



BRANDON M. SCOTT
MAYOR

*Office of Government Relations
88 State Circle
Annapolis, Maryland 21401*

HB 1222

March 30, 2022

TO: Members of the Senate Finance Committee

FROM: Natasha Mehu, Director, Office of Government Relations

RE: HB 1222 - Public Health - Baltimore City Behavioral Health Crisis Incident Review Team

POSITION: SUPPORT

Chair Kelley, Vice Chair Feldman, and Members of the Committee, please be advised that the Baltimore City Administration (BCA) **supports** House Bill (HB) 1222.

HB 1222 establishes the Baltimore City Behavioral Health Crisis Incident (BHCI) Review Team to examine behavioral health crises that involve interaction with law enforcement in Baltimore City. The Review Team will recommend and assist with procedural, logistical, and clinical changes in order to minimize the need for law enforcement during behavioral health crises.

In April 2017, the City of Baltimore entered into a consent decree with the U.S. Department of Justice (DOJ) to resolve DOJ's findings that it believed the Baltimore City Police Department (BPD) had engaged in a pattern and practice of conduct that violates the First, Fourth, and Fourteenth Amendments to the United States Constitution. One section of the decree dealt specifically with response to behavioral health crises, whereby the City agreed "to conduct an assessment to identify gaps in the behavioral health service system, recommend solutions, and assist with implementation of the recommendations as appropriate."

The goals of the assessment were:

- to analyze a sample of police interactions with people with behavioral health disabilities to identify systemic barriers and solutions; and
- for the Public Behavioral Health System (PBHS) at large, to identify gaps in behavioral health services, problems with the quality or quantity of existing services, and other unmet needs that in turn can lead to preventable criminal justice system involvement.

Defining what policing looks like for a community is the most consequential decision any local government can make. It is clear that the status quo solutions for policing, public safety, and addressing the needs of those experiencing behavioral health crises simply are not providing the best outcomes for our residents. The urgency of this moment demands coordination across different agencies and local partners. The City has developed the Gap Analysis Implementation Plan to address the recommendations identified within the PBHS Gap Analysis Report. This plan aligns with the requirements of our consent decree and demonstrates a commitment to address these gaps in our public behavioral health system. The implementation provides an opportunity to transform the behavioral health landscape in Baltimore City and truly provide the resources and support those experiencing behavioral health crisis need.

Encounters with people in behavioral health crises that began as non-criminal in nature too frequently result in a use of force or the individual's further involvement in the criminal justice system. Behavioral health crises that involve the Baltimore Police Department sometimes result in serious injuries or other adverse outcomes – incidents that point to systemic errors and present learning opportunities for all stakeholders to improve service delivery. Most police encounters with people who have behavioral health needs do not entail such outcomes and may be regarded, incorrectly, as routine, or benign. In fact, these encounters with police may be traumatizing to the individual and may reinforce negative stereotypes about people with behavioral disabilities. They also represent an unnecessary draw on police resources. In either instance, these encounters do not occur in isolation; there are manifold “root causes” and precipitating factors that lead to an individual encountering law enforcement. As such, it is critical to conduct BHCI Reviews that include the participation of key decision-makers within the city's public behavioral health system to promptly identify where an individual was not adequately served, and how such encounters may be avoided in the future.

These BHCI Reviews will serve to inform continuous improvement in service delivery by reviewing the system and identifying trends and gaps in systems of care and will establish recommendations and implement change as necessary to improve the crisis care experience. This legislation would allow for sharing of necessary data amongst the entities named in order to promptly and effectively identify where a resident was not served – or not adequately served – resulting in police involvement in crisis intervention, and how such encounters may be avoided in the future.

For these reasons, the BCA respectfully requests a **favorable** report on HB 1222.