



# Peoria Police Department Policy and Procedure Manual

Policy 4.24

Mentally Ill Persons



## I. POLICY

- A. It is the policy of the Peoria Police Department to often protect an emotionally or mentally unstable person from harming themselves, others, or property. Police work brings officers into contact with persons who are emotionally or mentally unstable. This instability may be due to any number of factors, including alcohol/drug dependency, emotional trauma, or some form of mental illness. Regardless of the reason, the concern of the officer coming into contact with such a person is for the safety and welfare of that person, the community, and the officer. When an officer has probable cause to believe that an emotionally or mentally unstable person presents an immediate threat of harm to themselves, another person, or property, that person shall be taken into protective custody and transported to a facility where trained professionals can evaluate the emotional and mental status of that person.
- B. The guidelines for recognizing persons suffering from mental illness can be described as any person whose capacity to exercise self-control, judgment and discretion in the conduct of their affairs and social relations or to care for their personal needs is diminished, as a result of mental illness, to the extent that they present a clear and present danger of harm to themselves or others, but does not include any person in whom that capacity is diminished by epilepsy, mental retardation, Alzheimer's disease, brief periods of intoxication caused by alcohol or drugs, or dependence upon or addiction to alcohol or drugs, unless a mental illness that can be diagnosed is also present which contributes to the diminished capacity of the person.(41.2.8.a)

## II. PROCEDURE

- A. Police Officers normally do not possess the professional, medical, and psychological qualifications to determine if a person's abnormal behavior results from mental illness, drug use, or some other medical problem. Therefore, by referring to this type of person as mentally unstable, an officer may take action based upon the current, limited, and available information.
- B. The procedure for accessing available community mental health resources is as follows:
  1. Employees will refer to The Peoria Police Department Referral Directory brochure. After reviewing the document they can make a determination on which agency(s) would best be able to assist the citizen.
  2. If the employee needs assistance in determining which agency(s) should be contacted, they can call the Maricopa County Community Information and referral Hot Line at (602)263-8856 for assistance. (41.2.8b)
- C. The following guidelines detail how to approach and interact with a person who may have mental illnesses and who may be a crime victim, witness or suspect. These guidelines should be followed in all contacts, whether on the street or during more formal interviews and interrogations. Officers, while protecting their own safety, the safety of the person with mental illnesses, and others at the scene should:
  1. Remain calm and avoid overreacting;
  2. Be helpful and professional;
  3. Provide or obtain on-scene emergency aid when treatment of an injury is urgent;
  4. Check for and follow procedures indicated on medical alert bracelets or necklaces;
  5. Indicate a willingness to understand and help;
  6. Speak simply and briefly, and move slowly;

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7. Remove distractions, upsetting influences and disruptive people from the scene;
  8. Understand that a rational discussion may not take place;
  9. Recognize that sensations, thoughts, frightening beliefs, sounds (“voices”), or the environment may overwhelm the person;
  10. Be friendly, patient, accepting, and encouraging, but remain firm and professional;
  11. Be aware that their uniform, gun, and/or handcuffs may frighten the person with mental illnesses and attempt to reassure him or her that no harm is intended;
  12. Recognize and acknowledge that a person’s delusional or hallucinatory experience is real to him or her;
  13. Announce actions before initiating them;
  14. Gather information from family or bystanders;
  15. If the person is experiencing a psychiatric crisis, contact the Maricopa County designated crises provider.
- D. While each incident will be different when dealing with a person who may have mental illnesses, officers should be aware that their own actions might have an adverse effect on the situation. Actions that officers should generally avoid include:
1. Moving suddenly, giving rapid orders or shouting;
  2. Forcing discussion;
  3. Direct, continuous eye contact;
  4. Touching the person (unless essential to safety);
  5. Crowding the person or moving into his or her zone of comfort;
  6. Expressing anger, impatience, or irritation;
  7. Assuming that a person who does not respond cannot hear;
  8. Using inflammatory language, such as “mental” or “mental subject”;
  9. Challenging delusional or hallucinatory statements;
  10. Misleading the person to believe that officers on the scene think or feel the way the person does.
- E. The Staff Services Bureau shall provide training to all department personnel. This training shall be provided to all newly hired personnel during their first week of employment, with refresher training given to all personnel at least every three (3) years. (41.2.8.c, & d, & e)
- F. Mental Health Petitions
1. The Arizona Mental Health Services Act, Title 36, empowers peace officers to serve mental health petitions.
  2. There are two types of mental health petitions.
    - a. Non-Emergence Petition which is signed by a doctor and commonly referred to as a P-A-D. These petitions are faxed to the local police agency directing an officer to detain a mentally ill person and transport them to the closest crises facility.
    - b. Emergence Petition is a signed Superior Court Order directing the detention and transportation of an individual to a specific facility.

### 3. Service of Mental Health Petitions

- a. Mental Health Petitions will be transmitted to the Peoria Police Department in writing.
- b. The petition will be reviewed by the on-duty patrol supervisor and the following information noted:
  - (1) Patient name.
  - (2) Petition number.
  - (3) Location designated for detention.
  - (4) Date and time petition was received.
  - (5) Appropriate judge or physician signature.
- c. At least two patrol officers, with the knowledge of the on-duty patrol supervisor, will respond on mental health apprehensions due to the inherent danger involved.
  - (1) Once a petition is received approving a patient's apprehension, the police response will be as prompt as practical 24 hours a day.
  - (2) Mentally ill persons detained under a Non-emergence Petition will be transported by police to the designated treatment facility within the court order even if the person is already at a treatment facility. Depending upon the patient's emotional state, approved restraints may be utilized.
  - (3) An Incident Report shall be completed documenting the circumstances surrounding the apprehension and a copy of the petition shall be attached to the report.
- d. When a patient cannot be located at the specific address designated either on the petition or by telephonic request:
  - (1) The on-duty Patrol Services Bureau supervisor or the patrol officer will contact the originating agency and inform the intake worker of the situation.
  - (2) The patrol officer designated to apprehend the patient will periodically return to the specified address and attempt to contact the patient.
  - (3) If the patrol officer is unable to locate the patient during their shift, the petition paperwork will be returned to the on-duty patrol supervisor who will give the paperwork to the next on-duty patrol supervisor on the following shift to handle the detail.
- e. If an officer is assaulted by a mentally ill patient at the time of pickup:
  - (1) The mentally ill patient will be transported to the contracted Maricopa County designated crisis provider and a long form report will be completed so long as the officer did not receive serious bodily injury or sustain death. If the mentally ill patient is determined to be competent after their evaluation, they shall be charged with the appropriate crime(s).
  - (2) The mentally ill patient will be booked and transported to the main County Jail if the officer received serious bodily injury or sustained death.
  - (3) Mentally ill persons shall not be incarcerated at the Glendale/County Jail unless authorized by an on-duty patrol supervisor.
  - (4) The officer will complete a Use of Force Response Option Form, if appropriate.
- f. The Arizona Mental Health Services Act, Title 36, empowers peace officers to force entry to serve an Emergence Petition, should a patient refuse an officer entry into their home for the purpose of apprehending him. The officer will not force entry unless a life is in immediate danger.

#### G. Physically Ill Mentally Disturbed Persons

1. When a Mental Health Petition is received advising that the patient needs to be transported to the treatment facility by ambulance, or the patient is physically ill at the time the petition is served, the officer shall contact the originating agency and provide the following information:
  - a. Patient's name.
  - b. Patient's address.
  - c. Patient's age.
  - d. Patient's medical condition.
  - e. Petition number.
2. It is the responsibility of the originating agency to furnish either a county or private ambulance to transport the patient. The officer will proceed to the mental health facility to complete the appropriate paperwork.
  - a. The officer will note the general condition of the patient before and after transportation to the mental health facility. Any injuries incurred, and when they were observed, will be reported to the crisis intervention personnel.
  - b. If the patient is violent, the officer may be required to ride in the ambulance. Another officer will follow the ambulance to the hospital to provide assistance.
  - c. Upon arrival at the mental health facility, the officer may be required to sign the order verifying that the transfer was completed.

#### H. Outpatient Treatment Status

1. Outpatient treatment, or a combination of outpatient/inpatient treatment for mentally ill persons, is any treatment program which does not require continuous hospitalization, to include court ordered forced medications.
2. When a patient does not fulfill the outpatient requirements, the Medical Director, or designee, will have the outpatient order rescinded. If this occurs, the Medical Director, or designee, may request in writing that the appropriate law enforcement agency take the patient into custody and transport them to a specific mental health facility.
3. When an outpatient treatment order is rescinded, the Medical Director, or designee, will contact the police department in writing with an addendum to the Mental Health Petition authorizing the detention. The information obtained will be given to the on-duty patrol supervisor for service as described above.

#### I. Authorized Absences

1. When any mentally ill patient being evaluated or treated is absent without proper authorization from an evaluating agency or a mental health treatment agency, or when an outpatient order is rescinded, any law enforcement agency shall, based on a written request of the Medical Director and without benefit of a warrant or court order, take into custody and deliver the patient to the appropriate treatment facility.
2. The Service of Petition will be the same as for Non-Emergence Petitions.

- J. Enforcement Action: Officers shall only arrest mentally unstable persons for a violation(s) of the law. Arrests shall not be made solely on the basis of mental condition as mental illness does not violate any criminal statute. If a crime has been committed, an Incident Report shall be written to include the pertinent facts regarding the person's behavior.
1. Suspected mentally ill persons who have committed a misdemeanor may, with supervisor approval, be detained at the County Jail. If the suspect is being cared for by a responsible person, they may be released to that person.
  2. Suspected mentally ill persons who have committed a felony shall be detained at the County Jail.
- K. Emergency Detention: Persons suspected of being mentally disoriented, who have suicidal tendencies or are acting violently, and can be a danger to others, may be transported to the County contract Crisis Center or other mental health facility for psychiatric examination. Transportation by the Peoria Police Department may be made only when exigent conditions exist and attempts to obtain other means of private transportation have failed. If any questions or disagreements arise concerning the transportation of a subject for emergency detention, an on-duty patrol supervisor shall be contacted.
1. When a responsible friend or relative of the patient, a police officer, or other responsible person having first hand knowledge of the circumstances is with the person to be committed, such responsible party must call one of the evaluating facilities for emergency admission authorization. This call must be made in the officer's presence. If authorization is granted, the patient may be transported to the facility.
    - a. Disoriented persons who are non-violent or who are not exhibiting suicidal tendencies may be transported to the evaluating facility at the officer's discretion. However, officers will adhere to the requirements of Arizona Revised Statutes (ARS) § 36-525, which mandates that officers apprehend and transport persons exhibiting signs of mental illness on the advice of the admitting officer of an evaluating agency or an officer who has completed the designated 40 hour Crisis Intervention Training program (CIT).
    - b. If the person has a medical problem, as well as being mentally disoriented, that person will be transported by the Peoria Fire Department, Terros, or another private ambulance service.
    - c. If the mentally disoriented person is violent and potentially harmful, officers may transport (if no other means of transportation is available) or may assist the Peoria Fire Department, Terros, or another private ambulance service in transporting the patient to the evaluating facility.
    - d. If the responsible party is other than a police officer, that person must meet the patient at the evaluating facility.
  2. An application for involuntary emergency admission and the application for involuntary evaluation must be filled out and signed by a responsible party at the time of admission.
    - a. In order for a patient to be detained for an involuntary evaluation, two or more witnesses, including the person who completed the applications, must be available to testify at the involuntary evaluation hearing.
    - b. Witnesses (two or more) may include any combination of officers, friends, or relatives, etc., who actually witnessed the actions or behavior of the patient.
    - c. At least one witness is required to be present when the patient is admitted. The name, address, work and home telephone numbers of other witnesses must be included on the application at the time of admission.
  3. Intoxicated persons suspected of having a mental disorder, who are not patients of the State Hospital, may be taken to the Community Bridges facility located at 2770 E. Van Buren for evaluation.

**L. State Hospital Patients**

1. Any mentally ill person (including intoxicated patients) who has violated conditional release or who has escaped from the State Hospital, may be returned directly to the hospital without recommitment proceedings.
  - a. If a State Hospital patient is apprehended, that facility should be requested to provide transportation for the patient.
  - b. If the State Hospital cannot provide transportation, an officer may transport the patient.
2. If a State Hospital patient is on conditional release or an escapee commits a criminal offense, they will be booked.
  - a. The arresting officer shall notify the State Hospital of the patient's arrest.
  - b. The officer will obtain information regarding the patient's leave status and include it in the incident report.

**M. Juvenile Mentally Ill Patients**

1. The emergency detention procedure for juveniles is the same as for adults.
2. Suspected mentally ill, non-violent juveniles who are being cared for by a responsible person will not be detained unless a felony has been committed.
3. Suspected mentally ill, violent juveniles, or those who have committed a felony, will be detained at the County Juvenile Detention Center.
4. The officer will complete an Incident Report and referral.

**N. Reporting**

1. An Incident Report will be completed when a patient is picked up on the basis of a petition or telephonic request, or if the subject is incarcerated under an emergency detention. A copy of the reports involving mentally ill persons will be directed to the County's Mental Health Services.
2. If a criminal incident involving a mentally ill person is reported, all pertinent information involving the offense must be included in that report.
3. Certain individuals may habitually display unusual behavior which is and may become well known to the Peoria Police Department. Whenever contact is made with these individuals, a Field Interview (FI) Card should be completed.
4. Any information which is requested to be included into the Computer Aided Dispatch (CAD) regarding a mentally ill person who is a hazard to police officers should be accomplished in writing by a supervisor to the Communications Supervisor.

**O. Referral to Mental Health Centers: When a police employee receives a telephone call from a citizen and the caller appears to be mentally disturbed or irrational:**

1. Obtain the caller's name, telephone number, and address or location from where the individual is calling.
2. If the caller indicates that their or another life may be in danger, an officer will be sent and the on-duty patrol supervisor advised of the situation.
3. If the caller is not an immediate threat to themselves or others, a suggestion can be made to contact a local mental health center for assistance.

P. Attempted Suicide:

1. When an officer is dispatched to a call in which a person has attempted suicide or is threatening suicide, the officer shall make certain that the immediate situation is stabilized.
2. The officer shall also attempt to locate a relative, close friend, or other responsible party that is available.
3. The officer shall then contact the appropriate mental health facility/provider for assistance and/or emergency detention.
4. An Incident Report shall be completed regarding the attempted suicide.

Q. On-Scene Considerations

1. At all mental health facilities located within the City of Peoria, officers shall maintain possession of their duty weapon and shall not secure it in the trunk of their vehicle or in provided lock boxes.
2. Upon arrival at a mental health facility within the City of Peoria involving an aggressive client, depending on a totality of the circumstances, officers may request that the client be brought out to the lobby area by facility personnel instead of the officers responding into the secured area. This may alleviate other clients becoming involved in the incident.
3. Officers will use only those restraints and defensive tactic techniques in which they have received authorized training through the Peoria Police Department. Officers shall not use any restraint systems or techniques that the mental health facility desires us to use.
4. Officers shall notify their immediate supervisor of any unusual requests or contradictions to policy made by the personnel at the mental health facility so that these issues may be addressed immediately.

**Peoria Police Department**  
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**APPROVED:**   
**Larry J. Ratcliff**  
**Acting Chief of Police**