
POLICE CONTACT WITH MENTALLY ILL PERSONS

4280.1 PURPOSE

These guidelines are to be used to instruct police personnel in making an informed assessment of a person exhibiting unusual behavior and procedures in determining to arrest or commit someone who is mentally ill.

4280.2 INTRODUCTION

These guidelines were established to provide a frame of reference for managing contact with persons with mental illness including the importance of recognizing their behaviors, a discussion of the terminology, definitions of mental illness, and the behaviors and characteristics of persons with mental illness.

4280.3 LEGAL PROVISIONS

Welfare & Institutions Code Section 5150 (The Lanterman-Petris-Short Act ("LPS ACT")) sets out civil procedures for mental evaluation and treatment. The LPS Act establishes procedures and locations for placing an involuntary person into an approved mental health facility.

The LPS Act provides a system, which enables peace officers to detain mentally ill persons, without their consent, for up to 72 hours if one of the following conditions exists as a result of mental illness:

- The person is a danger to himself
- The person is a danger to others
- The person is "gravely disabled," i.e., unable to locate food, clothing, shelter or medical aid

There are three reasons for officers to be able to identify persons with mental illnesses:

- Your safety
- The safety of the mentally ill; and
- An understanding of the difference in the law as it applies to each mental illness

The onset of mental illness can occur at any time and result from biological, social, or psychological factors. The major categories of mental illness are defined as:

- *Psychotic Disorders* - affects the thought process (i.e., Schizophrenia)
- *Mood disorders* - major or exaggerated disturbance in mood
- *Anxiety disorders*-characterized by restlessness, nervousness, and agitation
- *Organic Brain Disorders*-caused by degenerative disease (i.e., Alzheimer's)

Santa Ana Police Department

Santa Ana PD Procedures Manual

POLICE CONTACT WITH MENTALLY ILL PERSONS

4280.4 IDENTIFYING BEHAVIORS WHICH ARE SYMPTOMS OF THE MENTALLY ILL

1. Persons with mental illness exhibit a range of behaviors, depending on their illness or a combination of illnesses.
2. The behavior and/or mood of the individual are inappropriate to the situation.
3. The behavior of the person appears to be inflexible.
4. The behavior of the person appears to be impulsive.

Behaviors must be shown to be the results of a mental disorder not merely the result of lifestyle or attitude choice, or use or abuse of alcohol or drugs. Previous mental health history, behavior, and information attributed to third parties shall be considered in determining criteria for a 5150 hold. (AB 1424)

4280.5 BEHAVIORS THAT ARE SYMPTOMATIC OF MENTAL ILLNESS

4280.5.1 THOUGHTS OF DEATH AND/OR SUICIDE

This is *generally* related to depression. Threats, suggestions, and attempts to commit suicide should *ALWAYS* be taken seriously.

Persons with Psychotic Disorders may respond to internal voices, which issue violent commands. These “voices” may be called “command hallucinations.” Individuals who experience command hallucinations, abuse alcohol, and/or drugs and who are mentally ill are at higher risk of becoming violent.

4280.5.2 IMPAIRED SELF CARE

Due to mental illness, these persons are not able to feed, clothed, shelter themselves, or obtain medical aid.

4280.5.3 IMPULSIVE, ERRATIC OR BIZARRE BEHAVIOR

Examples of these are:

- Head Banging
- Self-mutilation
- Rigid and unusual postures
- Inappropriate nudity or sexual behavior
- Directing traffic
- Running in or lying down in traffic

4280.5.4 DISORIENTATION

The individual is often unaware of:

- Time
- Place

Santa Ana Police Department

Santa Ana PD Procedures Manual

POLICE CONTACT WITH MENTALLY ILL PERSONS

- Identity of self or others

Specific beliefs typical of people with mental illness and thought disorders may include the person believes that he/she is being persecuted, attacked, harassed, cheated or conspired against; is Jesus Christ or the devil or has special powers. These beliefs may be the result of major depression and not the result of a psychotic disorder such as schizophrenia.

4280.5.5 HALLUCINATIONS (SCHIZOPHRENIA)

False perception through any one of the senses, for example:

- Hearing voices
- Seeing visions
- Disorganized or incoherent speech
- Inability to express emotions or concentrate
- Feeling bugs crawling on the skin. This is usually a result of the use/abuse of drugs or alcohol or another organic impairment

4280.5.6 DEPRESSION

This emotional state is characterized by a person feeling:

- Overwhelming hopelessness
- Guilt
- Despair
- Worthlessness

The person may be:

- Lethargic
- Suicidal

Do not be afraid or reluctant to ask people who are depressed if they are suicidal or intend to harm themselves. They may be waiting for someone to ask so they can get help.

4280.5.7 MANIA (BIPOLAR)

This emotional state is characterized by a person feeling and/or experiencing:

- Extreme elation or excitement
- Highly active and exhibit inappropriate behavior
- "Racing thoughts" and extreme grandiose thinking they have a relationship with actors, political persons, or others in powerful positions.

Santa Ana Police Department

Santa Ana PD Procedures Manual

POLICE CONTACT WITH MENTALLY ILL PERSONS

4280.6 SUICIDE

Law enforcement frequently plays a role in suicide assessment or response. Many times an individual will tell a friend or family member that he/she is feeling depressed and/or suicidal and law enforcement will be called to handle the situation.

4280.6.1 OFFICER'S ASSESSMENT OF THE RISK OF SUICIDE

- An officer's awareness, observations, and experience
- The severity of risk - type of weapons, availability of weapons, type of plan and previous suicide attempts

Previous suicide attempts put the individual at a higher risk of completing a suicide

ALWAYS take threats seriously

4280.6.2 WARNING SIGNS OF SUICIDAL RISK

- Verbal and non-verbal behavior
- Recognition of emotions, physiology, cognitive and behavioral signs
- Ambivalence
- Giving away of possessions or stating such things as, "you will be better off without me."

4280.6.3 RISK FACTORS

- Drug and alcohol abuse
- Major loss in life
- Social isolation
- Cultural issues
- Domestic crisis
- Mental illness
- Physical illness

4280.6.4 OFFICER SAFETY ISSUES

- Danger potential
- Rescue abilities and limitations
- Additional support (Back up)
- Team approach (Negotiation team)

4280.6.5 SUICIDAL CLUES

Individuals who are depressed and considering suicide may make threats and/or attempts to kill themselves in order to get help. These clues must be taken seriously. Individuals may also

Santa Ana Police Department

Santa Ana PD Procedures Manual

POLICE CONTACT WITH MENTALLY ILL PERSONS

write notes or record their plans, although it used to be felt that these were just attention-seeking devices, research has shown that individuals who make threats indeed follow through on the threats. Some individuals who are extremely suicidal may not tell anyone and then make an extremely serious attempt. Having a plan and access to lethal weapons increases the risk considerably. Do not be afraid of asking, "Are you thinking of killing or hurting yourself?" Most individuals want help.

4280.6.6 RESPONDING TO SUICIDE ATTEMPTS

When responding to calls involving attempted suicide, WIC 5150 is an *involuntary* hospitalization. If a suicidal person is cooperating with first-responders, this indicates voluntary compliance; therefore, it is not necessary for an officer to complete a 5150 hold in such cases.

Officers must confirm voluntariness and compliance with attending paramedic's and/or the patient's caretakers.

Once the patient arrives at the hospital emergency room, *Heath & Safety Code 1799.111(a)* authorizes emergency room physicians to involuntarily detain a patient for up to 8 hours for the purpose of a psychiatric evaluation, if necessary.

4280.7 POSTPARTUM DEPRESSION/PSYCHOSIS

Postpartum Depression/Psychosis is a severe mental illness affecting women within the first year after the birth of a child and can be life-threatening to women and/or children. It is thought to be caused by a metabolic imbalance that results from a drop in hormonal production after the birth of a baby. It is estimated that 70 - 80% of all new mothers suffer some degree of post-partum depression, which may or may not require medical intervention. Post-partum depression may last from one week to one year.

Any threats made by women with postpartum depression should be taken seriously. Medical treatment is indicated with symptoms such as hallucinations, threats of baby's safety, irritability, delusions, and a serious change in the mother's behavior. Although most women experience "baby blues" after the birth of a baby, postpartum depression is far more extreme and more serious requiring potential medical or psychiatric intervention.

- Agitation
- Sleeplessness
- Hallucinations
- Fears For Childs/Own Safety
- Delusions
- Suicidal Tendencies
- Lack Of Interest In Child
- Irritability
- Confusion

Santa Ana Police Department

Santa Ana PD Procedures Manual

POLICE CONTACT WITH MENTALLY ILL PERSONS

- Subtle Changes In Personality

4280.8 RESPONDING TO PERSONS IN CRISIS

Employing traditional police tactics to manage psychotic individuals could escalate an already volatile situation. Project a calm, confident, and reassuring presence. Establish a secure perimeter before contacting the person. Focus on using defusing and de-escalating techniques to lessen the person's anxiety or fear. Avoid confronting the person or shouting commands. Remove distractions or other negative influences on the person, including family members, if necessary.

4280.8.1 BE AWARE OF POTENTIAL FOR VIOLENCE

Use constant safety awareness. Maintain proper safety precautions for officer/public safety needs. Be alert for changing conditions.

Exaggerated behavior may be of short duration:

- Take time to ensure the safety of all concerned
- Have sufficient law enforcement personnel on-scene. (May need back up)
- Be aware of the potential to leave the scene if the situation requires additional personnel and there is no danger to others
- Person may calm down
- After the situation calms, it may resolve easily

4280.8.2 INTERACTION TECHNIQUES

- Use appropriate voice tones and levels
- Use firm, calm approach
- Avoid excitement: do not allow situation to anger individual
- Be truthful, do not lie
- Do not threaten or intimidate person
- Avoid controversial comments, ignore insults and verbal abuse
- Use interview techniques to determine background and present condition
- Be brief, repeat. Keep to one plan
- Limit input, don't force discussion
- Recognize behavior as a symptom

4280.8.3 USE OF FORCE

Use time unless the person is violent

- Do not hesitate to use physical restraint if the situation necessitates it
- Use the least amount of force to stop an outburst

Santa Ana Police Department

Santa Ana PD Procedures Manual

POLICE CONTACT WITH MENTALLY ILL PERSONS

- Restrain quickly
- Pain-producing holds may not be effective due to the person's lack of awareness to pain
- Persons in crisis may exhibit unusual strength
- Requests for "back-up" are appropriate to establish adequate control
- Consider SWAT/HNT personnel

4280.8.4 EVALUATION OF INDIVIDUAL

- Determine if situation warrants police action
- Determine why the person is upset
- Assess person's background, support system, present condition, involvement in crime and other factors

4280.8.5 RESPONDING SKILLS

- *Visual* – keep eye contact; be aware of the lack of eye contact which may indicate depression or thought disorder.
- *Physical* – officer safety and positioning.
- *Verbal* – attempt to start a dialogue with the person.

4280.8.6 EXPRESSIVE SKILLS

- *Empathetic* – do not devalue what the person feels or states as it is important to them
- *Personal Feedback* – let the person know what you can do, if possible. Do not promise anything you cannot deliver

4280.8.7 FEEDBACK SKILL

Open-Ended Questions – Do not ask "Yes or No" type questions. Allow the person to provide responses. For instance, ask, "*How have you been feeling?*" rather than "*Do you feel depressed?*" or "*What would help to resolve this situation?*" rather than "*Do you want me to take you to the hospital?*"

4280.9 QUESTIONS FOR REPORTING PARTY

- Has the individual threatened or attempted to use violence, or acted dangerously towards self or others?
- Has the individual threatened or attempted suicide?
- Has the individual been neglecting personal care or bodily functions?
- Has the individual recently suffered a traumatic illness?
- Does the individual have a history of mental illness?

Santa Ana Police Department

Santa Ana PD Procedures Manual

POLICE CONTACT WITH MENTALLY ILL PERSONS

- Does the individual take medication or do they have any physically disabling conditions?

4280.10 QUESTIONS FOR SUBJECT/PERSON

- What is your name?
- Where do you live or sleep?
- Where are you right now?
- What date/day/time is it?
- When did you last eat?
- When did you last sleep, how long?
- Are you going to hurt yourself?
- Are you going to hurt someone else?
- Are you supposed to take any medication and are you taking it?
- Do you have a doctor and for what ailment is your treatment?
- What types of fears do you have and what is causing them?
- What are your plans, what are you going to do now?
- Have you consumed any alcohol and or drugs in the last (24) hours?

4280.10.1 INTERVIEWING THE POTENTIALLY VIOLENT PERSON

- How much has she/he thought about violence?
- What has she/he done about it?
- What weapon does she/he have?
- What preparation has the individual made?
- What do relatives, friends, or others say about their behavior?

4280.11 DISPOSITION

Welfare and Institutions Code Section 5150 defines a "Designated Facility" as a mental health facility designated by the County of Orange Health Care Agency and approved by the State Department of Mental Health as a facility for 72-hour mental health treatment and evaluation. A "Non-Designated Facility" is not licensed to treat and mental health condition on an involuntary basis.

4280.11.1 UPON DETERMINING THE SUBJECT MEETS THE CRITERIA OF 5150 WIC, THE OFFICER SHOULD PRESENT ADULT MENTAL HEALTH PATIENTS WHO ARE OR MAY BE 5150'S INTO THE MENTAL HEALTH SYSTEM IN THE FOLLOWING ORDER:

1. Contact a Crisis Assessment Team (CAT) member for response to the field

Santa Ana Police Department

Santa Ana PD Procedures Manual

POLICE CONTACT WITH MENTALLY ILL PERSONS

2. Peace officers may contact the College Hospital PET that is available 24/7 at 1-(800)773-8001. This team will respond to hospitals/emergency rooms, but will not respond to police departments, and jails. The PET team will assess individuals and if necessary 5150 those who meet the criteria. The CAT team will respond to police departments and jails.
3. If CAT or College Hospital mobile crisis teams are unavailable contact Crisis Stabilization Unit (CSU) and inform CSU that Santa Ana Police is transporting a patient to that location. Crisis Stabilization Unit (CSU) was formerly known as Evaluation Treatments Services "ETS."
4. If CSU is unable to accept patients, CSU will assist the officer by identifying the nearest Designated Psychiatric Facility. Those facilities are identified in 4290.11.3

4280.11.2 THE FOLLOWING TEAMS ARE LICENSED TO HANDLE THE PSYCHIATRIC EVALUATIONS REQUIRED FOR A SUBJECT BEING COMMITTED FOR 5150 WIC:

1. Crisis Assessment Teams (CAT). Orange County Health Care Agency/Behavioral Health Services Crisis Assessment Team(s) (CAT) are available 24 hours a day seven days a week. CAT Teams are available to respond throughout the county. The Countywide CAT Phone number is 1-(866)830-6011.
 - A. CAT personnel will respond to the officer's location as long as the officer remains at the location until it is safe for the CAT personnel to leave, with or without the patient.
 - B. CAT personnel may respond to the field, however, may not go into a medical facility where a person is a patient at the hospital or admitted. This includes skilled nursing facilities. CAT may respond to doctor's offices and clinics. CAT personnel will not physically handle a combative patient and will rely on law enforcement or hospital security for this function.
2. Psychiatric Evaluation Team (PET TEAM). College Hospital in Costa Mesa is a Designated Mental Health Facility. This hospital has as psychiatric Evaluation Team (PET) called the Crisis Response Team (CRT) and it is available 24 hours a day seven days a week. They are authorized and designated by the County to complete 5150 evaluations in emergency departments, and at College Hospital Costa Mesa. They can also complete evaluations on medical floors of contracted hospitals once authorized by the County. Their phone number is 1-(800)773-8001.
3. CSU is the Orange County Health Care Agency's "Crisis Stabilization Unit" located at 1030 W. Warner Avenue, Santa Ana, CA 92707. The phone number is 1-(714)834-6913/6900. CSU is open 24 hours a day seven days a week and will accept adult mental health patients absent any associated medical or intoxicated condition(s).

4280.11.3 THE FOLLOWING FACILITIES ARE DESIGNATED TO HANDLE THE PSYCHIATRIC CARE AND MEDICAL SCREENING REQUIRED FOR A SUBJECT BEING ADMITTED FORE 5150 WIC:

1. UCI Medical Health Facility (Adult & Adolescent)
 - A. Address: 101 The City Drive, Orange, CA 92868

Santa Ana Police Department

Santa Ana PD Procedures Manual

POLICE CONTACT WITH MENTALLY ILL PERSONS

- B. Phone: (714)456-5801/5878
- C. Police Contacts: Emergency Department Charge Nurse
 - I. Phone: (714)456-5980 or (714)456-5705
- 2. Western Medical Center Anaheim (Adult)
 - A. Address: 1025 S. Anaheim Blvd., Anaheim, CA 92805
 - B. Phone: (714)563-2805
- 3. St. Joseph's Hospital (Adult) Rush Center
 - A. Address: 1100 W. Stewart Drive, Orange, CA 92668
 - B. Phone: (714)633-9111
- 4. Chapman Global Medical Center (Older Adults/Geriatric)
 - A. Address: 2601 E. Chapman Ave., Orange, CA 92869
 - B. Intake Department: Yani R., Intake Coordinator: (714)633-0011 x1129; after hours, x1221

4280.11.4 THE FOLLOWING FACILITIES ARE LICENSED TO HANDLE ONLY THE PSYCHIATRIC CARE REQUIRED FOR A SUBJECT BEING COMMITTED FOR 5150 WIC:

- 1. College Hospital Costa Mesa (Adult and Adolescent)
 - A. Address: 301 Victoria St., Costa Mesa, CA 92627
 - B. Phone: (800)773-8001
- 2. Crisis Stabilization Unit (Adult)
 - A. Address: 1030 W. Warner Avenue, Santa Ana, CA 92707
 - B. Phone: (714)834-6913/6900
- 3. College Medical Center (Adults and Older Adults)
 - A. Intake Department: (855)844-8898
 - B. Address: 2776 Pacific Avenue, Long Beach, CA 90806
- 4. Mission Hospital Laguna Beach (Adults)
 - A. Intake Department: Michael Bruner, Intake Coordinator (949)499-7500
 - B. Address: 31872 Pacific Coast Hwy, Laguna Beach, CA 92651
- 5. Newport Bay Hospital (Adults and Older Adults)
 - A. Intake Department: Carla or Michael, Intake Coordinators (949)650-9750
 - B. Address: 1501 East 16th Street, Newport Beach, CA 92663

Prior medical screening may be required at College Hospital or ETS. If so, officers should transport the subject to the closest hospital and obtain a medical screening. Medical clearance for

Santa Ana Police Department

Santa Ana PD Procedures Manual

POLICE CONTACT WITH MENTALLY ILL PERSONS

College Hospital can be obtained at Hoag Hospital at 1 Hoag Drive, Newport Beach, CA 92663, (949)764-4624.

For CSU officers may go to South Coast Global Hospital at 2701 S. Bristol Street, Santa Ana, CA 92704 (714)754-5454. After the subject has been medically cleared you may return to College Hospital or CSU with the medical clearance paperwork and admit your 5150 subject. Neither Hoag or South Coast Global are designated facilities for W&I 5150 and the officer will be required to wait with the patient for clearance.

Do not leave your subject at Coastal Community Hospital or Hoag Hospital. *An officer cannot release a 5150 subject from protective custody to a non-designated hospital.*

4280.11.5 NON-INJURY

For mental health patients with no signs of a medical condition requiring immediate medical care in addition to the mental health issue at hand, or no obvious signs of alcohol and/or drug use that would prevent admittance into a mental health facility, officers should follow the normal procedure outlines in 4291.3

1. In the event the peace officer has questions as to whether the "hold" should be placed on the subject, the peace officer may call the Crisis Assessment Team (CAT) at (866)830-6011 24 hours a day seven days a week to respond to the field to conduct a mental health assessment.
2. If the CAT responds to the field or provides an evaluation in the clinic, the staff will conduct an assessment as to the possibility of a 5150 hold on the subject. If the decision is made by HCA/BHS staff to admit the subject as a 5150, the staff will make all arrangements as to transportation, emergency room and evaluation by a designated facility.
3. Non-Injury Admittance to Orange County CSU. CSU is not a medical facility, as it relates to physical ailments. As part of CSU's intake/triage procedure, CSU staff will ask medical screening questions The officer should be read to answer questions related to the detainee such as: age; overall medical appearance; drug/alcohol usage; whether or not the subject was seen by paramedics; any known medical problems; violence potential; and what events brought the person to the attention of law enforcement. Upon completion of the medical triage, the CSU staffer will accept or not accept the subject.

4280.11.6 INJURED

When an officer contacts a subject who falls within the provisions of W&I 5150 and the subject has an obvious medical condition/injury, the officer should contact the local fire department/paramedics and have them respond. If the patient refuses medical treatment, the officer should proceed consistent with the policy for medical treatment refusals.

The patient, if not medically cleared in the field, should be transported to the closest local medical facility. However, if there is no overlying life-threatening medical issue, the officer is encouraged to take the patient to the nearest designated facility for medical clearance.

Santa Ana Police Department

Santa Ana PD Procedures Manual

POLICE CONTACT WITH MENTALLY ILL PERSONS

4280.11.7 INJURY ADMITTANCE

Injury Admittance to Orange County CSU. If CSU is unable to accept the person due to a medical condition the peace officer should do the following:

1. Conduct an independent assessment to determine if emergency medical personnel should be summoned to the location. This assessment should include consideration of information received from CSU personnel, statements made by the person being held, the officer's own observation of the person's condition and any additional information known to the officer that would help him/her to determine whether response by emergency medical assistance is reasonably necessary.
2. Notify the Watch Commander or Field Supervisor and advise of the circumstances of the inability of CSU to accept the person.
 - A. The transporting officer should make appropriate arrangements for the transportation of the person to the closest medical facility for medical treatment or to another designated mental health facility for admittance for a 5150 hold
 - B. If the person being refused at CSU is transported to a designated facility, the peace officer will advise the emergency room staff that a hold has already been placed on the person and request acceptance of the person as soon as possible for the orderly transfer of custody
 - C. Combative: Pursuant to section 1257 of the Health and Safety Code, if the subject is violent or potentially violent, the officer will have the hospital staff notified prior to his/her arrival. It is the responsibility of a designated facility to have sufficient security personnel and equipment to handle the violent or uncooperative patient, absent the assistance of the officer. The officer will remain at the facility and assist the facility security and/or medical staff in the initial restraint of patient

4280.11.8 W&I CODE 5150/5585 PROTOCOL FOR JUVENILES

Reflective of the criminal justice system, juveniles present unique challenges and protocols to the mental health system. As such, the following information is provided to assist Orange County Law Enforcement when faced with a juvenile in a mental health crisis. The Orange County Behavioral Health Children and Youth Services Crisis Assessment Team (CYS CAT) can respond to evaluate all juveniles (individuals under the age of eighteen). ETS is not licensed to serve youth under the age of eighteen.

1. The Orange County Behavioral Health Children and Youth Services Crisis Assessment Team (CYS CAT) can be contacted 24/7 to provide a 5150/5585 evaluation. They are contacted through the countywide CAT phone number: (866)830-6011
2. CYS County staff provides crisis evaluations for minors under the age of 18 to determine if psychiatric hospitalization is required or if the minor can be safely referred to a lower level of care. If intoxicated, injured or medically compromised the juvenile should be transported to the nearest medical facility for treatment and stabilization. Once medically cleared, the CYS CAT will evaluate.
3. CYS CAT will evaluate all juveniles and will write hold whenever it is safe to do so.

Santa Ana Police Department

Santa Ana PD Procedures Manual

POLICE CONTACT WITH MENTALLY ILL PERSONS

4. Whenever CYS CAT or the Clinician on Duty evaluates and determines that a juvenile requires psychiatric hospitalization they will locate a bed, arrange ambulance transport, and notify CSU to confirm the bed. If the juvenile does not meet W&I code 5150/5585 criteria for hospitalization, they will be linked to follow-up services in the community.
5. College Hospital Costa Mesa's Crisis Response Team (CRT) may be contacted to provide a 5150/5585 evaluation for juveniles that have Out of County Medi-Cal, Healthy Families, or Private Insurance coverage at non-designated Emergency Departments and all Police/Sheriff Departments in Orange County. They can be reached at (800)773-8001. Designated facilities are expected to evaluate and, if necessary, write their own hold for youth with the funding sources.
6. During normal business hours (8am- to 5pm Monday-Friday except holidays), juveniles that are unfunded or who have Orange County Medi-Cal can also be taken to one of the Children and Youth Services Regional Clinics for evaluation under W&I code 5150/5585. They will be evaluated by CYS CAT or the Clinician on Duty as determined by the clinic.
 - A. Orange County Juvenile outpatient service location for Santa Ana is at CYS East Region-Service (Chief Janice Coniglio)
 - I. Address: 1200 N. Main Street, Suite 500, Santa Ana, CA 92701
 - II. Phone: (714)480-6600

4280.11.9 5150 WIC 72-HOUR EVALUATION FORM

The officer will complete the 5150 WIC 72-hour evaluation form to place a hold on the subject. This form shall be attached to the officer's Information Report when it is turned in to the Station Supervisor's report bin for review and approval.

4280.11.10 PRIOR TO TRANSPORTATION

Prior to transporting the subject, officers should ensure telephone contact is established with the designated assessment facility/hospital to make arrangements for admittance of the subject.

4280.11.11 CENTRALIZED ASSESSMENT TEAM (C.A.T.)

Officers may contact the Crisis Assessment Team (C.A.T.,) requesting a mental health clinician respond to the officer's location and make a psychiatric assessment. A clinician will respond and conduct a psychiatric field evaluation. After confirming the subject needs to be committed for psychiatric evaluation, the clinician will then be in charge of the subject and arrange for the subject to be transported to a designated psychiatric facility. The officer has completed his/her responsibility and the clinician will complete the necessary paperwork.

4280.11.12 INVOLUNTARY DETENTION CRITERIA

Once the officer has concluded the detained subject meets the criteria for W&I Section 5150 (i.e. danger to themselves, danger to others or gravely disabled) *the officer shall not release the subject to a family member or guardian if there was probable cause for their involuntary detention.* If an individual meets the criteria for involuntary detention in W&I Section 5150 then they should be

Santa Ana Police Department

Santa Ana PD Procedures Manual

POLICE CONTACT WITH MENTALLY ILL PERSONS

taken to one of the designated psychiatric treatment hospitals listed within these guidelines for evaluation and not released to their family or guardian.

While there is civil and criminal immunity for officers who make the determination that involuntary detention is necessary under 5150 (see W&I Section 5278), this immunity does not extend to injury caused by negligent or wrongful acts or omissions in carrying out or failing to carry out a determination to confine a person for mental illness (See Government Code Section 856(c) (1)). Nothing in this section exonerates a public employee from liability for injury proximately caused by his negligent or wrongful acts or omissions in carrying out or failing to carry out: (1) A determination to confine or not to confine a person for mental illness or addiction.

4280.11.13 WIC SECTION 5150.1

No peace officer seeking to transport, or having transported, a person to a designated facility for assessment under section 5150, shall be instructed by mental health personnel to take the person to, or keep the person at, a jail solely because of the unavailability of an acute bed, nor shall the peace officer be forbidden to transport the person directly to the designated facility. No mental health employee from any county, state, city, or any private agency providing psychiatric emergency services shall interfere with a peace officer performing his/her duties under section 5150 by preventing the peace officer from entering a designated facility with the person to be assessed, nor shall any employee of such agency require the peace officer to remove the person without assessment as a condition of allowing the peace officer to depart. "Peace Officer" for the purpose of this section also means a jailer seeking to transport or transporting a person in custody to a designated facility for assessment.

4280.11.14 WIC SECTION 5150.2

Welfare and Institutions Code Section 5150.2 states that officers admitting a patient into a mental health facility "shall be detained no longer than the time necessary to complete documentation of the factual basis of the detention under Section 5150 and a safe and orderly transfer of physical custody of the person."

4280.12 DISPOSITION - ARREST

- Mentally Ill Serious Crime Offenders are to be transported to a jail facility for normal booking procedures
- Misdemeanor crimes, i.e. petty theft, urinating in public, can be left up to the officer's discretion to determine the appropriate disposition
- If the person is in need of medical treatment, medical clearance is required prior to transporting the person to the jail facility

4280.13 DISPOSITION - WEAPONS SEIZURE

1. Welfare and Institutions Code Section 8102
 - A. (a) Whenever a person, who has been detained or apprehended for examination of his or her mental condition is found to own, have in his or her possession or

Santa Ana Police Department

Santa Ana PD Procedures Manual

POLICE CONTACT WITH MENTALLY ILL PERSONS

under his or her control, any firearm whatsoever, or any other deadly weapon, the firearm or other deadly weapon shall be confiscated by any law enforcement agency or peace officer, who shall retain custody of the firearm or other deadly weapon. "Deadly weapon," as used in this section, has the meaning prescribed by Section 8100.

- B. (b) Upon confiscation of any firearm or other deadly weapon from a person who has been detained or apprehended for examination of his or her mental condition, the peace officer or law enforcement agency shall notify the person of the procedure for the return of any firearm or other deadly weapon which has been confiscated.
2. When seizing a firearm, a copy of the report should be forwarded to the C.A.P/ Weapons Interdiction Team Detective.

4280.14 DISPOSITION - REFERRAL TO OUTREACH AND ENGAGEMENT/CAT TEAM

If a person is homeless and does not meet the criteria for a 5150 commitment but may require follow up services by mental health, it is recommended the persons be referred to the Healthcare Agency's Outreach/Engagement program (714) 517-6317.

4280.15 DISPOSITION - REPORT

1. W&I 5150 information report documenting the incident. (*Please forward a copy to Civic Center Patrol Corporal for follow-up*)
2. Crime/arrest report to be completed when the person has been arrested for a serious crime.

If transporting, policies and procedures regarding handcuffs and other restraints apply. Individuals who are mentally ill are generally no more dangerous than the general population; however research has found that individuals who are mentally ill, abuse alcohol and drugs, and have "command hallucination," are at increased risk of becoming a serious physical threat.

4280.16 TARASOFF WARNINGS AND LAW ENFORCEMENT

In *Tarasoff v. The Regents of the University of California*, the California Supreme Court imposed a legal duty on *psychotherapists*, enforceable by a civil suit for damages, to warn a person who may become a victim of a violent act by a patient. It is important for officers to know that *Tarasoff* does not impose a duty to warn or protect on them. The duty to warn or protect potential victims rests with the treating mental health professional. Furthermore, *Tarasoff* requires mental health professionals to inform law enforcement whenever a patient has threatened an identifiable third party. Consequently, officers may expect to receive such warnings in the course of their duties.

4280.17 SUMMARY

It is important to remember that when officers' assess for 5150 criteria, voluntariness, past history and credible third-party information must be considered. The information provided within these

Santa Ana Police Department

Santa Ana PD Procedures Manual

POLICE CONTACT WITH MENTALLY ILL PERSONS

guidelines will enable an officer to effectively and safely contact a person with mental illness in an efficient and professional manner.