



## Abilene Police Department Operating Procedures

Subject:

*Mentally Ill Persons/Crisis Intervention*

Issued:

07/07/2019

TBP:

Number:

**E-9**

### **Crisis Intervention Policy**

It is the policy of the Department to safely handle persons in mental crisis as necessary in the performance of law enforcement and public assistance duties. It is the goal of the Department to divert mental health consumers from the Criminal Justice System, when appropriate, and connect them with mental health services.

### **Crisis Intervention Definitions**

Mental Health Consumer (MHC) – a subject that is suffering from a mental illness and is need of intervention to assist and connect them with resources and services in the community.

Mental Illness – an illness, disease or condition other than epilepsy, senility, alcoholism or mental deficiency that substantially impairs a person’s thoughts, perception of reality, emotional process or judgment or grossly impairs behaviors demonstrated by recent disturbed behavior.

Mental Retardation – a significantly sub-average intellectual function that is concurrent with deficits in adaptive behavior and which originates during the development period.

Order of Protective Custody (OPC) – a court order that is issued by the County Probate Court directing a peace officer to apprehend and take a mental health consumer to a designated mental health facility. The order must contain information showing that the person is in need of immediate mental health services and has demonstrated the inability to provide care or treatment for themselves for their illness.

Peace Officer Emergency Detention (ED) – Texas Health and Safety Code (HSC) Sec. 573.001 gives a licensed peace officer the authority to apprehend a person without a warrant when the following criteria are met:

- A. The officer has reason to believe, and does believe, that the person is mentally ill;
- B. Because of that mental illness, there is substantial risk of imminent danger to themselves or others unless the person is immediately restrained and
- C. The officer believes that there is not sufficient time to obtain a warrant before taking a person into custody.

A peace officer that takes a person into custody shall immediately transport the apprehended person to the nearest appropriate mental health facility deemed suitable by the local mental health authority if an appropriate inpatient mental health facility is not available.



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Preliminary Examination - HSC Section 573.021(a), a facility shall temporarily accept a person for whom an application for detention is filed. A physician shall examine the person as soon as possible within 24 hours after the time the person is apprehended by the peace officer.

Release from Emergency Detention – HSC Section 573.023(a), a person apprehended by a peace officer or transported for emergency detention under Subchapter A or detained under Subchapter B shall be released on completion of the preliminary examination unless the person is admitted to a facility under Sec. 573.022.

Transportation after Release – HSC Section 573.024(a), arrangement shall be made to transport a person who is entitled to release under Section 573.023 to:

- A. The location of the person’s apprehension;
- B. The person’s residence in this state or
- C. Another suitable location.

### **Arresting Incapacitated or Mentally Ill Persons**

Extreme restraint should be exercised when arresting persons who are injured, mentally ill and/or very intoxicated. Even though probable cause may exist to arrest such a subject, exhaustive alternatives should be sought before they are taken into custody. The seriousness of the offense and any real need to take immediate action must be weighed against the alternative of obtaining an arrest warrant for the offender at a later time. In extreme cases where injured offenders of very serious offenses are present, any arrest shall be made with supervisory review.


Because the City of Abilene may incur expenses related to an arrested injured person, officers who arrest a sick or injured person will transport the individual to Hendrick Medical Center if treatment cannot be provided at the Taylor County Detention Facility.

If a physical arrest is not made, the offender should be advised that a case will be field with the District Attorney’s Office and a warrant may be issued at a later time.

Unresponsive or unconscious persons shall not be arrested and/or transported to jail. An ambulance or other medical assistance should be summoned.

### **Mentally Ill Persons**

Officers taking such person(s) into custody shall follow the procedures contained herein for handling mentally ill persons and securing an emergency committal.

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**Responding to Calls of Mentally Ill Persons – Emergency**

When responding to a call involving a mental health consumer who is an immediate threat to themselves or others, the officer(s) should restrain the person and immediately contact MHMR. The officer(s) should be prepared to provide all relevant information to MHMR to assist in their decision to respond. The officer(s) will also fill out an Application for Emergency Detention. If requested by MHMR, the officer(s) will transport the person detained to a location specified by MHMR. Possible locations may be the PD, a local hospital or the Betty Hardwick Center.

The officer(s) will standby with the person detained while an MHMR representative completes the initial screening. If the MHMR representative believes the person meets the criteria for committal, the person will be transported to the nearest appropriate mental health facility or the mental health facility deemed suitable by the local mental health authority (MHMR).


**Responding to Calls of Mentally Ill Persons – Non-Emergency**

Occasionally, officers of the Department respond to calls of persons who are making statements or acting in ways that may be cause for concern but do not present an immediate danger to any person. The responding officer will determine if MHMR is needed and if he/she will contact MHMR. The officer(s) needs to be prepared to provide all relevant information to MHMR to assist in their decision to respond. It may be necessary for an officer to transport the MHC to a location specified by the MHMR representative for initial screening. Possible locations may be the PD, a local hospital or the Betty Hardwick Center.

In the event MHMR believes the MHC meets their criteria for committal, the officer(s) will fill out an Application for Emergency Detention and the MHC will be transported to the nearest appropriate inpatient mental health facility or the mental health facility deemed suitable by the local mental health authority (MHMR).

At times, a MHC may be intoxicated on alcohol or another substance that makes an interview/screening by an MHMR representative obviously impractical. Offices should make every effort to locate a responsible friend or relative of the MHC who can remain with the person until they cease to present a cause for concern or until they can reasonably be screened by MHMR. Persons who are extremely intoxicated frequently require immediate medical attention. It may become necessary to call an ambulance in such circumstances.

Officers responding to calls involving a MHC should complete a Department Incident Report (DI). The narrative should contain all relevant information as to why the MHC was transported to a mental health facility. If the MHC was not transported the officer shall note what action was taken on the call sheet.

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**Transporting Mental Health Consumers**

When transporting a MHC within the City of Abilene, one officer may transport unless the transporting officer decides that two officers are needed to insure the safety of the MHC and officer. When a MHC is to be transported to another city, the on-duty shift commander will assign two persons to transport the MHC. One of the persons should be the peace officer who completed the Application for Emergency Detention. The other shall be an officer or person designated by the Chief of Police.

When transporting MHC, the physical condition, circumstances and escape risks involved shall determine the manner and to what extent handcuffs/leg restraints are applied. Seatbelts/shoulder straps should always be used unless impractical to do so. While being transported, MHC shall not be left unattended, allowed to make/receive telephone calls or have visitors/contact with any person not specifically authorized to do so (i.e. medical personnel, physicians, counselors, law enforcement officers or other specifically named persons). Transporting officers shall drive at a legal and safe speed and in accordance with all traffic laws and existing road conditions.

Should a MHC indicate a need to use restroom facilities while in transport, officers should seek the nearest law enforcement agency or jail to allow the MHC the use of restroom facilities. Restroom facilities at privately owned/operated businesses may be used only after receiving permission from the owner/operator or the person in charge. Under no circumstances should a MHC be allowed to use the restroom facilities without being attended/escorted by one of the transporting officers.

**Community Response Team**

The Abilene Community Response Team (CRT) is governed by its own multi-disciplinary team (MDT) and operates by their own separate response policy. This policy is available upon request to any team member and also in the general share drive with the Operating Procedures.