

**Board Bill Number 72**

**Primary Sponsor: Alderman Brandon Bosley**

**June 19, 2020**

The proposed Board Bill directs the Director of Health and Hospitals in coordination with the Director of Public Safety to establish a Minority De-escalation Unit. When requested the De-Escalation Unit will undertake to de-escalate situations where there is or there is the potential for a confrontation between City of St. Louis Division of Police officers and alleged suspects, and others involved in the situation before physical force is used.

**BOARD BILL NUMBER 72 INTRODUCED BY: ALDERMAN BRANDON BOSLEY**

1 An ordinance directing the Director of Health and Hospitals to establish a Minority De-escalation  
2 Unit that shall, when requested, undertake to de-escalate confrontations between City of St.  
3 Louis Division of Police officers and alleged suspects, and others involved in the situation.

4 **BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:**

5 **SECTION ONE. Definitions.**

6 De-escalation is actions taken to stabilize a situation where there is an actual or potential conflict  
7 between Division of Police officers and suspects of non-violent crimes to reduce the immediacy  
8 of a threat to make other options available and time for their use. The goal of de-escalation is to  
9 gain voluntary compliance of subjects whenever feasible thereby reducing the or eliminating the  
10 need for physical force.

11 De-escalation technique are actions used by Minority De-escalation Officers, taken whenever  
12 feasible without compromising law-enforcement priorities of ensuring the safety of members of  
13 the community and Division of Police officers, that seek to minimize the need to use physical  
14 force in and incident, and increase the likelihood of gaining voluntary compliance from the  
15 subject and potential conflicts with members of the community.

16 MDO means, individually or collectively as context dictates, Minority De-escalation Officer.

17 MDU means the Minority De-escalation Unit.

18 **SECTION TWO. De-escalation.**

19 A. The overall goal of this ordinance is to facilitate and promote thoughtful resolutions to  
20 situations to situations and to reduce the likelihood of harm to all persons involved. The use of de-

1 escalation is reviewed and evaluated on a case-by-case basis looking to the totality of the  
2 circumstances present at the time of the incident including the potential risks to all involved.

3 B. De-escalation may include MDU scene management, collaborative actions between MDO and  
4 Division of Police Officers, and individual engagement when feasible. When individual  
5 engagement is not feasible scene management and collaborative action should still be employed  
6 unless doing so would create undue risk of harm to any person due to the threat presented by a  
7 situation.

8 C. Whenever safe and feasible under the totality of the circumstances, MDO shall attempt to slow  
9 down or stabilize the situation so that more time, options and resources are available to resolve a  
10 situation before physical force is used.

11 D. During a situation or during a City of St. Louis Division of Police investigation of a person  
12 alleged to have committed non-violent crimes any person involved may request that a Minority  
13 De-escalation Officer be present to undertake efforts to de-escalate situations where there is or  
14 there is a potential likelihood for a confrontation between City of St. Louis Division of Police  
15 officers and the subject or others involved. Minority De-escalation Officers shall undertake such  
16 efforts only if requested.

17 E. MDO shall conduct a threat assessment of a situation so as not precipitate an unnecessary,  
18 unreasonable or disproportionate use of physical force by placing themselves, Division of Police  
19 officers, a subject, or others at undue risk of harm.

1 F. Collaborative approaches between MDO and Division of Police officers should be considered  
2 in each situation taking-into-account the training, skill level, and number of Division of Police  
3 officers involved, and whether any officer has successfully established a rapport with a subject.  
4 Where a collaborative approach is employed individual Division of Police officer's obligations  
5 to de-escalate will be satisfied so long as the officer's actions are consistent with and complement  
6 the overall approach of de-escalation. The decision as to whether the use of any de-escalation  
7 technique, including a collaborative approach, is feasible and appropriate is the MDO's. This  
8 decision is to be made in light of totality of the known circumstances surrounding a situation and  
9 the goal of attaining voluntary compliance.

10 G. Advisements and warnings of a threat of force are not a de-escalation technique.

11 H. In considering whether using de-escalation techniques is feasible and appropriate in the  
12 situation. Due consideration must first be given to whether any lack of compliance is a deliberate  
13 attempt to resist rather than an inability to comply based on factors including, but not limited to:

- 14 1. medical condition
- 15 2. mental impairment
- 16 3. developmental disability
- 17 4. physical Limitation
- 18 5. language barrier
- 19 6. drug interaction
- 20 7. behavioral crises
- 21 8. fear or anxiety

22 **SECTION THREE.** Establishing Minority De-escalation Unit

1 A. The Director of the City of St. Louis Department of Health and Hospitals in cooperation with  
2 the Director of Public Safety is hereby directed to establish a Minority De-escalation Unit as  
3 provided in and in accordance with the provisions of this Ordinance.

4 B. The MDU shall be comprised of thirty (30) Minority De-escalation Officers who shall be  
5 commissioned police officers with the City of St. Louis Division of Police. MDO shall be  
6 seconded to the Department of Health and Hospitals from the City of St. Louis Division of Police  
7 pursuant to an agreement between the City of St. Louis Division of Police and the Department  
8 of Health and Hospitals.

9 C. The MDU officers shall be comprised only of members of minorities, as such term is defined  
10 by the U.S. Census Bureau, that reflect the diversity of races and ethnicities of the City of St.  
11 Louis.

12 D. The Department of Health and Hospitals shall ensure that Minority De-escalation Officers  
13 receive comprehensive training and education in current de-escalation skills and practices before  
14 a Minority De-escalation Officer may respond to a situation. The Department of Health and  
15 Hospitals shall also implement a program of continuing training and education for Minority De-  
16 escalation Officers in the most current de-escalation skills and practices that will include, at a  
17 minimum, twelve hours of education and training programming.

18 **SECTION FOUR. Minority De-escalation Unit Administration.**

19 A. The MDU shall be administered by the Director of Health and Hospitals in consultation and  
20 coordination with the Director of the Department of Public Safety, the Circuit Attorney, and  
21 Civilian Oversight Board.

1 B. The Director of Health and Hospitals and the Director of the Department of Public Safety  
2 shall, in consultation with the Circuit Attorney and Civilian Oversight Board, develop a written  
3 policy establishing standards and procedures for MDU de-escalation efforts and collaborative  
4 use of de-escalation techniques. Said policy shall also establish procedures for requesting MDU  
5 response to a situation.

6 C. MDO shall write an after-action report following each response to situation and shall update  
7 this report to reflect any continuing involvement in the matter. The MDU shall, on a bi-weekly  
8 basis, create a written report on the actions of the MDU during the prior two-week period. Said  
9 report shall be submitted to the Director of Health and Hospitals, Director of Public Safety,  
10 Circuit Attorney, and the Civilian Oversight Board.