



## Legislation Details (With Text)

<b>File #:</b>	Res 1249-2008	<b>Version:</b>	A	<b>Name:</b>	Continually reevaluate protocols and response to field incidents concerning the apprehension of, restraint of, and use of lethal force against emotionally disturbed persons.
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<b>Enactment date:</b>		<b>Enactment #:</b>			
<b>Title:</b>	Resolution calling on the Mayor, the New York City Police Department, and the New York City Department of Health and Mental Hygiene to continually reevaluate their protocols and response to field incidents concerning the apprehension of, restraint of, and use of lethal force against emotionally disturbed persons.				
<b>Sponsors:</b>	Inez E. Dickens, Albert Vann, Gale A. Brewer, Simcha Felder, Lewis A. Fidler, Letitia James, G. Oliver Koppell, John C. Liu, Rosie Mendez, James Sanders, Jr., Larry B. Seabrook, Kendall Stewart, Thomas White, Jr., Sara M. Gonzalez, Darlene Mealy, Charles Barron, Helen D. Foster, Robert Jackson, Annabel Palma, David I. Weprin				
<b>Indexes:</b>					
<b>Attachments:</b>	1. Res. No. 1249 - 2/13/08, 2. Committee Report 2/28/08, 3. Hearing Transcript 2/28/08, 4. Hearing Testimony 2/28/08				

Date	Ver.	Action By	Action	Result
2/13/2008	*	City Council	Introduced by Council	
2/13/2008	*	City Council	Referred to Comm by Council	
2/28/2008	*	Committee on Public Safety	Hearing Held by Committee	
2/28/2008	*	Committee on Public Safety	Laid Over by Committee	
2/28/2008	*	Committee on Mental Health, Developmental Disability, Alcoholism, Substance Abuse and Disability Services	Hearing Held by Committee	
2/28/2008	*	Committee on Mental Health, Developmental Disability, Alcoholism, Substance Abuse and Disability Services	Laid Over by Committee	
12/31/2009	A	City Council	Filed (End of Session)	

### Proposed Res. No. 1249-A

Resolution calling on the Mayor, the New York City Police Department, and the New York City Department of Health and Mental Hygiene to continually reevaluate their protocols and response to field incidents concerning the apprehension of, restraint of, and use of lethal force against emotionally disturbed persons.

By Council Members Dickens, Vann, Brewer, Felder, Fidler, James, Koppell, Liu, Mendez, Sanders Jr., Seabrook, Stewart, White Jr., Gonzalez, Mealy, Barron, Foster, Jackson, Palma, and Weprin

Whereas, People with severe mental illnesses are four times more likely to be killed by police in justifiable homicide than the general public, as was the case in New York City in 1999 when nearly one-third of those killed in police shootings were mentally impaired; and

Whereas; In 1999, the New York City Police Department (“NYPD”) responded to an average of 175 complaints concerning emotionally disturbed persons (“EDPs”) every day; and

Whereas, According to the NYPD, police officers receive only 14.5 hours of training on how to appropriately interact with emotionally disturbed persons; and

Whereas, According to the 2007 NYPD Patrol Guide, physical force will only be used against EDPs when necessary to restrain them until they can be placed in a hospital or detention center, and deadly force will only be used when absolutely necessary to protect the life of others present; and

Whereas, The 2007 Patrol Guide further states that an officer must not take into custody an armed or violent EDP without the order from a supervisor, or unless the EDP presents an immediate threat to him/herself or others; and

Whereas, In November 2007, Khiel Coppin, an emotionally disturbed resident of Brooklyn, was shot ten times by police officers after brandishing a hairbrush that officers mistook for a gun; and

Whereas, Also in November 2007, David Kostovski, an emotionally disturbed man in Brooklyn, was fatally shot by police officers after waving a broken bottle at them and refusing to follow orders; and

Whereas, In 1999, Gideon Busch, a mentally ill resident of Borough Park, was shot 15 times by police officers despite the fact that he was armed with just a hammer; and

Whereas, In the aftermath of the death of Mr. Coppin, it was reported that the NYPD was considering measures to improve its procedures with respect to the apprehension of EDPs, including improved protocols by 911 dispatchers to assess subjects’ mental dispositions and greater communication between local precincts and mental health workers; and

Whereas, While it is commendable that the NYPD would consider taking proactive steps to improve its

policies with respect to the apprehension and restraint of EDPs, its reforms are too often made in the aftermath of tragic incidents; and

Whereas, According to a 2004 New York City Department of Health and Mental Hygiene (“DOH”)-conducted survey, 7.5 percent of New York City residents suffered from a major depressive disorder and 3.5 percent suffered from a generalized anxiety disorder in the previous twelve months; and

Whereas, In cases of mental distress, the DOH utilizes 23 mobile crisis outreach teams, an interdisciplinary unit of mental health professionals that have the authority to evaluate an EDP and transport him/her to a hospital if they determine that the individual presents a threat to him/herself or others; and

Whereas, If a person experiencing a psychological crisis is unwilling to be transported to a psychiatric emergency room, a mobile crisis outreach team can solicit the assistance of the police in the transport of the affected person to the mental health facility; and

Whereas, Mobile crisis outreach teams have up to 24 hours to respond to cases that are classified as urgent, which inevitably results in the NYPD becoming the first party to respond to an emergency situation involving an EDP; and

Whereas, It is imperative that the NYPD elevate the level of its dialogue with the DOH so as to increase the sharing of relevant information relating to the medical history of EDPs experiencing a mental crisis; and

Whereas, It is equally important that the DOH dramatically shorten the response time of its mobile crisis outreach teams; and

Whereas, An improvement in the interaction between the NYPD, EDPs, and other involved parties requires a complete and thorough investigation of policies and procedures in this area; now, therefore, be it

Resolved, That the Council of the City of New York calls on the Mayor, the New York City Police Department, and the New York City Department of Health and Mental Hygiene to continually reevaluate their protocols and response to field incidents concerning the apprehension of, restraint of, and use of lethal force against emotionally disturbed persons.

DMB

2/26/08  
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