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Operator: Good day and welcome to the Presidential Commission on Law Enforcement and Administration of Justice conference call. At this time I like to turn the call over to Director Phil Keith. Please go ahead sir.

Director Phil Keith: Thank you and good afternoon. Thank you for joining us today. I like to call the President Commission's on Law Enforcement and the Administration of Justice to order. On behalf of Attorney General Barr, we thank you for joining us today for this important President's Commission teleconference meeting.

Before we get started I just want to convey my sincere gratitude to the men and women of law enforcement that are on the front lines confronting this virus pandemic in so many challenging ways. I know last week there were about 3,600 NYPD officers alone out sick with the COVID-19 and just recently learned that two NYPD officers have died from this horrific virus. This is just an example the Attorney General has cited of the daily sacrifice our officers make every day in their communities and our great country. They're in the eye of this storm and the Department of Justice is committed to helping ensure their safety.

Most recently, Attorney General Barr released a video thanking these brave men and women for their service and sacrifices, especially under the current circumstance with the virus. And as we all know, and discussed last week, we're experiencing unprecedented times and challenges beyond our experience, and I certainly appreciate your continued willingness and understanding as we navigate the challenges in conducting the important work of this commission. At this time I would ask Executive Director Dean Kueter to conduct the roll call of commissioners.

Dean Kueter: Thank you Mr. Chairman. Before I call the roll I would like to remind all commissioners that today's event is open press, and for any members of the media on the call if you have questions or need clarification of anything, please contact Kristina Mastropasqua with the Justice Department's Office of Public Affairs. With that Mr. Chairman I'll start the roll. Commissioner Bowdich?

Female: Commissioner Bowdich will be joining in a few moments. Thank you.

Dean Kueter: Thank you. Commissioner Clemmons?

James Clemmons: Present.

Dean Kueter: Commissioner Evans?

Christopher Evans: Present.

Dean Kueter: Commissioner Frazier?

Frederick Frazier: Present.

Dean Kueter: Commissioner Gualtieri?

Robert Gualtieri: I'm here.

Dean Kueter: Commissioner Hawkins?

Gina Hawkins: I'm here.

Dean Kueter: Commissioner Lombardo?

Regina Lombardo: I'm here.

Dean Kueter: Commissioner MacDonald?

Erica MacDonald: Good afternoon, I'm here.

Dean Kueter: Commissioner Moody?

Ashley Moody: Here.

Dean Kueter: Commissioner Parr?

Nancy Parr: I'm here.

Dean Kueter: Commissioner Price?

Craig Price: Here.

Dean Kueter: Commissioner Ramsay?

Gordon Ramsay: I'm here.

Dean Kueter: Commissioner Rausch?

Gordon Ramsay: Here.

Dean Kueter: Commissioner Samaniego?

John Samaniego: I'm here.

Dean Kueter: Commissioner Smallwood?

James Smallwood: Here.

Dean Kueter: Vice Chair Sullivan?

Katie Sullivan: Here.

Dean Kueter: Commissioner Washington? Mr. Chairman, that concludes the roll call.

Director Phil Keith: Thank you Dean. We have 16 commissioners with us today. Today our focus continues to be, and will be on social problems impacting public safety, specifically the topic of homelessness. All the commissioners received a calendar invite last Friday including the agenda and bios of the panelists. Did any Commission member not receive a calendar invite? Okay, thank you.

Now to our panel for today. We'll continue with the process we started last week and commissioners are encouraged to make notes for questions during the panelist's presentations and we will hold questions until all three panelists have provided their testimony. Commissioners had an opportunity to review the biographies of our distinguished panel and we'll go right now to the first panel of Salt Lake City Police Chief, Mike Brown. Chief, I know and I speak for the entire commission, when I say we appreciate your efforts for being here today and under such trying times, and we wish you and your department and your community the best during these times especially having to respond both to the virus and the earthquake. Chief Brown, thanks for being with us. You're recognized.

Chief Mike Brown: Thank you. It's an honor. Hello. I am Chief Mike Brown from the Salt Lake City Police Department. I've been in law enforcement for 29 years and have been the chief for almost six years. I am truly honored to present to the President's Commission on Law Enforcement and the Administration of Justice. I am here to talk about homelessness and how the Salt Lake City Police Department addresses it in a very unique model.

Being homeless is not a crime. Having mental health issues is not a crime. Addiction and substance use disorder is not a crime. Yet here I sit. I found myself five years ago wondering how to tackle the criminal issues occurring in our city among the unsheltered. The gap in resources and the accessibility to services left Salt Lake City Police Department officers with the task of being the primary enforcers of the many crimes that occur in and around the unsheltered community.

To make it worse, we find the criminal elements hide easily among - hide among and prey upon those that are the most vulnerable, further compounding the issues of homelessness. We are the most expensive, least effective tool to directly impact the underlying issues of mental health and substance use that lead to homelessness. In essence we became the Swiss Army knife of social reform.

So what did we do? We hired social workers and case managers to work along police along with police officers working among the unsheltered community to build trust, offer services and create an alternative path to resources while avoiding arrest. Our Community Connection Center, known as the CCC, bridges the gap between treatment and law enforcement - offering access to case management, diversionary options and resources.

Let me share a story that illustrates where these gaps are. Jane Doe a 42-year-old female was identified as a high utilizer of emergency service providers. Between 2013 and 2016 Jane was involved in over 70 police-related events, had 69 emergency room visits, over 354 nonemergency

related visits to hospitals or doctors, and over 1,000 notes in the hospital system. The estimated total cost for Jane's police and medical encounters was calculated to be over \$240,000 in three years -- almost a quarter of \$1 million.

With the case management and intervention of our social workers and the CCC, Jane was eventually placed on the wait list for the Utah State Hospital then voluntarily decide to go to a long-term care center. To date, Jane has not used any emergency medical services or called for first responder assistance since being placed into that care facility -- a huge difference for Jane and our emergency responders.

Many think that these programs are too expensive and there is not enough funding. To that I would say, we the community -- all of us -- are paying for it one way or another. We have experience in Salt Lake City -- what we have experienced in Salt Lake City informs the following recommendations through boots on the ground perspective we have gained while attempting to solve social issues with law enforcement personnel. With that being said, here are the few recommendations.

**Receiving centers.** Set up and properly fund fully staffed receiving centers so officers have a place to drop people off 24/7 that provide them wraparound care to medical, mental health, substance use and housing. Many successful models are run by behavioral health agencies, or hospitals, who have direct access to medication and providers, and are used as an alternative to jail. Jail beds can be a useful way to provide intervention and accountability, but, they must be coupled with access to wraparound care and on-boarding people into treatment and services. We cannot arrest our way out of this problem. I've said that many, many times.

**Detox and inpatient beds.** In the 1960s there were 600,000 beds for inpatient mental health treatment for a population of about 150 million people. Today, there are only 50,000 beds available for a population that has more than doubled. More detox facilities and treatment beds are needed - beds need to be available. Access to more inpatient psychiatric care is also needed along with

affordable insurance, Medicaid expansion, vouchers to private services or state-funded facilities are a key piece of addressing underlying issues leading to homelessness.

**The next is housing.** We've talked a lot about housing and having more housing, but specifically supported, - supportive housing options with social workers in the apartment complex or assigned to the person to help them maintain housing. Many people moving from the streets into housing need someone to help make sure the rent is paid on time, or they just don't break the rules and get evicted which starts the cycle all over again. Supportive options along with social supports result in more permanently housed outcomes.

**Case management.** All evidence-based interventions indicate that case managers are a critical component for unsheltered people to achieve the best outcome over time. Current best practice is to employ motivational interviewing techniques when working with clients to ensure they are setting their own goals for success. I've said it before, law enforcement are social workers. They just don't have the time to spend with each person that is necessary, and we don't. We go call to call to call. So social workers and case managers are trained for this and for the Salt Lake City Police Department, I want to say they are worth their weight in gold.

**Public education.** Homelessness is often seen as a single agency failure. Blame is dished out on law enforcement without understanding the limitations of the agency, the social services or the justice system. We need to educate our communities about the complex system of homeless outreach. Stakeholder engagement and coordination is a crucial factor to achieve client advocacy.

A human services department could and should take functional authority over homelessness mitigation through closely coordinated efforts across all stakeholders. Implementation of evidence-based interventions like I have outlined, and we have employed here in Salt Lake City, can have a benefit of more than \$58 per every dollar spent. And studies show that every dollar spent on substance use disorder treatment saves \$4 in healthcare costs and \$7 in criminal justice costs.

Brookings estimates that each additional treatment facility in a county reduces the social cost of crime in that county by \$4.2 million. While police officers are often the first to make contact with people experiencing homelessness, none of my recommendations are intrinsically a function of law enforcement, but we are an integral stakeholder in the 'whole of community' approach that is needed.

If implemented and available across access to coordinated diversionary programs would fundamentally improve interactions between the unsheltered community and law enforcement. Again Commission and Director Phil Keith, I thank you for your time and initiative to address these critical topics affecting law enforcement across the country. It is my hope that the recommendations I and others have made will positively impact our country and those we serve. Thank you.

Director Phil Keith: Thank you Chief Brown for your testimony. Our next panelist is John Ashmen of the Citygate Network. Citygate Network has some 300 members across North America. Mr. Ashmen you're recognized.

John Ashmen: Thank you and thank your commissioners. It's a privilege to be here with you and a special thanks to law enforcement that was echoed this morning for all they're doing right now. Commissioners I know you have my written testimony and you've probably familiarized yourself with that. The Association of Gospel Rescue Missions was our previous name. You may know organizations with the name rescue or gospel or union, or things like that, in their name. That's how we are across the country in about 300 organizations.

In most U.S. cities one of our members is the largest homeless services provider and in some cities it's the only homeless services provider. I have been in my role for 13 years and so what I'm telling you today is essentially a whole U.S. picture of seeing everything from Florida, to Alaska, from Maine to Hawaii in what's going on, and where the hotspots are and what's taking place.

Just to underscore the significance of missions and things like that in our current context, I am on regular calls, every day it seems as many of you I'm sure are, with CDC and FEMA and HUD and HHS, Red Cross, the White House. And the Salvation Army and City Network are the two service providers that are invited to that table because of the volume and the scope of what we're doing. The first thing I wanted to mention and I think it's really important to understand to get a - our arms around all of this is how many people are really homeless. And there's places that you go for your data and HUD has been providing it for a while. But I want to call your attention to some of the new numbers that the U.S. Interagency Council on Homelessness has put out recently.

And that information probably will give you a different perspective. They stopped looking at just the people who were unsheltered or in shelter and added into it those who are in transitional housing, rapid rehousing, permanent supportive housing because they were on the streets often and mingling with the same group. And so we look at these numbers and wonder what's going on.

And there are some very interesting trends that have happened between 2007 to 2019. I'm not going to go into those but I just want the commission to realize that the data by the U.S. Interagency Council on Homelessness that has come out in the last three months, four months is something worth looking at.

You know, I say in my report that there's reasons for homelessness. We have pursued one solution for that. And that is the lack of affordable housing in most programs. And I will tell you from experience, homelessness is a multifaceted problem that needs a multifaceted solution. And that multifaceted solution needs to take into consideration all of the problems that we're dealing with here. It's a lack of education, lack of job skills, wage disparity, mental illness, recreational marijuana. There's one that you need to circle causing all kinds of issues. I could give you illustrations of what's happened in missions when recreational marijuana has been brought into Colorado into Washington and Alaska and now California and other places and it seems to be

growing. And we are not standing ready to handle the ramifications of that. ((Inaudible)) drugs, human trafficking, family dysfunction, young people aging out of foster care, that's very significant, young people, LGBTQ community trying to escape domestic persecution. All of these things are considered when we look at the homelessness issue and where law enforcement interfaces, these are all very significant.

I will jump to what my recommendations were and I'm going to just under score them with some more information here. What I say, number one is don't criminalize homelessness but do enforce the law. The things that we have seen happen in California for example when there's a decision now not to prosecute for quality of life crimes - meaning public urination, public defecation, prostitution, public camping, littering and the like it - just has become insane on the streets.

And I was at a mission in San Francisco not long ago and the director says, "Do you have a car on the street?" I said, "Yes." He says, "Is there anything in sight in the car?" I said, "What do you mean?" He says, "A quarter, a nickel, a dime on the console. You don't want it there. How about wires from your phone charger? Nothing should be seen, and if not people will break into your car."

And the issue there was that people know that they will not get held accountable for breaking into a car because it doesn't come up to the level of chasing it down. And so I'm looking at this and saying, "Folks, you know, this is compassion gone awry." We don't do this for our kids. You know, if you have a teen with poor grades and using drugs and disobedience, if you don't ground them or take away phone privileges or allowance or something but just continue to say, you know, just weekly, "Just have compassion on you. We know you're struggling," but go, "Nothing's going to change. In fact, we'll give you more privileges," you have nothing but disaster coming. So again, I would really encourage the commission to take a look at this idea of not prosecuting for quality of life crimes that is - that has problems everywhere.

The next thing I talk about is looking at establishing more alternatives, you know, like the diversion court system. That has to happen. I ran a youth camp in New Jersey in another life and we worked with offenders on three times DUI. And they had a choice, do you go to jail or do you want to go to this youth camp for four days and go through classes and courses? You know, that was always the option because the alternative was to go to jail. And so I would say, the more of these we can start in different cities the better we're going to be.

I think it's very important to see police officers trained in trauma informed care. These crisis intervention teams are very important. Many times I'm talking to mission leaders and they're saying when we have a disturbance out front or there's something that's going on, the people who show up here really aren't oriented into what's going on in the mind of someone who is experiencing homelessness.

I would recommend special training. And I love the idea that one police force is doing is putting special badge commemoration, or something on the badge, that shows I have been trained and know how to handle people who are in the homeless community. I don't think we have seen that as a specialization. And we need to kind of go in that direction and acknowledge people who have had this kind of training. I don't think we should be making police officials into sanitation workers and I've seen this happen where in many situations because they can't get people to come and be on poop patrol or whatever, , they're asking police to do this, and that's just not what they should be doing.

One other thing that I make as a recommendation and this not - doesn't really go to law enforcement but it reduces the number of people that law enforcement have to deal with particularly under bridges and things like that is that we really have to understand mental illness and look at the alternatives there. I think there are good ways to re-institutionalize people who need the help. And that word I know is very scary, but as somebody said in a meeting I was that not long ago, half of America saw One Flew Over the Cuckoo's Nest and thought it was a documentary and got freaked

out. I think we have to look at what we can do to put people in a place where there's a warm bed and regular meals and medication. It's such a better alternative than sleeping on cardboard or on concrete talking to somebody who's not there.

I give in my report some examples of what's working. Familiarization with missions and organizations whether it's Salvation Army or Teen Challenge or whatever it happens to be, if you get police departments to understand what goes on in these organizations and actually come and see the process of how people are helped and understand what works and what doesn't, that's very good. I love this idea of This Man Down program that one of our missions is doing. You can read that in the report. I think it's very important.

And I want to close with just this idea of we need to understand that the faith community has to be involved here. The fact it's been said over and over again that if we're going to make a difference in homelessness we have to engage the faith community in a place where we're not afraid to do that and think we're violating something. You know, equal treatment regulations guarantee the opportunity for faith organizations to be involved and we want to be involved and play a part. And places that where the police officer - officers and the missions and state organizations are working hand in hand, we're finding a lot of success.

So we appreciate law enforcement and I hope these barriers that we're seeing are eliminated soon. The folks who are involved in Citygate Network are all about life transformation. It's not just ending somebody's situation at the moment, but its help and hope for the future. So commissioners, thank you for the work you're doing. Thank you for allowing me to testify here today.

Director Phil Keith: Well thank you Mr. Ashmen for your testimony. Our next panelist is Chief Brian Redd, Utah Bureau of Investigation. Chief Redd, I know you have a full agenda and it's taken a lot for you to be here with us today and we thank you for joining us. You're now recognized.

Chief Brian Redd: Thank you Director Keith and commission members. It's an honor to be with you today and I hope that I can contribute to the conversation in a meaningful way. My name is Brian Redd. I do currently serve as the Chief of the State Bureau of Investigation that falls under the Utah Department of Public Safety. And I've been with public safety for almost 20 years.

I've been asked to discuss Operation Rio Grande today, an effort which started in 2017 focused on reducing crime and social disorder in the Rio Grande District in Salt Lake City. Previous to the operation, efforts were underway in Utah for the restructuring of the delivery of homelessness services. This included the closing of a 1,000 bed shelter in the Rio Grande District and the development of three smaller resource centers to improve delivery of services in a safer environment.

I was tasked at the time by now retired BPS Commissioner Keith Squires to help develop a law enforcement strategy in cooperation with the Salt Lake City Police Department that would rid the area of social disorder, crime and victimization. And I've been working in that role since 2017.

It's been a pleasure working with Chief Brown and his team through this process. I very much appreciated Chief Brown. His recommendations are spot on today and I just appreciate our working relationship. I've also appreciated the comments from President Ashmen today and it's been a pleasure working with our service providers in Utah. And our relationship with them is critical for the effective delivery of services and public safety for our vulnerable populations including our homeless.

Operation Rio Grande had a three-pronged approach including the law enforcement, treatment and dignity of work phase. The idea was to create a safe environment, increase treatment resources and deliver opportunities for long-term stabilization for individuals. Chief Brown has highlighted some of the challenges we faced in our nation in Utah with respect to treatment and affordable housing. I echo those challenges. But even with those opportunities there are environments that

exist around our country, and that existed Utah, like illegal encampments or other areas where there's concentrations of social disorder that make it very difficult for individuals to make meaningful long-term change in their lives. Operation Rio Grande was an attempt to allow for a safe environment for people to make change.

For the law enforcement phase we focused on two main objectives, simple. One was to reduce crime and improve public safety and two was to connect people to services. To accomplish this we increased the uniform presence and foot patrol in the Rio Grande District. We use specialized criminal enforcement teams to root out the drug distribution networks and violent criminals that were victimizing and exploiting the homeless and other vulnerable populations in the area and formalized specialized criminal community support and outreach teams.

Arresting and prosecuting violent criminals is not controversial typically. However taking enforcement action against those who are using drugs who are addicted or who may be committing lower level crimes can be controversial at times. We communicated to those who were using drugs or committing lower level crimes that we were happy to help and support them, but that we would need to take enforcement action if they used drugs in our presence or violated other laws. Accountability to the law and support to individuals struggling with addiction and mental health issues are not mutually exclusive. Both can be accomplished and I feel like our officers did very well in holding individuals accountable while supporting them in their individual needs.

In my written testimony there are results of the operation and I'll just quickly highlight a couple of those. We reduced crime in the Rio Grande District month over month by an average of 40% to 50% through the operation. The illegal encampment no longer exists in the Rio Grande District and the shelter is now closed. Hundreds of individuals are being connected to services. According to the Salt Lake County Health Department we have less illegal encampments across the Wasatch front today than before the operation.

Through the operation service providers continue to serve the same number of individuals and even more today, and we believe this increase is due in part to safer facilities and improved services. Did we solve homelessness and all the issues around substance abuse and mental illness? No, but we've increase capacity in Utah and created safer environments.

We've learned many lessons I'll just touch on briefly. A lot of the recommendations you can find in a written statement but I just want to touch on a few things. One, illegal encampments in areas with rampant social disorder have subpopulations that require varied approaches. Criminals, drug dealers and gangs mixed among our vulnerable and seek to exploit and victimize them.

Foot patrol and community engagement increased police visibility, deterred crime and improved community relations. We will not arrest our way out of social disorder, but accountability to the law is crucial. Our policing approach for the operation require the enforcement of all laws and city ordinances to ensure accountability, but we apply discretion, common sense and a compassionate approach to individual circumstances.

Next, information sharing, data collection and collaboration between police, treatment and service providers is critical to public safety, helping people and addressing the overutilization of the criminal justice and crisis service systems. Environmental improvements and regular clean-ups were necessary for safety and public health. Outreach to the community and transparency is necessary and helpful. Interestingly enough when we went into the shelter downtown and we started interviewing patrons of the shelter we found that they wanted an increased police presence. They were tired of being assaulted, stolen from and it was very difficult for them to stay clean and sober when they were trying with the availability of drugs in the area.

Treatment capacity and affordable housing are critical to long-term success. In Utah we received the targeted adult Medicaid waiver, increased treatment bed capacity which has increased those opportunities for individuals. As far as recommendations I think Chief Brown hit on those very well.

I'll just say that programs like Sober Living increased drug court capacity. Programs that address high utilizers and criminal justice and crisis service systems are critical. Diversion programs and receiving centers are all important and give law enforcement options in lieu of arrest or sending somebody to the emergency department. And while we do need more treatment capacity and affordable housing and continued improvement to our criminal justice system we must address the crime disorder at the same time now. We must support and protect our vulnerable populations.

Last point. Support from the elected leaders is critical. Our elected leaders in Utah no matter their political belief came together for operation Rio Grande to make things better for our homeless and for those who are struggling with mental health and substance use disorders. It's been a pleasure speaking with you today. We are in challenging times. We are feeling pressure currently to our homelessness delivery system in Utah with COVID-19. We have to continue to be agile and work to serve these important and populations in our state and in our country. And that takes a sustained multidisciplinary approach. For more information on Operation Rio Grande you can go to the website [www.operationriogrande.utah.gov](http://www.operationriogrande.utah.gov). Thanks for your time.

Director Phil Keith: Thank you Chief Redd for your testimony and your service. We now open the session for questions from the commissioners. If I could request would commissioners with a question please state your name prior to your question, and direct the question to a specific panelist Who you have a question for, or if the question is for the entire panel, please state so. Just as a reminder all Commissioners, mics are hot. Thank you and we're open to questions for commissioners.

Erica MacDonald: This is Commissioner MacDonald.

Director Phil Keith: Commissioner MacDonald is recognized.

Erica MacDonald: Okay. I'm directing my question specifically to Chief Redd. And Chief Redd, we had last week heard testimony about these crisis receiving centers as well. It seems that this is a thread

that's going throughout all the social problems and what we need to do to is make sure that we're having folks go to the right place, which jail isn't necessarily it, or shouldn't be it, in certain circumstances. Can you describe for us though the receiving center that opened up in Davis County how it works, as well as how it interfaces with law enforcement, and then what happens? And you said with that also can you tell us the work is underway in the state to build more, how many and what are we looking at financially?

Chief Brian Redd: Thank you for the question. The receiving center in Davis County opened up in January or February. I think in my written testimony I have some statistics there. Essentially 5.57 minutes for a law enforcement officer to drop someone off and get them connected. And of the 64 individuals that have been placed into the receiving center 52%, roughly 52% of those have remained in treatment. So we know that, you know, it's not a one and done with these individuals.

But what happens is the officers on the street they've defined what types of crimes qualify for the receiving center. Currently they're not allowing for felonies, any domestic violence, DUI, or any cases where there is a victim. They're looking to modify that as needed in the future, and discussions will go on. They wanted to start very conservative. And so what happens is the officer on the street basically says you have a couple options here. We can take you to jail and book you on these charges or you can try this receiving center.

Once the officer drops them off at the receiving center they're done. They write the report but they don't file any charges with the county attorney or district attorney or whatever. They hold those charges. And then those folks in the receiving center begin the process of connecting them to services and kind of monitoring that. And Davis County has a fairly consolidated behavioral health system and so it's working pretty well.

If the person does not maintain in treatment it's really up to the service providers and the receiving center to notify law enforcement if they're not continuing treatment or they're not progressing,

they're not showing that they want to make that change, then an email is sent to the police department and they file those charges that they had previously. So that's kind of how it's working.

We had a bill passed in Utah this year. It was recommended in the governor's budget to expand receiving centers into three more counties and provide some funding. And I don't – I would have to get the number. It seemed like the bill was, the original ask was around \$32 million and that included not just receiving centers but a lot of other mental health and substance abuse treatment. And that bill did pass. I don't remember if it passed at the full amount or not. I'd have to check but it is expanding in the next over the next three years. I'm hoping that answers your question. Anything that you need clarified?

Erica MacDonald: It did, thank you.

Nancy Parr: Hi. This is Nancy Parr.

Director Phil Keith: Nancy, you're recognized.

Nancy Parr: All right thanks Mr. Chair. This – my question is actually directed to all three panelists, but I'm going to start with a comment that Chief Redd made right when he finished when he said that they are really feeling pressure right now with what is going on in our country with COVID-19. And for all of your testimony and your written statements you do talk about the quality of life crimes and misdemeanors and the importance of not ignoring all of those, what's the problems with substance abuse and the detox that's offered when they are incarcerated before released to a program, the mental health issues that, you know, some are dealt with better in some facilities than in others but they are receiving some treatment in some of our jails, and also with the medical treatment that they receive when they are incarcerated for their varied health issues that they have that they don't get treatment for when they're on the street.

And then also their lack – the lack of a place for them to go where even though a family member or a friend may say they can come live with them but that may not really pan out. So considering everything that you all have talked about things that are very important, if you could like share your thoughts or comments on the impact of what is happening in many areas across the country this - the strong push to release inmates into the community with nothing, no change in their circumstances, no programs, no housing, no treatment, no consideration for victims. To release them just because they – there is the possibility of contracting COVID-19 while incarcerated. Can you all – can anybody, if you would, comment on the impact that that is having on what you all are trying to – the work that you are doing?

Director Phil Keith: The question for that's for all three panelists.

John Ashmen: This is John Ashmen. I'll jump in here. You know, everything with COVID-19 has happened so quickly and so many of our missions and ministries are scrambling to get adjusted to a new norm that we hope is just the norm for a few months. But we already have a lot of our missions that are working with organizations like Prison Fellowship. It's just not people who are on the street because they are – they're addicted or something like that and going through an addiction recovery program. We also have safe landing zones for them because we know what the statistics are. If you don't have a place to come back to if you get released from prison, your chances of being re-incarcerated are - I don't know what the – I won't venture the statistics, but they're above half. And so we have places they go to to kind of be able to kind of reassess what's going on in the world since they have gotten out, or been put in I should say, industries that they are looking at, how to update their job skills, feeder skills and things like that.

We have always taken them into missions. And so those are available right now. But when you're doing time and released you may not want to go back to another institution. You want to be on the street. So I am not hearing of any of our missions who are seeing an onslaught of people who have

been released from prison and on early release and have come to the mission for help. It's just it hasn't made our radar yet.

Nancy Parr: Okay.

Chief Mike Brown: Commissioner Parr this is Chief Mike Brown. COVID-19 has really just exacerbated the problem right now. We still have to balance our criminal justice resources within inmate safety. But before COVID-19 there were I mean we would take individuals to jail, we would book them on different charges and within - I mean the jails are over – they're over capacity. And so they're releasing people back into our communities. And I think that's kind of what we're all saying is, if we had a door into treatment, I mean the jail doesn't have to be the door into incarceration. It can be the door, or a warm handoff, or some way to get people into some sort of treatment, mental health or addiction, with the follow-up and the resources to do that. I'm not asking sheriffs to do more with less. I think we really need to look at how these resource centers or these drop-off centers are.

But you still, like Chief Redd talks about, you still have to be able to interrupt bad behavior. At times you have to separate people from the behaviors, the social behaviors that are affecting all of our cities, and give them a timeout in jail. But once they've sobered up, or they have the opportunity to think about where their life is going, then get them into some sort of treatment program. What we're experiencing here in Salt Lake City is we do have , drug courts, but sometimes the pathway to a drug court is that they'll be – when they – when they're released from jail they'll be told that they need to report to drug court or to treatment. But that treatment sometimes is eight months away.

And so what we have is people walking out of jail knowing that in eight months they're going to go to a treatment bed or a facility. And so that gap is so big that they end up going right back to the streets and continuing on. And many times whatever they were told to do and how to follow-up is lost, and it turns to a warrant, and we start the cycle all over again. So that's a little bit of what's happening here and how I think we could kind of speed things up.

Chief Brian Redd: This is Chief Redd. With just respect to the COVID-19 we are seeing an increased demand. I spoke with our folks yesterday who coordinate with the resource center providers. They are seeing an increased demand for shelter. We had one of our shelters that went down in the earthquake and it was only - we were only - they were only able to find a location for half those individuals. So that's putting pressure on our emergency shelters, early releases from jail are starting to come out now and there's some impact to our resource centers. And then there's anecdotal situations they're telling me where people who were couch surfing are now being asked to leave because of COVID-19, the places that they were staying, and then some also anecdotal around evictions and domestic violence issues because people are together and then they're having problems in going out.

One of the things here in Utah that they're doing in the short term is Salt Lake County has identified some quarantine and isolation facilities. One of the other things that they're doing is looking at moving individuals who are 60 and older out of the resource centers and into motels and then issuing a stay-at-home to those individuals that are at higher risk. But they're very concerned that once the COVID-19 gets into the homeless population, you know, it's going to spread quickly. So they're really scrambling right now in Utah here.

Nancy Parr: Thank you.

Director Phil Keith: Other Commissioners ((inaudible)).

Katie Sullivan: This is Katie. I wanted to follow-up on Commissioner MacDonald's question about the receiver centers. Who actually decided what crimes would qualify? And then I just wanted to make sure that I understand correctly that when a defendant with a qualifying crime is dropped off at the receiver center, if they leave they are then charged with a crime if the behavioral health people at

the receiver centers call the law enforcement officers, correct? Like that's the carrot and the stick?  
That's what keeps them there, because it's not an involuntary hold right?

Chief Brian Redd: That's correct Katie. It's voluntary and the decision on the crimes really was the result of many discussions. We have a state substance abuse and mental health treatment committee. So there was a lot of conversations that happen there. But mainly those determinations were made at the county level with the behavioral health folks and the law enforcement folks coming together and that's why these relationships are so critical.

The issue that you're bringing up it is voluntary and it is on the treatment providers over at the receiving center to make that notification to law enforcement. And I can tell you that there are some in law enforcement that are concerned that may not actually happen. But that in certain cases that notification may not be made but it really is – it really comes down to trust and regular communication, so hopefully it will be successful. It the - one thing that the police departments are reporting is that they feel like when they are able to do this it does boost community relations. It does this connection that they can now have with this individual rather than taking them to jail is very beneficial and kind of the word getting out that hey the police are here to support individuals. But the accountability piece, I agree with you, is very important.

Director Phil Keith: Other commissioners?

David Rausch: This is David Rausch.

Director Phil Keith: Commissioner Rausch?

David Rausch: So this is for any of the three that want to address it, but one of the challenges that was mentioned is the encampments and, you know, the tents popping up in public spaces and then public right-of-ways. And of course we've had some courts rule that law enforcement, you know,

they've been sued because they've gone through to clear those places out, but then when they're told that there's no other place or person to be because there's no beds in a mission or there's a lack of appropriate housing. Is there a system in place, or have you all determined or you have created systems, to where you can keep the local law enforcement advised, that's kind of the best practice to keep them advised, of what is available so that they can do their job of keeping people off the public spaces? And, you know, and, you know, because it's no longer public if somebody puts their tent up there or lays down on a bench, so just curious about those efforts.

Chief Mike Brown: Commissioner this is Chief Brown. What we've done here is we've had the same problems. We've had the tents pop up and the encampments along our streets but we have the resource centers and now we've gone from one large one down to three small ones or smaller ones but we - if we're going to enforce any camping ordinance we make the effort to advise people or, you know, ask the individuals to for voluntary compliance, but before we take any enforcement and usually it's not much we call the resource centers - our officers actually call and make sure that there is a bed available, because if there is no bed, there is no enforcement.

And so we actually physically call and verify that there are beds available before we take any enforcement action and that's by policy. And we're trying to - the Boise ruling in the Ninth Circuit that has kind of influenced how we're doing work here in Salt Lake City.

John Ashmen: This is John Ashmen and that seems to be - that Boise ruling - seems to be what is the stake in the ground for so many places. What we have seen, however, is that consistency is not there across the country. I can take you to places in the heartland where they will move tents, and the police departments and the cities are fine with that, but other places you can't touch the tents. That's what they're dealing with in Los Angeles now. If you go down Skid Row in San Pedro and some of those areas, you know, the sidewalk is now considered the property of the people in the tents. And so you have to walk on the streets, or the gutter side at least, of the streets, and you're told you're walking in their backyard - to be careful. And so that's why the Union Rescue Mission,

and some of the others down there, are putting up these sponge structures and those are helping to some great degree. But again, my perspective is not from law enforcement itself. Mine is from what these shelters in missions and ministries are having to do. But politics, local politics, is turning the steering wheel in most places.

Director Phil Keith: Other commissioners?

Chris Evans: This is Chris Evans.

Director Phil Keith: Commissioner Evans.

Chris Evans: Yes this is for any of the panelists. I'd like to get your thoughts on anything you've seen in regards to competing interests in public discussions for funding for treatment centers or the entry centers which we've asked about in several different ways in different equations. But I'm curious to again hear your view in terms of what you've seen in terms of the ability to get funding and the public's response to those centers versus what would be considered traditional law enforcement activities, any barriers that you might have seen in getting funding support?

Chief Brian Redd: This is Chief Redd. I can comment on that. So the parallel that I'll draw in our refugee kind of services system here in Utah, we had a situation years ago and this is been communicated to me by the Department of Workforce Services at the state level, where a lot of times a lot of these service providers are competing for the same dollars and so they're trying to provide, you know, service, duplicative services at times or just the flow is not as good as it could be. So there was some movement in the – at the state level to kind of coordinate those services and try to, you know, make it – the flow better in the refugee community.

And so I think there is some of that here. But I think so coordination and alignment for both of the criminal justice system and the crisis services systems are critical in the communication. I think

there's – I think that in Utah we're, you know, generally overall a conservative state fiscally but I think you're starting to see the public and even our legislators get behind the need for affordable housing and more mental health and substance use disorder treatment. So I think you're starting to see things move in the right direction here in Utah with respect to the funding that's needed to really make a long term difference.

Chief Mike Brown: This is Chief Brown. If I could weight in a little bit on that. That's why I really feel honestly that if we had some sort of functional authority over homelessness, and I don't know where that is or who owns that or who drives that bus, but somebody that kind of can look at the big picture at the 30,000-foot level, and decide where we're going. Because we are at times siloed in our own efforts to work on homelessness issues, and we're at times competing with the same for the same grant dollars

And so and it's not - and everybody's working extremely hard. We're doing great work but if there was some sort of collaboration, or some sort of entity, that a human services department that would actually steer that, I think it would be very beneficial to all of us. But it's not for the lack - I mean, we're all working extremely hard. It just would help us facilitate and kind of figure out what lane in the road we need to be as we all try to strive to help those that are experiencing homelessness.

John Ashmen: And John Ashmen here. Chief Brown, I appreciate that comment. I would encourage you to send this to Dr. Robert Marbut who is the new Executive Director of the U.S. Interagency Council on Homelessness. I have seen things shifted to a different gear since he has been appointed to this role, and I know this is something that he is interested in as well. So take a look at that resource. I know he has his hands full right now.

The big thing that he is doing right at this moment which is I think the commission would probably like to know this is, you know, our big goal with Salvation Army with Citygate Network coordinating with ((inaudible)) let's not crash the hospital systems.

In a typical city right now you could have one mission with 300 beds crash the hospital system if COVID-19 hits there because there aren't enough emergency beds in a hospital for that many people. I mean there's many beds, but on the upper floors they don't have all the lines that they need to do what needs to happen with COVID-19 people.

In our situation, again one more time, I'm talking from the shelter position and faith-based. Our organizations, 300 plus, have not taken government money. And so everything that we are doing are coming from private funds, from donations. But we are making sure that the addiction recovery programs and those things that were asked about are in there on a regular basis, monitoring what is really needed in particular cities because it's different from city to city.

Gordon Ramsay: Mr. Chair, Gordon Ramsay, a quick one.

Director Phil Keith: Yes, you're recognized.

Gordon Ramsay: This is for Chief Brown, just a quick question on how you – what was the determination or comments around going from one center to three, shrinking the size of those?

Chief Mike Brown: Well okay going back in history this is about 2015, 2016 we had one large shelter downtown. And I think at its capacity it was housing probably 1,200 individuals a night. The problem is that all those individuals would be asked to leave the shelter during the day and they didn't go very far. They went to an island down there and they created kind of a culture where their friends and others, associates and then the criminal enterprise would come down and join in.

So at times during the height of this downtown issue of this – the unsheltered encampment we were looking at 15 to 2,000 individuals in one - in two or three small city blocks. And so being able to reduce the size of that made it much more manageable, I mean exponentially. It took 40, 50, 60

officers which is a large component of our officers, our bike officers and different outreach officers just to try to manage it. And so breaking it up into smaller pieces made it much more able for us to manage and to get, truly, to get the individuals that needed those services into those resource centers. And also...

Gordon Ramsay: Geographically, how far geographically, did you move them apart?

Chief Mike Brown: They're probably 2 to 3 miles apart maybe 2 to 3 in downtown Salt Lake and maybe 3 to 4 to the South Salt Lake one. But it also it dispersed the crime. When you were able to get the truly vulnerable people out of that circumstances, the criminal element was exposed and we were able to go in there like Chief Redd talked about during operation Rio Grande, and to root them out to make those arrests.

Gordon Ramsay: Thank you.

Director Phil Keith: Other commissioners to be heard? Let me ask one more time, other commissioners to be heard. Okay thank you for that discussion. Let me close by thanking our panelists once again for your time and most valuable testimony, and certainly the responses to the questions from our commissioners. On behalf of the Attorney General and his staff, Rachel Bissex and Jeff Favitta, and all the commissioners, your contributions provided today are most sincerely appreciated and will assist the commissioners in their deliberations and work. I would be remiss if I did not thank our FBI partners for continuing to make the teleconference network available to us to conduct the President's Commission's work.

Before we end the call today, just as a reminder to the commissioners, we have two additional teleconference calls this week. Tomorrow April 1st at 3:00 pm we'll be hosting a panel on federal programming. I encourage commissioners to review the materials sent to you on this panel and read the bios provided for this group of subject matter experts. The call will start at 3:00 pm and

conclude at 4:00 pm. We ask all commissioners to connect to the call at least ten minutes ahead of time so we can make any adjustments necessary should we have a connection issue.

Our third call this week will be Thursday, April the 2nd starting at 2:00 pm and conclude at 4:00 pm Eastern Time. This panel will be on substance abuse. And we'll actually be hearing from five witnesses that day. And that's why we have the two hour length estimated on our call.

Any commissioners with questions or comments? If there is no further business for us today the President's Commission is adjourned. Thank you again commissioners for your dedication and commitment.

Female: Thank you.

Operator: This concludes today's call.

Director Phil Keith: Thank you.

(Crosstalk)

Operator: Thank you for your participation and you may now disconnect.