abuse, perspectives of individuals with mental health issues and family members of individuals with mental health issues, the rights of persons with mental illness, civil commitment criteria, crisis de-escalation, scenario-based exercises, and how to conduct a suicide risk evaluation.

(b) Training and designation as a Specialized CIT Officer shall be voluntary. To be eligible for consideration, officers shall have a minimum of three years of experience as an officer in the City's Division of Police. The Division of Police shall provide an in-depth assessment of each applicant to determine the applicant's fitness to serve as a Specialized CIT Officer. This assessment shall include an examination of the officer's written application, supervisory recommendations, disciplinary file, and an interview. Officers with a history of complaints of, or who have been disciplined for, excessive use of force against individuals in crisis are presumptively ineligible to be Specialized CIT Officers.

(c) All Field Training Officers shall receive the enhanced, specialized, crisis-intervention training set forth in division (a) of this section. Despite having received this training, a Field Training Officer will not be designated as a Specialized CIT Officer unless that Field Training Officer has volunteered to be a Specialized CIT Officer and has been selected based on the assessment set forth in division (b) of this section."

Section 3 2. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

SHJ/
11-4-2024

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By Council Members Howse-Jones, Slife and Maurer

AN EMERGENCY ORDINANCE

To supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Chapter 147 relating to creation of the Department of Community Crisis Response.

READ FIRST TIME on NOVEMBER 4, 2024
and referred to DIRECTORS of Public Safety, Finance, Law;
COMMITTEES on Safety, Finance Diversity Equity and Inclusion

REPORTS

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

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Published in the City Record _____

REPORT after Second Reading

PASSAGE RECOMMENDED BY
COMMITTEE ON
SAFETY

FILED WITH COMMITTEE

PASSAGE RECOMMENDED BY
COMMITTEE ON
FINANCE, DIVERSITY, EQUITY
and INCLUSION

FILED WITH COMMITTEE

