

CITY COUNCIL WORK SESSION
September 28, 2021
Virtual/electronic Meeting

5:00 PM WORK SESSION

The Charlottesville City Council met in an electronic meeting on Tuesday, September 28, 2021, in accordance with a local ordinance amended and re-enacted on April 19, 2021, to ensure continuity of government and prevent the spread of disease during the coronavirus State of Emergency.

Mayor Nikuyah Walker called the meeting to order at 5:01 p.m. and Clerk of Council Kyna Thomas called the roll, noting all Councilors in attendance: Mayor Nikuyah Walker, Vice Mayor Sena Magill and Councilors Heather Hill, Michael Payne and Lloyd Snook.

REPORTS

1. Imagining a Just Cville group presentation

Mayor Nikuyah Walker made opening remarks and shared the list of participants for the Imagining a Just Cville working group: Cherry Henley, Joy Johnson, Raylaja Waller, Nicholas Fagans, Martize Tolbert, Stacey Washington, Whitmore Merrick, Latasha Smith, Jay James, Harold Folley, Herb Dickerson, Neal Goodloe, Jeff Fogel, Janice Redinger, Jordy Yager, Dr. RaShall Brackney, Elizabeth Murtaugh, Kaki Dimock, Joe Platania, Nina Antony, and staff support from Clerk Kyna Thomas and Deputy Clerk Maxicelia Robinson.

Neal Goodloe, Criminal Justice Planner for the Thomas Jefferson Area Criminal Justice Board, shared Charlottesville-specific criminal justice trends by race for the period of 2011-2020.

The Smith Family (Wanda and Rajan) Shares their story about the impact that mass incarceration with inequitable laws has had on their family, both for incarcerated persons and for those left to care for their loved ones.

Dr. RaShall Brackney and Nancy Amin, law intern made a presentation on The Power and Impact of Officer Discretion.

Joe Platania, Commonwealth's Attorney shared an update on reform efforts of the Commonwealth's Attorney's Office.

Dr. Brackney and Joe Platania talked about the workgroup's recommendation to explore the LEAD Program as a way to disrupt and divert people from entering the legal justice system.

Liz Murtagh, Public Defender for the City of Charlottesville and the County of Albemarle, talked about participatory justice and a request for funding for the Public Defender's Office. Mayor Walker advised that she reached out to Diantha McKeel of the Albemarle County Board of Supervisors. Ms. Murtagh advised that with having an attorney present for all indigent people at the first appearance, they have overall better outcomes. She requested \$37,502 to support a part-time position.

Jeff Fogel suggested dismantling the police department and reconstituting it in order to change the culture of policing in Charlottesville.

Jay James shared information about The Bridge Ministries efforts during the COVID-19 pandemic. The Bridge Ministries is a residential substance abuse and re-entry program for men.

Sandra Carter, founder of Restoration and Hope House and graduate of the Home to Hope program, shared information about Restoration and Hope House, the only transition house for formerly incarcerated women in Charlottesville. She spoke about her experience with Home to Hope helping her to bring her vision to fruition, the difficulties that people face when transitioning back into society, and the importance of transitional housing.

Cherry Henley spoke about her program Lending Hands and why grassroots programs are necessary. She shared the benefits of helping people first-hand to navigate a difficult criminal justice system and treating them as humans, not data.

In closing comments Martize Tolbert spoke about mentoring youth. He spoke about the lack of programs and outlets for youth in Charlottesville. Raylaja Waller spoke about the need for rehabilitation versus incarceration, and the negative impacts of incarceration on children.

The Imagine a Just Cville presentation ended at 7:47 p.m.

2. Marcus Alert group presentation

Vice Mayor Magill made opening remarks and introduced workgroup participants: Sena Magill, Lloyd Snook, Myra Anderson, Lisa Beitz, Devin Coles, Brian Henderson, Emily Pelliccia, Joe Powers, Sonny Saxton, Dr. Hezedeon A. Smith, Tom von Hemert, Ashley Marshall, James Mooney, Dr. RaShall Brackney, Kaki Dimock, Myron Johnson; and guest speakers/consultants Dr. Lisa Jobe Shields and Daryl Washington.

Councilor Lloyd Snook provided a brief history of how the group came to be.

Myra Anderson, mental health advocate, native of Charlottesville and member of the statewide

Marcus Alert Stakeholder Group, shared a personal testament to the intersection of policing and mental health in our community in minority communities. She has delivered and received mental health services in the community and had interactions with police while in crisis. She shared photos and stories of Black men and women who had negative outcomes with police encounters during moments of mental health crisis, including the namesake of the initiative Marcus-David Peters, a young, Black Biology teacher who was shot and killed by Richmond Police in 2018 in the midst of a mental health crisis. The Marcus Alert aims to ensure that the emergency response to a behavioral health crisis is a behavioral health response.

Dr. Lisa Beitz, Executive Director of Region 10 provided an overview of the Marcus Alert Act, which aims to ensure that the emergency response to a behavioral health crisis is a behavioral health response. She reviewed required components for local implementation of the Marcus Alert, deadlines and deliverables:

- July 1, 2021: voluntary database developed for locality
- July 1, 2021: state guidance released
- ~August 1, 2021: discuss “area” and form stakeholder group
- Conduct planning at local level using state guidance
- Submit application for 3 protocols
- Implement 3 protocols by July 1, 2022
- Continue planning for Community Coverage for Statewide Implementation by July 1, 2026

From the perspective of the Region Ten Community Services Board, Dr. Beitz shared emergency response data, how the Marcus Alert affects the local Mental Health (MH) system, and the current mental health crisis landscape, including:

- Early pandemic impacts on the system
- Executive Order 70
- Decrease in State psychiatric hospital beds
- Workforce challenges
- Inadequate community infrastructure
- Individual and community impacts
- Need for collaborative community solutions

Police Lieutenant Larry Jones discussed how the Marcus Alert benefits local emergency response (Emergency Communications Center, Police and Fire).

- Reduction in police involvement by limiting response to high level MH calls (Levels 3 and 4)
- A more well-trained police officer based on required training through the Department of Criminal Justice Services
- Need for higher percentage of Crisis Intervention Team (CIT) trained officers.

- Specialized training or doctrine when dealing with combative MH patients
- Likely need for specialized youth-based training

He advised that there are still unanswered questions being explored.

Pastor Devin Coles read a statement for group member Myron Johnson regarding the local issues identified and he provided the following workgroup recommendations:

- 1) Make an official task force and then the task force is recommended to do the following.
- 2) Engage the community, focus on people who have historically had poor interactions with policing and mental health.
- 3) Recommendations for the makeup of the official work group members and leaders of the group (see below). Additionally, we recommend that the chair of this group be a member of our minority community.
- 4) Design a survey and enlist groups already engaged in the community to help get it out, this needs to be active not passive.
- 5) Whoever gives surveys must be trained in motivational interviewing, the survey should be short 5-10 questions with a mix of open ended and definitive answers.
- 6) Beyond Marcus Alert Plan think about how we could have a 24/7 crisis center that is not jail or hospital.
- 7) Because we are regional, we recommend that we also try and work with the county and UVA.
- 8) Coming at the beginning of the budget season, where should it live, who has ownership? The city needs to decide the most appropriate department for this to live as it will need staff support and continual support.

We recommend the members to include:

- (1) Region Ten
- (1) Charlottesville Police Department
- (1) Charlottesville Fire Department
- (1) ECC
- (1) Crisis Intervention Team
- (1) Charlottesville Department of social services or human services or human rights
- (1) University of Virginia
- (1) Local Clergy
- (1) Member who resides or works in the city and who represents a mental health organization that seeks racial or social justice on behalf of historically disadvantaged communities;
- (1) Family members or close friends of someone with a mental health diagnosis
- (1) Family members or close friends someone with a mental health diagnosis who comes from historically disadvantaged communities that have traditionally experienced mental health disparities

(2) Members who identify as having/had lived experience with mental health challenges (including peer support specialists) and/or individuals who have engaged with police before during a mental health crisis.

PUBLIC COMMENT and DISCUSSION

Mayor Walker opened the floor for comments from the public and panelists.

- Tanesha Hudson thanked the groups for the presentations. She spoke about the historical use of medicines to control children, eventually turning into substance abuse. She also spoke about the lack of activities for local young people. She suggested that the Just Cville data should have spoken about policy changes that impacted crime data.
- A'Lelia Henry spoke in support of the work of the committees and shared concerns about the direction that the police department is going without the work of Dr. RaShall Brackney as Police Chief.
- Myra Anderson asked a question directed to the police department regarding calls for service. Mr. Jones provided a response to explain response to calls based on dispatch.
- Jeff Fogel spoke about compensation for victims of police abuse.
- Councilor Snook shared that he was impressed with the work of the Imagining a JustCville workgroup and looked forward to reviewing the recommendations.
- Councilor Hill shared that she would need more clarity on how to vet and pursue the recommendations.
- Joe Platania advised that members of the workgroup are vision and value-aligned.
- Mayor Walker advised that the information provided gives a starting point and the issues are vast.
- Cherry Henley commented on the dedication of the workgroup members and the need to move forward with the work.
- Dr. Brackney recommended that someone from police (likely the same person) participate in both workgroups as they intersect.
- City Manager Chip Boyles spoke about the need to figure out how to move the priority recommendations forward.

Adjournment

Mayor Walker adjourned the meeting at 9:34 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council