

PERT

PSYCHIATRIC EMERGENCY RESPONSE TEAM

SUMMARY

A Psychiatric Emergency Response Team (PERT) is a licensed mental health clinician and a PERT trained law enforcement officer. Together they seek to de-escalate a mental health emergency and, when possible, redirect the individual to mental health services instead of hospitalization or incarceration. The 2015/2016 San Diego County Grand Jury finds PERT an exemplary program, supported by a broad spectrum of community partners: the San Diego County Board of Supervisors (Board of Supervisors), mental health professionals, law enforcement agencies and families. This program seeks the best option for mentally ill individuals in crisis.

In August, 2015, the Board of Supervisors awarded the PERT program \$1.6 million for ten more teams.¹ In January 2016 funding was made available for an additional seven teams.

The Grand Jury learned that PERT has difficulty filling clinician positions. A rigorous background check is administered by the San Diego Sheriff's Department. According to PERT officials, 50% of clinician candidates fail that background check. The Grand Jury recommends a less stringent criterion for the clinician candidate background check.

The Grand Jury commends the San Diego County Board of Supervisors for their support of the PERT program by adding seventeen clinician positions.

INTRODUCTION

The Grand Jury investigated the PERT program, its history and goals, effectiveness, and staffing levels.

PROCEDURE

The Grand Jury interviewed:

- Representatives from PERT
- Senior staff from the San Diego County Sheriff's Department
- Senior staff from Police Departments in San Diego County

The Grand Jury reviewed the following:

- PERT documents
- The County PERT website
- The California Welfare and Institutions Code

¹ <http://www.countynewscenter.com/news/more-psychiatric-teams-now-ready-emergency-calls>

- The Crisis Intervention Team model (CIT)
- National Alliance on Mental Illness (NAMI) publications
- California Board of Behavioral Sciences background check requirements
- PERT Partnership Agreement
- Sheriff's Department background check procedures

DISCUSSION

PERT began in San Diego County in 1996 as a partnership between law enforcement officers and mental health clinicians. In the early 1990s, police and deputy sheriffs responding to emergency calls had few options other than hospitalization or incarceration when encountering mentally ill individuals. PERT is modeled on the Crisis Intervention Training (CIT) program developed in 1988 by the University of Memphis, the University of Tennessee Medical School, and the Memphis chapter of NAMI. CIT training emphasizes the need for law enforcement personnel to recognize mental health problems and developmental disorders and to employ techniques to defuse crisis situations using the least amount of force necessary. CIT law enforcement officers have a team of clinicians and fellow officers to assist as needed.

In San Diego County, PERT is a collaboration among several agencies: NAMI San Diego; San Diego County Health and Human Services Agency (HHSA); the Community Research Foundation (CRF); cities with police departments; and the Sheriff's Department. CRF administers PERT with funding from HHSA (75%) and the Mental Health Services Act (25%).

PERT has a Coordinating Council to provide oversight, coordination, communication and collaboration among its members. The Coordinating Council members include CRF/PERT, participating law enforcement agencies, and San Diego Psychiatric Hospital (aka County Mental Health Hospital [CMH]).² The Coordinating Council operates according to the provisions of a Memorandum of Understanding (MOU). The representative of any participating agency may request a review of the MOU.

PERT trained law enforcement officers must enroll in an eight-hour PERT training academy. A three-day PERT academy is available for more intensive training. In fiscal year 2014-2015 there were nine eight-hour academies, with 808 in attendance, and four three-day academies, with 375 present. A PERT administrator, consultants, and various outside speakers teach the classes.

Clinicians must be licensed through the state of California as one of the following: a Registered Psychiatric Nurse (RN), Marriage and Family Therapist (MFT), Licensed Clinical Social Worker (LCSW), or Psychologist. California licensure requires a Department of Justice and Federal Bureau of Investigation criminal background check,

² PERT Partnership Agreement 2014-2015 (Memorandum of Understanding) , page 5

and Live Scan or Hard Card fingerprinting.³ In San Diego County, a Sheriff's Department non-sworn professional background check and CPR certification are also required.

Currently, there are thirty PERT clinicians, paired with PERT trained officers, who respond to 911 calls for mental health crisis situations throughout the county. The PERT clinician accompanies the officer or deputy in their squad car. The team's goal is to de-escalate volatile situations and provide appropriate referrals for services at the least restrictive level of care.⁴ The clinician assesses the individual in crisis and then recommends community resources for care or transport to a psychiatric facility or emergency room.

In fiscal year 2014-2015, PERT intervention averted hospitalization or incarceration in the majority of cases: PERT teams served 6,211 persons, with 3,026 (49%) taken to hospitals under a 5150 certification (or 72 hour hold),⁵ while 3,185 (51%) received referrals to community resources.

PERT 911 calls increased from 17,276 in 2009 to 31,795 in 2015. In 2014, over 10,000 mental health calls did not have a PERT clinician available due to staffing limitations. 911 dispatchers will call upon a PERT trained officer or deputy if a PERT clinician is not available. To begin to address the need, in August 2015 the Board of Supervisors funded ten new clinician positions and seven more in January 2016.

PERT and CRF administrators assess the qualifications of clinician candidates and then send them to the Sheriff's Department for the background check given to all non-sworn professional staff.⁶ The candidate fills out a limited security form, which after initial review forms the basis for a criminal history check. Next, the Sheriff's Department administers a Computer Voice Stress Analysis (CVSA) truth verification test. Once this is successfully completed, the candidate is eligible for employment.

According to 2015 statistics, about 50% of clinician candidates do not pass this process. PERT clinicians do not carry weapons or dispense medications. They do not assist in arrests or become involved in violent confrontations. Their sole function is to make a professional intervention. PERT clinicians, as mental health professionals, have been vetted by their licensing boards and are bound by a code of ethics. The additional imposition of a Sheriff's Department non-sworn professional background check hampers the hiring process and decreases the pool of clinician candidates.

³ <http://www.bbs.ca.gov/app-reg/fingerprints.html>

⁴ PERT Brochure given at interview 08/2015

⁵ California Welfare and Institutions Code (WIC) Article 1 Section 5150

⁶ Sworn staff is Deputy Sheriffs. Non-sworn staff includes all other Sheriff's Department employees.

COMMENDATION

The 2015/2016 San Diego County Grand Jury commends the San Diego County Board of Supervisors and the County of San Diego's Health and Human Services Agency for their support of PERT.

FACTS AND FINDINGS

Fact: The California Board of Behavioral Sciences requires Psychologist, MFT, LCSW, and psychiatric RN candidates to undergo background checks as a requirement for their licensure.

Fact: San Diego County PERT clinician candidates must pass a non-sworn professional staff background check administered by the Sheriff's Department.

Fact: PERT clinicians do not carry weapons or medications.

Fact: 50% of clinician candidates do not pass the background check.

Finding: PERT struggles to fill available clinician positions due to the requirements of the San Diego County Sheriff's Department non-sworn professional background check.

RECOMMENDATION

The 2015/2016 San Diego County Grand Jury recommends that the PERT Coordinating Council:

16-04: Revise the criteria for background check requirements for PERT clinician candidates to reflect their training, status, and responsibilities.

REQUIREMENTS AND INSTRUCTIONS

The California Penal Code §933(c) requires any public agency which the Grand Jury has reviewed, and about which it has issued a final report, to comment to the Presiding Judge of the Superior Court on the findings and recommendations pertaining to matters under the control of the agency. Such comment shall be made *no later than 90 days* after the Grand Jury publishes its report (filed with the Clerk of the Court); except that in the case of a report containing findings and recommendations pertaining to a department or agency headed by an elected County official (e.g. District Attorney, Sheriff, etc.), such comment shall be made *within 60 days* to the Presiding Judge with an information copy sent to the Board of Supervisors.

Furthermore, California Penal Code §933.05(a), (b), (c), details, as follows, the manner in which such comment(s) are to be made:

- (a) As to each grand jury finding, the responding person or entity shall indicate one of the following:
 - (1) The respondent agrees with the finding
 - (2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.
- (b) As to each grand jury recommendation, the responding person or entity shall report one of the following actions:
 - (1) The recommendation has been implemented, with a summary regarding the implemented action.
 - (2) The recommendation has not yet been implemented, but will be implemented in the future, with a time frame for implementation.
 - (3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a time frame for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This time frame shall not exceed six months from the date of publication of the grand jury report.
 - (4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.
- (c) If a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the Board of Supervisors shall respond if requested by the grand jury, but the response of the Board of Supervisors shall address only those budgetary or personnel matters over which it has some decision making authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.

Comments to the Presiding Judge of the Superior Court in compliance with the Penal Code §933.05 are required from the:

Responding Agency	Recommendations	Date
PERT Coordinating Council	16-04	9/2/16