

INTRODUCED: July 1, 2020

A RESOLUTION No. 2020-R045

To request that the Chief Administrative Officer cause to be established a work group including certain employees of the City and a member of the City Council to develop a plan and recommendations for the implementation of a “Marcus Alert” program by October 1, 2020.

Patrons – All Members of Council

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: JUL 27 2020 AT 6 P.M.

WHEREAS, according to the City of Richmond Office of the Commonwealth’s Attorney report entitled “Use of Force Investigation and Analysis, Interstate 95 Shooting – May 14, 2018” (hereinafter, the “report”), on May 14, 2018, Marcus-David Peters was shot and killed by Officer Michael Nyantakyi of the City’s Department of Police; and

WHEREAS, according to the report, Marcus-David Peters, at the time of his death, was “behaving quite erratically” and was in an “altered mental state;” and

WHEREAS, according to the report, on the day of the incident and after ignoring Officer Michael Nyantakyi’s commands, Marcus-David Peters exhibited “aggressive” behavior and engaged in a physical altercation with Officer Michael Nyantakyi that ended when Officer

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: JUL 27 2020 REJECTED: _____ STRICKEN: _____

engaged in a physical altercation with Officer Michael Nyantakyi that ended when Officer Michael Nyantakyi fired at least two shots from his firearm, ultimately killing Marcus-David Peters in the process;

WHEREAS, the Council believes that the killing of Marcus-David Peters may have been prevented if mental health professionals were present at the scene of the incident to deescalate the situation; and

WHEREAS, the Council believes that it is in the best interests of the citizens of the City of Richmond that the Council request that the Chief Administrative Officer cause to be established a work group including certain employees of the City and a member of the Council to develop a plan and recommendations for the implementation of a “Marcus Alert” program, in honor of Marcus-David Peters, designed to coordinate the emergency response of the Department of Police with mental health professionals to deescalate situations involving individuals with suspected or confirmed mental health issues;

NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF RICHMOND:

That the Council hereby requests that the Chief Administrative Officer cause to be established a work group including certain employees of the City and a member of the Council to develop a plan and recommendations for the implementation of a “Marcus Alert” program, in honor of Marcus-David Peters, designed to coordinate the emergency response of the Department of Police with mental health professionals to deescalate situations involving individuals with suspected or confirmed mental health issues.

BE IT FURTHER RESOLVED:

That the work group for which this resolution calls is requested to consist of the following to be selected solely by the Chief Administrative Officer:

1. One or more employees of the Department of Police.
2. One or more employees of the Department of Social Services.
3. One or more employees of the Department of Emergency Communications.
4. A member of the Council.

BE IT FURTHER RESOLVED:

That the work group shall, with the advice and comment of mental health professionals, including, but not limited to, mental health professionals employed by the Richmond Behavioral Health Authority, develop a plan and recommendations for the implementation of a “Marcus Alert” program and present such plan and recommendations to the Council by no later than October 1, 2020.

BE IT FURTHER RESOLVED:

That the work group, in developing its plan and recommendations, shall, at a minimum, consider the following:

1. The manner in which local resources may be coordinated with in-patient and out-patient mental health facilities.
2. Additional or continued training for employees of the Department of Police concerning that Department’s response to emergency calls involving individuals with suspected or confirmed mental health issues.
3. Additional or continued training for employees of the Department of Emergency Communications concerning the de-escalation of situations involving individuals with suspected

or confirmed mental health issues and when to refer emergency calls to mental health responders.

4. Additional or continued training for employees of the Department of Social Services concerning any provision of services to individuals with suspected or confirmed mental health issues or to the family members of such individuals.

5. With the advice and comment of the Office of the City Attorney, how the City may lawfully restructure its emergency response procedures.

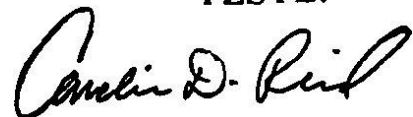
6. Sources of state funding available to the Department of Social Services, or other City agencies, for the implementation of the “Marcus Alert” program.

7. The applicability of the “Marcus Alert” program to the developmentally disabled community.

8. The appropriate model for the “Marcus Alert” program based on the City’s available resources, funding, and limitations.

A TRUE COPY:

TESTE:



City Clerk



Richmond City Council

The Voice of the People

Richmond, Virginia

Office of the Council Chief of Staff

Ordinance/Resolution Request

TO Haskell Brown, Interim Richmond City Attorney
Richmond Office of the City Attorney

THROUGH Lawrence R. Anderson
Council Chief of Staff

FROM Samson Anderson, Council Budget Analyst

COPY Michael J. Jones, 9th District Representative
Stephanie A. Lynch, 5th District Representative
Cynthia I. Newbille, 7th District Representative
Summer Morris, 9th District Liaison
Amy E. Robins, 5th District Liaison
Sam Patterson, 7th District Liaison
Meghan K. Brown, Deputy Chief of Staff

RECEIVED
By Barbara Fore at 1:27 pm, Jun 24, 2020

DATE June 23, 2020

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TITLE Working Group to Determine the Needed Parameters and Ensure the Implementation of the Marcus Alert

This is a request for the drafting of an **Ordinance** **Resolution**

REQUESTING COUNCILMEMBER/PATRON

Michael Jones, 9th District Representative
Stephanie Lynch, 5th District Representative
Cynthia Newbille, 7th District Representative

SUGGESTED STANDING COMMITTEE

Education and Human Services Committee

ORDINANCE/RESOLUTION SUMMARY

The Patrons of this resolution request that the Administration create a working group with the goal of determining the best implementation of the Marcus Alert given the unique challenges and resources of the City of Richmond.

The working group should consist of individuals from Richmond Behavioral Health Authority, Department of Social Services, Richmond Police Department, community mental health providers, City Council representative, and relevant stake holders. This work group should complete their recommendations for the Marcus Alert implementation by October 1, 2020.

The Administration should provide this working group with the information it needs in order to best ascertain the challenges and resources applicable to the creation of the Marcus Alert.

BACKGROUND

Summary:

The Marcus Alert refers to a system and emergency response structure that allows for mental health professionals to respond to emergency calls regarding someone(s) in a mental health crisis. This is in order to provide greater care to those individuals, the greater community, and to increase the de-escalations of mental health crises.

Communities within Richmond have called for the creation of the Marcus Alert since the death of Marcus David Peters on May 14, 2018. Marcus David Peters was shot and killed by a Richmond Police Officer while in the midst of a mental health crisis. On August 27, 2018, the Commonwealth's Attorney released a report that declared Marcus David Peters' death to be "an act of justifiable homicide". While it is the belief of the prosecutor's office and of the Richmond Police Department that this death was justifiable, it is the belief of the community that if mental health professionals were to have responded the situation could have been de-escalated. It is with this in mind, and in Marcus David Peters' memory, that the community has called for the creation of the Marcus Alert since 2018.

The working group will consist of individuals from Richmond Behavioral Health Authority, Department of Social Services, Richmond Police Department, community mental health providers, City Council representative, and relevant stake holders. The working group's deliberations regarding the most efficient and effective implementation of the Marcus Alert should consider the following (this list is by no means exhaustive):

- Coordination with local resources, in-patient, and out-patient mental health centers;
- Training needed for social workers and/or police officers responding to mental health calls;
- Training for 911 dispatch call center employees regarding de-escalation and when to refer calls to the new mental health first responders;
- Review of the State Code, and leeway that the City of Richmond has in regards to restructuring their emergency responses;
- Review of State funding/reimbursement for social workers at the municipal level, whether it will be sufficient and what the City can do to properly fund this program/service;
- Applicability within the developmentally disabled community; and
- The appropriate model for this program/service given Richmond's resources and challenges.

There are a variety of models that can be utilized, and have been utilized by other cities, in regards to mental health emergency calls and responding with mental health professionals and solutions as opposed to law enforcement and criminal solutions. Some examples include:

- Eugene, OR, where they have a Cahoots program and mental crisis calls are handled by an EMT and crisis (social) worker.
- St. Paul, MN, where they have a mental health unit within their police force that responds with a social worker.
- San Antonio, TX, where they have a mental health unit within their police force that functions as social workers and wears plain clothes.

These are just a few of the examples of similar programs/services within the U.S., and are presented here for information and inspiration purposes only. The Marcus Alert in Richmond need not mimic an already existing program.

FISCAL IMPACT STATEMENT

Fiscal Impact Yes No

Budget Amendment Required Yes No

Estimated Cost or Revenue Impact:

Attachment/s Yes No

Richmond City Council Ordinance/Resolution Request Form/updated 10.5.2012 /rs