



OFFICE OF THE DISTRICT ATTORNEY
LEHIGH COUNTY COURTHOUSE

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June 14, 2023

Charles F. Smith, Jr.
Solicitor to City Council
City of Allentown
435 West Hamilton Street
Allentown PA 18101

RE: Allentown City Council Bill No. 47-2023 seeking to approve the creation of a "Public Health Pilot Program Providing Alternative First Response to Calls for Service Involving Mental and Behavioral Health, Substance Use, Welfare Checks, and "quality of life" complaints such as family and neighbor disputes, issues relates to unhoused persons, and calls about suspicious persons ... "

Dear Mr. Smith:

As I have indicated, I am unable to attend the City Council meeting scheduled for June 15. However, I wish to make my concerns about the above-captioned proposed Ordinance known to you and to City Council.

As District Attorney of Lehigh County, I am the Chief Law Enforcement Officer of the County. In my opinion, respectfully, this proposed Ordinance is potentially a very dangerous proposition and should not be enacted.

The "Alternative First Response" to calls for service involving mental and behavioral health, etc., are admittedly some of the most difficult for law enforcement. They are also potentially the most dangerous to any first responders.

The Communications Center, which would dispatch the proposed "mobile community response team" is a county-operated and owned facility. Although I do not speak for the County of Lehigh, I opine that as such, it is not obligated to carry out an initiative formulated within the City of Allentown under its Home Rule Charter, or by referendum.

However, please consider, that if this were to be implemented, a dispatcher at the Communication Center would have to, in the first instance, rely upon the veracity and the knowledge of the person calling in the request for service. The dispatcher would have absolutely no knowledge of the caller's abilities or training, if

any, to recognize or make an appraisal of a subject's mental health. Further, the dispatcher at the communications center, while competent, is not trained to appraise on the basis of a phone call, whether or not a situation is mental/health related. It may be. But, it might also be a person behaving very badly and who is a danger to himself or to others.

A community response team member responding to a scene could quite easily find him/herself in a dangerous situation and in jeopardy of serious bodily injury or death.

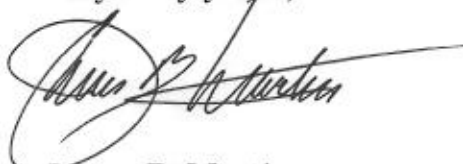
Therefore, I strongly recommend that the first responders in any situation of the type suggested be the police. Police are able to assess a situation when they arrive, make a reasoned determination that the environment is safe, and then summon appropriate help. Police officers in the City of Allentown and throughout Lehigh County have over the past ten years or longer benefited from enhanced crisis intervention training both at the Police Academy and through on the job training. Despite the ill-conceived misgivings of the proponents of this Ordinance, police are very well equipped to recognize a situation where mental health providers are appropriate and police can easily summon that help quickly. This avoids the possibility of crisis intervention workers being subjected to either serious bodily injury or death at the hands of an actor who might be suffering a mental health crisis; but, might also be armed and dangerous.

As you know, the Allentown Police Department already utilizes the services of "community intervention specialists" but, they do so once they know the situation is under control and safe! I support that initiative!

Finally, I would note that police have great discretion in whether or not criminal charges are to be brought. Further, the District Attorney and assistants working in my office have great discretion as to whether those charges are approved, initiated, or pursued. Thus, the idea that this program will "reduce the number of individuals arrested and funneled into the cycle of incarceration" is simply not true! **That does not happen now—unless a crime has been committed.** To suggest otherwise is naïve and insulting to law enforcement.

For all of the foregoing reasons, I urge City Council to reject this proposal. Thank you for your consideration of my comments.

Very truly yours,

A handwritten signature in black ink, appearing to read "James B. Martin", written in a cursive style.

James B. Martin

JBM:mjs