



## City Council Agenda Item

**City Council Meeting Date:** August 20, 2024

**TO:** Dean Albro, City Manager

**FROM:** Kevin Martin, Chief of Police, kmartin@ci.lompoc.ca.us

**SUBJECT:** Approval of Response to the 2023-24 Santa Barbara County Grand Jury Report – "Individuals In Crisis: The Right Care at the Right Time"

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### **Recommendation:**

Staff recommends the City Council review the Santa Barbara County Grand Jury (Grand Jury) report entitled "Individuals In Crisis: The Right Care at the Right Time" (Attachment 1) and approve the proposed response letter presented on behalf of the City, pursuant to California Penal Code Sections 933(c) and 933.05(a), (b) and (c) (Attachment 2).

### **Background:**

Each year, the Grand Jury surveys various operations involving governmental services provided for the benefit of the residents of the County of Santa Barbara (County). The 2023-24 Grand Jury selected "Individuals In Crisis: The Right Care at the Right Time" as an area of focus. The 2023-24 Grand Jury provided a report with recommendations for Santa Barbara County Board of Supervisors, the Cities of Santa Barbara, Santa Maria, and Lompoc, and the Santa Barbara County Sheriff's Office.

The 2023-24 Grand Jury published the report "Individuals In Crisis: The Right Care at the Right Time" on June 21, 2024 (Grand Jury report). All jurisdictions noticed in the Grand Jury Report must file a response to the findings and recommendations pursuant to the above referenced California Penal Code sections within 90 days of receipt of the report, was resubmitted to Lompoc by the Grand Jury on August 12, 2024, extending the deadline to no later than November 11, 2024. The Grand Jury report included a total of one finding and two recommendations. The City is required to respond to the finding and Recommendations 1b<sup>1</sup>.

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<sup>1</sup> See Pages 6-7 of the Grand Jury Report.

## **Discussion:**

### History

The California State Welfare and Institutions Code (WIC), Division 5, Mental Health Services, Article 1, commonly known as "5150 holds" or the Lanterman-Petris-Short Act (LPS Act), outlines criteria for detaining individuals with mental disorders who pose a danger to themselves, others, or are gravely disabled. This Code allows qualified peace officers or designated mental health experts to, upon probable cause, detain a person for up to 72 hours for evaluation and crisis intervention or placement into a treatment facility.

Despite having the legal authority to issue 5150 holds, Santa Barbara County law enforcement has faced constraints due to an obscure historical limitation. This limitation emerged in July 1978 following the passage of State Proposition 13, a property tax limitation initiative. Budget constraints led to the closure of the Santa Barbara County General Hospital, prompting the County to delegate the responsibility of assessing and issuing 5150 holds to Mental Health Services. The intent was to consolidate services, lessen the burden on law enforcement, and control costs. Later, the County contracted with private mental health providers, such as Baldrige, and then Mobile Life Support, a paramedic provider, to continue these responsibilities. This arrangement aimed to contain costs, preserve relationships with private hospitals, shorten patient processing times, and avoid overuse of State Hospital beds. By the early 2000s, County Behavioral Wellness (BWell) took over these responsibilities.

Over the past 46 years, an inferred but unwritten agreement has allowed BWell to assume sole responsibility for issuing 5150 holds. Santa Barbara County is unique in maintaining this somewhat vague and poorly directed limitation on law enforcement.

### Grand Jury Report

The Grand Jury report outlines the history and challenges faced by stakeholders dealing with persons in crisis. Recent changes in funding and staffing for Santa Barbara County Behavioral Wellness have led to the relocation of Crisis and Recovery Emergency Services (CARES) staff from Lompoc to Santa Maria, increasing response times for Lompoc. This delay extends the time Lompoc officers must remain on such calls.

The Grand Jury Report's finding and recommendation are as follows:

Finding 1: The Jury finds that increased implementation of the 5150 holds by trained law enforcement officers and more Behavioral Wellness clinicians would benefit all citizens of Santa Barbara County.

Recommendation 1b: The Jury recommends that all County and City law enforcement officers who are trained in crisis intervention, in accordance with State guidelines, be encouraged to fully exercise the issuance of 5150 holds in appropriate circumstances.

The attached response to the Grand Jury identifies specific responses for the finding and Recommendation 1b. The City's proposed response agrees with the finding and states the recommendation will be implemented. Responses to the finding and recommendation meet the requirements of California Penal Code section 933.05.

Given the rising number of mental health calls to the Lompoc Police Department, it is essential for officers to have the authority to place holds. While not every call requires a hold, the potential exists, and the necessary skills should be available.

Statistics: Persons in Crisis Calls (July 1 to July 1)

2019-2020: 80 calls  
2020-2021: 159 calls  
2021-2022: 138 calls  
2022-2023: 142 calls  
2023-2024: 161 calls

The Lompoc Police Department has seen a 101.25% increase in Persons in Crisis calls over the past five years. This trend indicates a significant burden on Behavioral Wellness services. With CARES no longer stationed in Lompoc, extended response times are expected, underscoring the need for Lompoc officers to place holds, expedite necessary care, and allow officers to clear calls more quickly.

A significant concern for county law enforcement is avoiding overburdening local hospitals with 5150 holds. All chiefs and the sheriff have discussed this issue, agreeing that internal procedures should be developed by staff to prevent this.

**Fiscal Impact:**

The response to the Grand Jury findings and recommendations does not have a fiscal impact to the City.

**Conclusion:**

After reviewing the 2023-24 Grand Jury report and the attached proposed response letter presented, staff recommends the City Council approve the attached response letter and authorize the delivery of the response to the Grand Jury no later than November 11, 2024, in accordance with the Grand Jury's instructions.

Respectfully submitted,

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Kevin M. Martin, Chief of Police

**APPROVED FOR SUBMITTAL TO THE CITY COUNCIL:**

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Dean Albro, City Manager

- Attachments: 1) 2023-24 Grand Jury Report "Individuals In Crisis: The Right Care at the Right Time"  
2) City of Lompoc Response to the Grand Jury Report