



ERIE POLICE DEPARTMENT



Written Directives

Number: **190.001**

Title: Civil Commitments		Pages: 3
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POLICY:

It is the policy of the Erie Police Department persons may be taken into protective custody to protect the public and individuals through legal and appropriate use of a civil commitment procedure. Persons taken into protective custody shall be treated in a manner which provides for the safety of all concerned, a respect for human dignity, the preservation of the legal rights and property of the individual, accurate documentation and administrative efficiency.

DEFINITIONS:

CIVIL COMMITMENT: An involuntary detention in a licensed treatment facility to address mental health or substance abuse crises.

CRISIS INTERVENTION TEAM (CIT): Training in assessment and addressing mental health issues in individuals, designed to assist officers to bring individuals in mental crisis to appropriate resources.

DETOX HOLD: A civil commitment, typically at the Boulder Addiction Recovery Center (ARC), of a person believed to be under the influence of alcohol or drugs.

MENTAL HEALTH HOLD (M-1): A seventy-two (72)-hour mental health hold invoked under emergency procedure in order to obtain treatment and evaluation of an individual in acute mental health crisis at a mental health facility or other clinically approved facility.

TRANSPORTATION HOLD (M-0.5): An involuntary mental health hold of six (6) hours for individuals in need of immediate intervention and screening at an outpatient mental health facility or other clinically approved facility to determine if they meet the criteria for an M-1 hold.

PROCEDURES:

I. CONSIDERATIONS AND RESPONSIBILITIES

A. As time and circumstance reasonably permit, an officer responding on a call involving an individual who may qualify for a civil commitment should consider,;

1. Available information which might assist in determining the cause and nature of the individual's action(s) or stated intentions;
2. Crisis intervention and de-escalation techniques, including the use of CIT training; and/or

3. Community or other resources available to assist in dealing with mental health issues.

B. When transporting any individual for a civil commitment, the transporting officer should have the Communications Center notify the receiving facility of the estimated time of arrival, the level of cooperation of the individual and whether any special medical care is needed.

C. Officers shall transport individuals for a civil commitment in a patrol vehicle and shall secure them in accordance with written directive 180.000 Transports and Restraints. In situations where the individual has harmed themselves, or may otherwise necessitate medical treatment or monitoring, officers should request to have the individual transported via an ambulance.

D. The department will endeavor to provide CIT training to officers regarding interaction with persons with mental health disorders and training on civil commitments.

E. The least restrictive means of providing care should always be used. Voluntary services should be pursued before involuntary services such as an M-0.5 or M-1 Hold.

II. M-1 HOLDS

A. Officers are authorized and expected to place an individual into temporary custody and transport them for evaluation at an approved hospital or treatment facility when the officer develops probable cause to believe the person may have a mental health disorder or suffering a mental health crisis and, as a result of the current condition, appears to be:

1. An imminent danger to themselves or others; and/or
2. Gravely disabled and unable to make informed decisions or take necessary actions to provide for their essential needs without assistance, and thereby at risk of substantial bodily harm.

B. Officers should use whatever resources or assistance necessary to effect a M-1 in the safest manner possible.

C. A copy of the M-1 application form must be provided to the facility and the subject of the hold. The form should articulate the probable cause for the hold.

D. In every instance where an officer effects an emergency M-1 Hold based upon probable cause, a Spillman incident report documenting such action shall be completed. A copy of the M-1 application form shall be placed in the case file.

III. M-0.5 HOLDS**CACP STANDARD 190.5**

- A. Officers are authorized and expected to place an individual into temporary custody and transport them for evaluation at an approved hospital or treatment facility when the officer believes the individual has a mental health disorder and, as a result of such mental health disorder, is in imminent need of an evaluation for treatment to prevent physical or psychiatric harm to themselves or others.
- B. A transportation hold is not a replacement for a necessary 72-hour M-1 Hold, and is not to be used when a person is willing to go voluntarily to be screened for a 72-hour M-1 Hold.
- C. A copy of M-0.5 application form must be provided to the facility and the subject of the hold. The form should articulate the cause for requesting an evaluation.
- D. In every instance where an officer effects a transportation hold, a Spillman incident report documenting such action shall be completed. A copy of the M-0.5 application form shall be placed in the case file.

IV. RESOLVING CRIMINAL OFFENSES

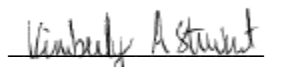
- A. Officers investigating an individual who is suspected of committing a minor criminal offense and who is being taken into custody for a civil commitment should resolve the criminal matter by issuing a warning or citation as appropriate.
- B. When an individual who may qualify for a civil commitment has committed a serious criminal offense which would normally result in an arrest and transfer to a jail facility, the officer should:
1. Arrest the individual when there is probable cause to do so;
 2. Notify the supervisor or officer in charge of the facts supporting the arrest and the facts which would support the civil commitment;
 3. Facilitate the individual's transfer to jail; and
 4. Document in jail booking paperwork, as well as related reports, the circumstances which indicate the individual may qualify for a civil commitment.

RULES:

None

REFERENCES:

Lafayette Police Department Policy 418
Boulder County Sheriff's Office Policy OP1212


Kimberly A. Stewart
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