

MIAMI BEACH

OFFICE OF THE CITY MANAGER

NO. LTC # **305-2016**

LETTER TO COMMISSION

TO: Mayor Philip Levine and Members of the City Commission

FROM: Jimmy L. Morales, City Manager

DATE: July 19, 2016

SUBJECT: **New Homeless Initiative; Police Department Petitions for Involuntary Assessment and Mandated Treatment**

This Letter to the City Commission is prepared to provide information on the Police Department's newest initiative to deal with some of the most challenged and chronically homeless individuals in the City. The effort involves a petition process and court-ordered treatment for a segment of the homeless population suffering from life-threatening alcohol addiction.

Several months ago our Police Department, via its twice-monthly Homeless Solutions Meetings identified, a small group of homeless individuals who reside on our City's streets and are severely dependent on alcohol. These individuals have been found in various stages of poor and ever-deteriorating health as a result of their chemical dependency on alcohol. They have been arrested many times and always returned to the streets. They have consistently refused the city's offer of shelter and social services.

The Police Department and Fire Department would frequently receive calls about these individuals for medical events and/or nuisance-related crimes that they were involved in, thus unnecessarily tying up valuable resources. As a result of these calls for service, these individuals were repeatedly committed by our police officers to local hospitals for chemical dependency under the Marchman Act. We experienced a revolving door with the local medical system, where the patients would be triaged, evaluated and treated for any immediate medical issues, only to be quickly released. The root cause of their problems – total alcohol/chemical dependency – would not be addressed. Their health would continue to deteriorate. The tying up of police and fire resources would continue, and their presence on our streets would remain an eyesore and challenge for our community.

The Police Department recognized that without acute clinical care, these individuals would eventually die on our streets. Members of the Department attended a valuable training class where the Miami-Dade State Attorney's Office presented the steps to have an individual involuntarily committed for treatment of his/her addiction. After this class, our team of Homeless Resource Officers and Neighborhood Resource Officers were determined to explore the mandatory treatment route through ex parte petitions made to the courts. They gathered the required forms, established an action plan, and created a plan for each of the most notorious alcohol-dependent, chronically homeless persons whose health they had observed to be drastically deteriorating over the years.

In the past two months, our officers have collected comprehensive records and compelling photos documenting the obvious health deterioration of five individuals and made their first ex parte petitions to the court, requesting mandatory 60-day evaluation and medical treatment. In each case, the Police Department had previously arrested the selected subjects many times. The Magistrate sided with the Police Department and ordered these individuals in for treatment and stabilization.

As of now, we are happy to report that the first five of these individuals are in some stage of the treatment process to get them the help they need. The Department has established a close

relationship with all of the staff involved at the courts. This has helped to quickly facilitate what is usually a long process. It is hoped that in the coming months, these individuals will achieve some kind of long-term resolution of their chemical dependency and housing needs.

Our Police Department is the first in Miami-Dade County to pursue this ex parte petition process. The standard for court-ordered mandatory 60-day evaluation and treatment will likely remain very high. So this is not a solution for other than the most chronically homeless and severely alcohol dependent persons. However, it is a significant new tool for the Police Department and the City in certain severe cases. Other local police agencies have heard about our efforts and expressed interest in duplicating our approach in their jurisdictions.


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