

## **418 MENTAL ILLNESS COMMITMENTS**

### **418.1 PURPOSE AND SCOPE**

The purpose of this policy is to provide the officers of this department with guidance to effectively respond to situations involving individuals who may require detention for purposes of mental health evaluation.

### **418.2 POLICY**

Law enforcement encounters with individuals suffering from mental illnesses require special consideration and sensitivity. It is therefore the policy of the Columbia Police Department to treat such individuals in a respectable and fair manner as well as to appropriately train members of the Department to manage situations involving individuals who may require detention for purposes of mental health evaluation.

### **418.3 AUTHORITY OF AN OFFICER**

An officer may take a person into custody for evaluation and treatment when the officer has reasonable cause to believe that such person is suffering from a mental disorder and presents an imminent likelihood of serious harm to him/herself or others if not immediately taken into custody. The period of detention and evaluation may not exceed 96 hours (§ 632.305, RSMo).

### **418.4 OFFICER CONSIDERATIONS AND RESPONSIBILITIES**

Any officer responding to or handling a call involving a person who may warrant involuntary commitment should consider utilizing:

1. Any available information that might assist in determining the possible cause and nature of the mental illness, such as developmental disabilities, intoxication or chemical dependency.
2. Conflict resolution and de-escalation techniques for potentially dangerous situations involving a mentally ill person.
3. Language that is appropriate for interacting with a mentally ill person.
4. If circumstances reasonably permit, alternatives to deadly force when interacting with a potentially dangerous mentally ill person.
5. Community resources that may be readily available to assist with a mentally ill person.
6. Inquiring about any advance directive document in which a person has specified his/her choice about care and treatment should the person later become incapable of exercising choice.
7. Medical treatment and clearance should be obtained when warranted prior to transportation to the receiving mental health facility.

#### **418.4.1 DETENTION**

When a person is detained for mental health evaluation, that person shall not be held in the jail, except that the jail may be used if no other suitable place of confinement for treatment and evaluation is readily available. In such

a situation, the person shall be detained separately from all other inmates and should generally be monitored per the Temporary Holding Facility Policy or the Temporary Custody of Juveniles Policy, as applicable.

**418.4.2 TRANSPORTATION**

When transporting any individual in custody for a mental illness evaluation, and if reasonably practicable, the handling officer should have Public Safety Joint Communications notify the receiving facility of the estimated time of arrival, the level of cooperation of the individual and any special medical care needs of the individual that are reasonably known to the officer.

Officers may transport the detained individual in the patrol unit and shall secure them in accordance with the Handcuff Policy. Violent individuals or those who are medically unstable may be restrained and transported by ambulance and ambulance personnel. An officer should accompany a violent individual when transported by ambulance. Transporting violent individuals in a patrol unit equipped with a barrier or cage is generally safer with two officers in the vehicle.

The officer will escort the detained individual into the facility and place that person in a designated treatment room, as directed by a facility staff member. As soon as a security staff member becomes available, he/she should relieve the officer and physically remain in the treatment room with the individual.

**418.4.3 RESTRAINTS**

If the patient is violent or potentially violent, the officer will notify the staff. The staff member in charge will have discretion as to whether soft restraints will be used. If these restraints are desired, the officer will wait while they are being applied to help provide physical control of the patient, if needed.

**418.4.4 WRITTEN DOCUMENTATION**

The officer shall complete and provide the appropriate application and any associated affidavits and witness lists to the facility staff. The application shall be based upon the officer's personal observations or investigation and must set forth the factual information that led the officer to reasonably believe the individual required immediate detention (§ 632.305, RSMo).

The officer will retain a copy of the application for 96 hour evaluation for inclusion in the case report.

The officer should also provide a verbal summary to a receiving facility staff member regarding the circumstances leading to the involuntary detention.

**418.4.5 SECURING OF WEAPONS**

If a receiving facility prohibits weapons or if an extraordinary event occurs in the treatment facility and officers determine a need to secure their firearms, the firearm shall be secured in the appropriate gun locker at the facility or in the police unit.

## **418.5 MENTALLY ILL PERSON CHARGED WITH A CRIME**

Any person charged with a crime who also appears to be mentally ill should generally be transported to the authorized county jail facility for criminal confinement and treatment.

If the person has injuries or some other medical condition, he/she may be taken directly to the hospital for initial medical treatment with the approval of a supervisor. After medical clearance is received, the person may be booked at the Columbia Police Department, and then transported to the authorized county jail facility for criminal confinement and mental illness treatment.

## **418.6 SAFEKEEPING OF FIREARMS AND OTHER WEAPONS**

Whenever a person has been detained or taken into custody for mental illness evaluation and is found to have in his/her possession or under his/her immediate control, any firearm or other deadly weapon, the handling officer should consider confiscating the firearm or weapon for safekeeping. A property receipt shall be given to the owner and the firearm or other deadly weapon shall be booked into evidence until further processing and release.

If consent is not given to take any deadly weapons, officers are cautioned that a search warrant may be needed before entering a residence to search for any deadly weapons, unless lawful, warrantless entry has already been made (e.g., exigent circumstances, valid consent).

The handling officer shall further advise the person of the procedure for the return of any firearm or other lethal weapon that has been taken into custody.

## **418.7 TRAINING**

As part of advanced officer training programs, this agency will endeavor to include Department-approved training on interacting with mentally disabled persons and 96-hour holds.