

BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority Board of Directors

FROM: Board Chair Glenn Hendricks
Vice Chair Chappie Jones
Director Cindy Chavez
Director Raul Peralez

DATE: Thursday, September 2, 2021

SUBJECT: Referral to Administration - Workplace Safety & Culture Review

Policy-Related Action: No

Government Code Section 84308 Applies: No

REFERRAL

RECOMMENDATION:

1. Direct staff to conduct an RFP or RFQ for a consultant to conduct an organization wide cultural and climate transformation that improves the overall experience of being employed by VTA through an inclusive approach done in partnership with VTA's unions and management.
2. A joint union and management committee should scope the RFP or RFQ and review the submissions together and recommend final award to the Board of Directors.
3. Utilizing the framework outlined in State Senator Dave Cortese's August 5th letter, regularly report back to the Board on the findings, and recommended actions, to address the concerns of employees including whistleblower policies, procedures, and structure, as well as the provision of specialty behavioral health services, and employee assistance programs.
4. Staff should make a monthly report to the board on workplace culture and behavioral health recovery efforts, and progress towards creating a climate of recovery.
5. Staff should make a quarterly report to the board on an organization-wide communication improvement plan.
6. Staff should make a quarterly report out on support for impacted families throughout the organization.

DISCUSSION:

The VTA workforce continues to suffer from both the aftermath of the recent tragic deaths and the lingering COVID-19 pandemic, as well as long-standing and previously known structural problems. We believe a review of the overall workplace culture and climate would be helpful in determining measures the agency could and should implement to meet the short and long-term employee needs, and increase communication and transparency throughout the organization.

State Senator Dave Cortese's August 5th, 2021 letter to General Manager Carolyn Gonot provides a thoughtful framework that should be instructive to this work. Additionally, the analysis should consider the approval by the Santa Clara County Board of Supervisors on August 31st to immediately develop and deliver trauma related services to VTA employees and their families recovering from the May 26, 2021 mass shooting. This referral to the Board of Supervisors also includes recommendations relating to the establishment of a Santa Clara County Trauma Recovery Center for survivors of violent crimes and other traumatic events.

Given the \$20 million state funding led by State Senator Dave Cortese, VTA has the opportunity to make sustainable structural changes that will improve the internal support system for its employees. Outside partner agencies such as Santa Clara County and the Santa Clara County District Attorney's Victim Witness Assistance Center have an important role to play to ensure VTA provides adequate and responsive support to its employees. An item in Senator Cortese's letter that must be included in management's action is the immediate creation and convening of a joint labor-management committee to help craft and review the funding allocations.

No action, policy, or funding will ever bring back the lives that were senselessly taken. The families and friends of those dedicated VTA public servants, as well as the entire VTA workforce, will continue to experience trauma for years to come - many for the rest of their lives. It is our responsibility as the agency's Directors to perform an immediate self-examination so that we may improve upon the way we care for and support our employees, contractors, and their families.

ATTACHMENTS:

August 5, 2021, letter from State Senator Dave Cortese to General Manager Carolyn Gonot

August 31, 2021, Santa Clara County Board of Supervisors Agenda Item 16: Santa Clara County Trauma Recovery Center



August 5, 2021

Carolyn Gonot
General Manager/CEO
Santa Clara Valley Transportation Authority
3331 N. First Street
San Jose, CA 95134

Re: SB 129 State Funds for Santa Clara Valley Transportation Authority (VTA)

Dear Ms. Carolyn Gonot,

I am pleased to share with you that the legislature approved two allocations of financial assistance for VTA on Monday, June 28th, that total \$20,000,000. I realize these funds will not meet all the needs of the organization related to the May 26th tragedy, but I hope they will provide a substantial degree of assistance.

The intended expenditures for these allocations are as follows:

- Multi-year investments for behavioral health services for all VTA employees and families;
- Multi-year investments in organizational development that is inclusive of all of the unions and VTA leadership;
- Support for VTA in its work to address reasonable accommodations for employees who are unable to return to their initial position of employment within the organization; and
- Support for immediate needs to ensure the Guadalupe Yard is a safe environment for employees to return to work.

VTA unions and management diligently worked together to respond to the pressing needs of the employees and to address immediate operational challenges. It is critical that this valuable collaboration continue in order to effectively rebuild our organization. To accomplish this, VTA shall create a formal joint labor-management committee with representation from each union and management to review and advise on proposed state expenditures prior to sending final recommendations to the VTA Board for approval.

I am heartened to learn that there have also been collaborative efforts between VTA, Santa Clara County, and the Santa Clara County District Attorney's office. These include efforts to provide onsite trauma counseling with the long-term goal of creating a trauma center to serve VTA, efforts to create a foundation to support other emergency needs, and continued collaboration between VTA and Santa Clara County to increase the effectiveness and efficiency of Red Flag complaint filings and follow up. To further this work, VTA should pilot a set of "Red Flag

Training” protocols within their agency to serve as a statewide model that other agencies can follow.

My heart and those of my colleagues in the legislature are extended to the VTA family during this challenging time. My hope is that this investment will continue to bring VTA closer together. I want to express my appreciation to SEIU, AFSCME, and TAEA, with a special thank you to ATU for their input. I am incredibly grateful to all of VTA for your contributions to this initiative.

Thank you for accepting this leadership role during this critical time. I look forward to working with you on the investments necessary to support VTA as it begins to move towards full recovery.

Sincerely,

A handwritten signature in black ink, appearing to read "Dave Cortese". The signature is fluid and cursive, with a prominent initial "D" and a long horizontal stroke at the end.

Dave Cortese
State Senate, District 15

County of Santa Clara
Board of Supervisors
Supervisorial District Two
Supervisor Cindy Chavez



107365

DATE: August 31, 2021

TO: Board of Supervisors

FROM: Cindy Chavez, Supervisor

SUBJECT: Santa Clara County Trauma Recovery Center

RECOMMENDED ACTION

Consider recommendations relating to immediate provision of trauma related services to the Valley Transportation Authority (VTA) employees and their families recovering from the May 26, 2021 mass shooting and recommendations relating to the establishment of a Santa Clara County Trauma Recovery Center for survivors of violent crimes and other traumatic events. (Chavez)

Possible action:

- a. Approve referral to Administration to work in partnership with VTA, the Office of the District Attorney, Behavioral Health Services Department, and the affected private and public sector partners to develop a trauma center that begins operations immediately to support VTA employees and families recovering from the May 26, 2021 mass shooting and report to the Board on September 14, 2021 with a proposal including a cost-reimbursement model from VTA for services paid for by the County.
- b. Approve referral to Administration to report to the Board on September 14, 2021 with options for consideration relating to the immediate assignment of appropriate County staff to assist VTA employees and families recovering from the May 26, 2021 mass shooting with trauma recovery, filing of claims and other needs.
- c. Approve referral to Administration and the Office of the District Attorney to report to the Board on September 14, 2021 relating to an analysis of staffing needs at the Office of the District Attorney, Victim Services Unit, related to the provision of programmatic support to the VTA trauma recovery center and to ensure continuity of services to all victims of sexual assault, domestic violence and other violent crimes while advocates are assigned to assist VTA employees and families for immediate and long-term support.

- d. Approve referral to Administration to work with the Office of the District Attorney and report to the Board on September 14, 2021 with recommendations relating to the need to conduct a study of classifications and salary for victim/witness advocates at the Office of the District Attorney, Victim Services Unit, given the expanded roles filled in immediate and long-term support of mass casualty victims.
- e. Approve referral to Administration to report to the Board on September 14, 2021 with options for consideration relating to immediate provision of clinical services to VTA employees and their families such as individual and group counseling.
- f. Approve referral to Administration to report to the Board on September 14, 2021 with options for consideration relating to procurement of expert assistance to assist VTA in the provision of trauma recovery services and the County of Santa Clara in designing and opening a Trauma Recovery Center for victims of violent crimes and survivors of crises such as wildfires and COVID-19.
- g. Approve referral to Administration to report to the Board on September 14, 2021 relating to a preliminary stakeholder outreach plan to enlist feedback for the development of the Santa Clara County Trauma Recovery Center.

REASONS FOR RECOMMENDATION

On May 26, 2021, Valley Transportation Authority (VTA) employees experienced a horrific event when a VTA employee killed nine people and then himself in early morning at a VTA maintenance rail yard in San Jose. Over 2,000 VTA employees along with their families have a long recovery road ahead of them and it is incumbent upon the County of Santa Clara to continue to provide support. In fact, last week a VTA employee who survived the mass shooting has died in an apparent suicide. It is critical that all possible assistance is extended to VTA as expeditiously as possible in order to prevent future tragic losses and to help in the healing and recovery from this severe trauma.

In partnership with the Valley Transportation Authority and Office of the District Attorney, this referral calls for several immediate actions to address the needs of VTA employees and their families through trauma recovery assistance. This referral also calls for the establishment of a permanent Santa Clara County Trauma Recovery Center to address the needs of survivors of violence as well as crises such as wildfires, COVID-19, floods, etc. This request is borne out of acknowledgment of the challenges and trauma County residents have faced and will continue face relative to mass shootings, climate change and public health crises to name a few. Santa Clara County Trauma Recovery Center is a vision supported by State Senator Dave Cortese and District Attorney Jeff Rosen.

VTA employees and their families are likely to be recovering from the trauma they have experienced for several years to come. This referral is requesting several immediate actions to ensure that trauma recovery services continue to be provided. On September 14, 2021, as it relates to the services needed by the VTA employees and families recovering from the May 26, 2021 mass shooting, the Administration should report to the Board with

- A proposal relative to the development of trauma recovery center for VTA employees and families including recommendations for the location of the VTA trauma recovery center;
- Information relative to what is the most appropriate County staff to be reassigned to assist VTA;
- A cost-reimbursement model from VTA to the County for the services paid for by the County;
- An analysis of staffing needs at the Office of the District Attorney Victim Services Unit in order to ensure support to the VTA employees and their families as well as continuity of services to all victims of sexual assault, domestic violence and other violent crimes;
- Options for immediate provision of clinical services to VTA employees and their families such as individual and group counseling; and
- Options to reevaluate the classifications and salary for victim/witness advocates at the Office of the District Attorney Victim Services Unit given the expanded roles that they are filling in support of mass casualty victims.

Comprehensive behavioral health services including individual and group counseling services are critical to improve long-term outcomes for trauma survivors, including decreased rates of post-traumatic stress (PTSD), depression and substance use disorders.

Furthermore, in the wake of a workplace violence incident, the workplace itself can become triggering for staff and their families. Therefore, services should be provided at a nearby but separate location, such as a County facility for the VTA employees and families. Such a facility should have spaces for group and private meetings.

This referral recommends that the County assign a Medical Social Worker from the Health and Hospital System and a Victim Advocate from the Office of the District Attorney Victim Services Unit. The Medical Social Worker can assist VTA victims, witnesses, their families and children with insurance and medical benefits paperwork and assist them in locating and enrolling in long-term medical, psychological or substance use programs to address their unique needs.

Victim/witness advocates (VWAs) are trained to work with victims of violent crime and provide comprehensive case management services. VWAs are required by CA Penal Code 13835.5 to provide a variety of mandated services including but not limited to crisis intervention, peer support, emergency assistance, and resource and referral assistance. Office of the District Attorney Victim Services Unit has estimated that there is a need for an additional Program Manager I/II to provide supervision to assigned victim/witness advocates and administrative and programmatic support to collaborative partners. They have estimated that there is also a need for one assigned senior victim/witness advocate or victim/witness advocate is not sufficient to meet the long-term case management needs of VTA victims, witnesses, their families, and children. Office of the District Attorney Victim Services Unit asserts that these positions are needed to both ensure continuity of services to all victims of sexual assault, domestic violence, and other violent crimes, while advocates are being

assigned to assist VTA employees and families, and to provide additional staff to meet VTA needs.

In terms of immediate provision of clinical services to VTA employees and their families such as individual and group counseling, this referral recommends a consideration of the Center for Living with Dying (CLWD) for the provision of these services. CLWD is the primary provider of grief and critical incident intervention services in Santa Clara County. Their grief counselors have extensive experience facilitating group counseling sessions for homogenous groups who have experienced loss such as widowed spouses, and children who lost their parents. CLDW applies the Critical Incident Stress Response (CISR) approach which is immediate crisis intervention and personal and professional support to First Responders, families and the community following critical incidents such as natural disasters, mass shootings or other emergencies. This approach emphasizes physical, psychological and emotional safety for clients and providers, and helps survivors rebuild a sense of control and empowerment. Bill Wilson Center is part of Santa Clara County’s CADRE (Collaborating Agencies' Disaster Relief Effort) team and has played a key role in countywide emergency response to the VTA shooting. It is anticipated that ongoing CISR and mental health support will be required including events to support anniversary triggers related to the event. CLWD has been providing critical incident intervention services to VTA victims, witnesses, and families since the day of the shooting and they are a trusted resource.

The CLWD would require two additional full time Grief Support and/or Critical Incident Care Team counselors to lead group counseling sessions and provide back-up grief support as needed to the impacted VTA employees and their families. The estimated annual cost of services to be rendered by the Center for Living with Dying is \$288,517.

Cost breakdown for Center for Living with Dying VTA services:

Grief Counselors (1.7 FTE)	\$164,634
Salaries and benefits	
CISR Consultant (0.5 FTE)	\$50,000
Operating Costs	\$36,250
Administrative Costs (15% of direct costs)	\$37,633
Total:	\$288,517

This referral also envisions the County’s future establishment of a Trauma Recovery Center for victims of violent crimes. The process of developing the Center will require expert assistance as well as thoughtful community outreach to ensure that the center’s location and services will meet the recovery needs of victims of violent crimes. This referral recommends that on September 14, 2021, the Administration report to the Board with a contract or delegation of authority to engage Dr. Tammy McCoy-Arballo to assist VTA with trauma recovery and the County in designing and opening a Trauma Recovery Center for victims of violent crimes.

Dr. Tammy McCoy-Arballo is a licensed clinical and forensic psychologist with extensive experience working with survivors of trauma and mass violence. A Diplomate of Police

Psychology, she has worked with first responders and civilians in the aftermath of several mass victimization incidents including: the 2015 attack in San Bernardino County, the Route 91 Festival in Las Vegas, the 2018 Borderline Bar & Grill shooting in Ventura County, the 2018 Pathway Homes shooting in Yountville, California, and the 2019 shooting at the Garlic Festival in Gilroy. She has also assisted in several school shootings, and officer-involved shootings since 2015.

In terms of assistance to VTA, Dr. McCoy would focus primarily on directing and coordinating clinical services such as individual counseling needs. She would also provide psychoeducation, skill building, and coaching to VTA management to improve workplace communication and interactions between management and employees impacted by the shooting. The estimated cost of service to be provided by Dr. McCoy to VTA is \$246,000. The County would be reimbursed by VTA for these services.

Cost breakdown for Dr. McCoy’s VTA services:

Travel (Southwest RT airfare Ontario, CA – San Jose, CA) (\$350 per roundtrip flight x 4 flights a month x 12 months)	\$16,800
Lodging (\$21,600 (\$450 a week x 4 weeks in a month x 12 months = \$21,600)	\$21,600
Compensation (\$1000 a day x 4 days a week x 52 weeks = \$208,000)	\$208,000
Total:	\$246,400

Trauma recovery centers provide access to evidence-based care and educational programs to increase prevention efforts and understanding of how to develop a healthier workplace. In the wake of a critical incident, survivors who receive support, education and mental health services have reduced symptoms. A global pandemic has caused the demand for mental health services in our community to increase dramatically and demand is greater than supply. VTA victims, their families and those impacted are reporting an inability to access mental health services in their community via the normal avenues of the medical insurance referral process. A trauma recovery center would provide services in real time without delay or cost, resulting in better clinical outcomes for those impacted.

Supported by traditional and progressive victim service and community safety organizations, the trauma recovery center model represents a breakthrough approach to stopping the cycle of crime. Trauma Recovery Centers (TRCs) remove barriers to health and stability, heal communities and interrupt cycles of violence.

Currently, there are less than three dozen TRCs in the US. This referral is advocating for an establishment of a Santa Clara County Trauma Recovery Center (SCC TRC) would be the first of its kind. It would be a partnership between the County and various public and private

stakeholders. The SCC TRC would provide access to innovative and evidence-based mental health, advocacy, and case management services to eliminate barriers, encourage healing, and inspire survivors to embrace hope.

When left untreated, trauma can contribute to long-term health risks, substance abuse, financial and housing instability, loss of employment and other challenges that increase the risk of being victimized again. Victimized individuals, particularly juveniles, are also at risk of perpetrating against others if they do not receive appropriate support and intervention services. Furthermore, low-income communities and communities of color experience concentrated cycles of crime and they may not have sufficient access to prevention and treatment.

The County needs to think differently about how to support survivors of crime from underserved and at-risk communities. The County also needs to think differently about how to support survivors of natural disasters or public health crises. The SCC TRC would provide trauma-informed mental health services, advocacy, and case management to underserved crime victims, who may not be eligible for victim compensation or may be fearful of reporting a crime to law enforcement. Additionally, the SCC TRC would work closely with the SCC VMC to develop an integrated care model for patients who are survivors of violence and link them to long-term care. All services should be offered at no cost to the survivor.

BACKGROUND

On May 26, 2021, Valley Transportation Authority (VTA) employees experienced a horrific event when a VTA employee killed nine people and then himself in early morning at a VTA maintenance rail yard in San Jose.

This tragedy occurred little over two years after another mass shooting experienced by Santa Clara County residents at the Gilroy Garlic Festival on July 28, 2019. The District Attorney's Office Victim Services Unit (VSU) responded immediately to provide services. Within 24 hours, VSU, in collaboration with various county and private sector partners, opened the Family Assistance Center to provide support to those impacted. Nearly 700 victims were serviced in the two weeks the center was open. Six months later, in January 2020, VSU opened the Gilroy Strong Resiliency Center (GSRC) to further serve victims of the Gilroy Garlic Festival shooting. The resiliency center model has been used successfully following mass victimization events in other parts of the country, but is the first resiliency center in the western U. S.

The first trauma recovery center (TRC) was developed as a pilot program at the University of California, San Francisco at San Francisco General Hospital in 2001. The TRC is an evidence-based model that often helps the hardest-to-reach survivors of violent crime heal and recover from the effects of trauma.

Services offered by trauma recovery centers include trauma-informed clinical case management; evidence-based individual, group, and family psychotherapy; crisis intervention; advocacy services, and assistance in accessing victim compensation funds. All services are offered at no cost to the survivor. These types of comprehensive services

and assistance are intended to help people who have experienced violent crime, including mass victimization incidents. To provide this breadth of services, trauma recovery centers utilize multidisciplinary staff members that might include psychologists, social workers, and victim advocates.