

**SAN DIEGO POLICE DEPARTMENT  
PROCEDURE**

**DATE:** FEBRUARY 5, 2025

**NUMBER:** 6.20 – PATROL

**SUBJECT:** MENTAL HEALTH PROCEDURES

**RELATED POLICY:** N/A

**ORIGINATING DIVISION:** NEIGHBORHOOD POLICING

**NEW PROCEDURE:** ☐

**PROCEDURAL CHANGE:** ☒ **MAJOR CHANGES**

**SUPERSEDES:** DP 6.20 – 02/14/2019

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**I. PURPOSE**

This Department procedure establishes guidelines for handling persons experiencing mental health emergencies and to acquaint officers with filing applications for 72-hour detentions for evaluation and treatment.

**II. SCOPE**

This procedure applies to all members of the Department.

**III. BACKGROUND**

NEW

Welfare and Institutions Code (W&I) section 5150 provides that a peace officer may take people into custody and transport them to a designated facility for evaluation if the officer has probable cause to believe that, as a result of a mental health disorder, an individual is a danger to others, a danger to themselves, or gravely disabled.

#### IV. DEFINITIONS

- A. Credible Third-Party Statements – These are statements that may be considered by an evaluating officer in determining if an individual meets 5150 criteria. Credible third parties may include persons who have provided or are providing mental health or related support services and family members. Statements may include relevant information about the historical course of the person’s mental disorder (W&I 5150.05).
- NEW B. Crisis Stabilization Units – (CSU) provides emergency mental health assessment and treatment services in therapeutic settings to individuals having a psychiatric emergency for short-term stays of up to 24 hours.
- NEW C. Designated Facility – a facility that is licensed or certified as a mental health treatment facility or a hospital, as defined in subdivision (a) or (b) of Section 1250 of the Health and Safety Code, by the State Department of Public Health, and may include, but is not limited to, a licensed psychiatric hospital, a licensed psychiatric health facility, and a certified crisis stabilization unit. (W&I 5008(n)).
- NEW D. Emergency Detentions – a detention an officer may make of individuals who meet 5150 criteria; they are exhibiting behaviors or are reported to have exhibited behaviors establishing probable cause that, as a result of a mental health disorder, the person is a danger to others, or to himself or herself, or gravely disabled.
- E. Gravely Disabled – a condition in which a person, as a result of a mental health disorder, is unable to provide for his or her basic personal needs for food, clothing, or shelter. (W&I Code 5008).
- F. Jail Clearance - needed when a jail nurse has rejected an arrestee due to the offender’s failure to adequately answer mental health questions during booking.
- G. Lanterman-Petris-Short (LPS) Act of 1967 – provides guidelines for involuntary civil commitments of individuals to mental health facilities in the State of California. (W&I Code 5000 et seq.). It expanded the evaluative power of psychiatrists and created provisions and criteria for holds.
- H. LPS Conservatorship - a process in which the court appoints a conservator to make certain legal decisions for an individual. The conservator can make decisions, such as whether the individual can start or stop taking psychiatric medications, accept other medical treatment, manage his/her money, and decide where to live. While the individual is on conservatorship, the court may limit his/her right to vote, to enter into contracts, to drive, or to own a firearm. (W&I Code 5357.) The LPS conservatorship can last for a maximum of one year at a time and can be renewed in court at the end of the year. (W&I Code 5361.)

- I. LPS Facility - hospitals designated by the County of San Diego and approved by the California Department of Health Care Services, Mental Health Services Division for involuntary 72-hour treatment and evaluation.

NEW

1. Such a facility shall require an application in writing stating the circumstances under which the person's condition was called to the attention of the officer, and stating the officer has probable cause to believe that the person is, as a result of a mental health disorder, a danger to others, or to self, or is gravely disabled.

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2. A listing of all San Diego County LPS facilities can be found in the Resource Library under Resource Guides titled San Diego County LPS Facilities or by pressing Control key and clicking [here](#).

NEW

- J. [Mobile Crisis Response Team \(MCRT\)](#) - provide in-person support to patients countywide experiencing a mental health, drug, or alcohol-related crisis. MCRT dispatches behavioral health experts to emergency calls, when appropriate, with teams made up of clinicians, case managers, and peer support specialists.

- K. Non-Emergency Cases – individuals who do not meet 5150 criteria but are experiencing mental health issues.

- L. Public Conservator - a public conservator is an individual who has been appointed by the court to manage the affairs of a person (designated a conservatee) who is gravely disabled as a result of mental disorder or impairment by chronic alcoholism. (W&I Code 5350.)

- M. Public Conservatee - a person who is gravely disabled as a result of mental disorder or impairment by chronic alcoholism and the subject of a conservatorship (W&I Code 5350 – 5372).

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- N. Voluntary Non-Emergency – these individuals do not meet the criteria for detention under Welfare and Institutions Code section 5150 but recognize, on their own, a mental health evaluation and treatment may be of benefit to them.

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- O. Welfare and Institutions Code section 5150 Criteria – when a person, as a result of a mental health disorder, is a danger to others, danger to self, or gravely disabled.

## V. **PROCEDURES**

- A. Probable Cause Determination

NEW

1. An officer may, upon probable cause, detain a person for mental evaluation under W&I Code 5150, when a person, as a result of a mental health disorder, is:

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- a. Demonstrating behaviors that cause a reasonable officer to believe that person is dangerous to themselves and/or others; or,
  - b. Appears gravely disabled due to an inability to provide for their basic needs of food, clothing, or shelter,
2. When determining if probable cause exists to take a person into custody officers shall consider all available relevant information about the historical course of the person's mental disorder (W&I Code 5150.05).

NEW

- a. Information is relevant if he authorized person determines that the information has a reasonable bearing on the determination as to whether the person is a danger to others, a danger to self, or is gravely disabled as a result of the mental disorder.

NEW

- b. Information about the “historical course of the person’s mental disorder” may include evidence presented by the person who has provided or is providing mental health or related support services to the person, evidence presented by one or more members of the family of that person, and evidence presented by the person themselves, that would support a detention under 5150 W&I.

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- c. If an officer bases probable cause on a later determined false statement(s) of a member of an attending medical or psychological staff, or a professional medical or psychological person, the person making the statement shall be liable in a civil action for intentionally giving any statement that they know to be false (W&I Code sec. 5150.05(c)).

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- d. If available, and the officer considers it necessary to determine if there is probable cause, other information to consider is:
  - (1) Any physical evidence;
  - (2) A police officer’s own observations;
  - (3) Other witness statements; and,
  - (4) Recent similar incidents.
  - (5) Additionally, officers may take into consideration recent and relevant:
    - (a) Emails
    - (b) Social media posts

(c) Text messages

(d) Other forms of electronic or written communications.

B. Types of Determinations

1. Non-emergency Cases

NEW

a. If the person, although not 5150, is experiencing mental health issues, they may voluntarily accept to be evaluated and treated at a hospital or other psychiatric facility. However, the individual is not required to seek treatment if unwilling.

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b. In voluntary non-emergency cases, an officer may transport the individual to any LPS facility in the County. See below for more information about voluntary admittance of the individual to a facility.

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c. **If an officer determines that an individual does not meet 5150 criteria, and they do not voluntarily accept to be evaluated or treated, the officer is not to detain the person or transport them anywhere.**

d. If the individual does not meet the criteria for a 5150 detention and is uncooperative, family members and other concerned parties may petition for a court order for a psychiatric evaluation. Welfare and Institutions Code section 5201 provides that anyone may apply for a petition alleging there is a person with a mental illness in need of evaluation. To initiate a petition, a concerned party must contact the Office of the Public Conservator at (858) 694-3500.

2. Emergency Detentions

NEW

During the evaluation of probable cause for a detention per W&I 5150(a), officers shall consider the following factors and act accordingly:

a. Confiscation of Weapons

(1) Whenever a person is detained for examination of his or her mental condition, law enforcement shall confiscate any firearms or other deadly weapons that the person owns, has in his or her possession, or under his or her control, and shall retain custody of the weapons. (W&I 8102.)

- (2) Officers must still comply with the 4th Amendment. They must have consent, or the facts must justify exigent circumstances to enter and search a home and remove weapons. A call regarding a possible 5150 by itself, with no other information, does not meet the legal requirements of exigent circumstances.

b. Entry into Private Residence

- (1) Private residences have, perhaps, the highest expectation of privacy of all places subject to a search. *People v. Ramey*, 16 Cal. 3d 263, 273-74 (1976). Warrantless entries by police into a residence are presumed illegal unless justified by consent, a warrant, or exigent circumstances. *Payton v. New York*, 445 U.S. 573, 586 (1980).

- (2) In answering calls on private property regarding persons with an alleged mental illness, an officer may enter if:

- (a) There is a warrant establishing probable cause to do so; or,

- (b) Consent may be given by either the occupants of the house, or by relatives of the person who have legal access to the house; or,

- (c) There are exigent circumstances. A call regarding a possible 5150 by itself, with no other information, does not meet the legal requirements of exigent circumstances.

- (ii) **Exigent circumstances include situations where a person, other than the subject, is placed in imminent harm or danger, requires immediate medical attention, or to forestall the imminent escape of a suspect or the destruction of evidence or property**(*People v. Ramey*).

- (d) If the person experiencing a mental health crisis is contacted outside the home and the firearms are inside the home, officers must have consent or exigent circumstances to enter the home to search for weapons (e.g., an unsupervised child inside the home; initial 911 call stated that suspect threatening to harm others in the house; etc.). Alternatively,

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officers may obtain a search warrant per Penal Code section 1524(a)(10).

c. Verbal Advisement

Each person detained pursuant to W&I section 5150 must be given the following verbal advisement prior to admittance into an appropriate LPS facility.

- (1) The advisement is located in the upper right corner of the form entitled “Application for 72-Hour Detention or Evaluation and Treatment.”

"My name is \_\_\_\_\_. I am a police officer with the San Diego Police Department. You are not under criminal arrest. I am taking you for an examination by mental health professionals at (name of facility). You will be told of your rights by the mental health staff.” (W&I Code 5150(g)(1)).

- (2) If taken into custody at their residence, the person shall also be told the following information in substantially the following form:

"You may bring a few personal items with you, which I will have to approve. Please inform me if you need assistance turning off any appliance or water. You may make a phone call and leave a note to tell your friends or family where you have been taken." (W&I Code 5150(g) (2)).

- (3) If these advisements are incomplete, the detaining officer must write a brief statement of "good cause" for the incomplete advisement in the appropriate place on the application for 72-hour evaluation (W&I Code 5150(h) (6)).

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C. Notification/Authorization for No Contact

1. If an officer is dispatched to a call of a “5150”, “5150—mental case”, or “mental case” call they should attempt to contact the subject and any witnesses that the officer reasonably believes has pertinent information regarding the subject’s mental health. If the officers do not contact the subject of the call, even though that person is present or available for contact, the officer shall, as soon as is practical and, when possible, while

on the scene of the call, contact a supervisor and advise the supervisor of the reason for no contact with the subject.

- a. The supervisor shall decide whether the officer should attempt to make contact with the subject and/or make a Case Report to document the lack of contact.
  - (1) If the supervisor determines that the officer should make contact with the subject, the officer shall make reasonable efforts to make contact with the subject. All reasonable efforts shall be documented via BWC and, at a minimum, notes shall be added to the call as to which steps were taken.
  - (2) If the supervisor determines that a report should be written to document the event, an Officer's Report will be used to document the decision to not make contact. The officer shall complete the report before the end of their shift. Officers shall include in the report the circumstances that led to the decision not to make contact and any other facts they believe to be pertinent.
    - (a) If items are seized as a result of the event, such as weapons, but the subject is not contacted, a Case Report shall be completed, and the items shall be impounded in accordance with DP 3.02.

NEW

- 2. In the event officers who are dispatched as a "5150," "5150—mental case," or "mental case" determine there is insufficient probable cause to detain the subject of that call pursuant to Welfare and Institutions Code section 5150, without making in-person contact with the subject of the call, and the reporting party or parties indicate they believe the subject still requires mental health assistance/resources, the dispatched officers shall, when feasible, provide the reporting party or parties with the number for the San Diego Access & Crisis Line (888) 724-7240.
  - a. The San Diego Access & Crisis Line provides mental health providers and resources, Medi-Cal guidance, and access to San Diego County Health and Human Services – Behavioral Health Services Mobile Crisis Response Team (MCRT).
  - b. MCRT can offer support to people experience a behavioral health crisis. MCRT is an alternative to law enforcement response and can help stabilize people in the community, connect people to community resources and treatment services, and assist community members avoid a trip to the hospital or jail.



(1) **MCRT cannot respond to calls involving threats of violence or medical emergencies.**

(2) Team members are behavioral health experts and include a licensed mental health clinician, case manager, and peer support specialist. These clinical teams provide assessments, de-escalation, and connect the person to the right service for them. Transportation to local services is also available if needed.

c. If resources, such as the number for the San Diego Access & Crisis Line are provided, the officer should document it in the notes of the call or other documentation.

d. A PERT Referral should be completed by the officers if they believe follow up with the subject would be helpful to the subject or their family members, or additional resources are requested.

D. Transportation

1. In handling persons having a mental health crisis, if restraint is necessary, officers should use proper police techniques. Physical restraint should be applied only when disturbance is evident or anticipated. **Refer to DP 6.01.**

2. Officers should be observant of apparent medical needs of detained individuals. Any signs of medical distress should be considered in the decision to require medical transport. If a detained individual requires medical transport the officer will follow the transport and ensure appropriate placement.

3. When transporting in a police vehicle, handcuffs shall be used and double locked.

4. Officers must search the patient for weapons, drugs, and alcohol.

5. Whenever possible patients being transported for an emergency mental health evaluation shall be transported with a second officer in the vehicle. The patient should be placed on the left side of the back seat, directly behind the driver, so the second officer can monitor the patient. An exception to this would be when a civilian Department employee, Police Cadet, PERT clinician or ride-along is riding with the transport officer.

6. When a civilian Department employee, Police Cadet, PERT clinician or ride-along is riding with the transport officer, a second officer shall follow the transporting officer. In this instance, the subject should be placed on

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the right side of the back seat, directly behind the front passenger seat, so the transporting officer can monitor the patient.

7. Officers will transport persons in mental health crisis to the most appropriate LPS facility.

E. Facility

1. Adults may be transported to any LPS facility in the County. In determining the most appropriate LPS facility, officers should take the following into consideration:

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- a. Medical Necessity - if the person has obvious medical needs (i.e., suicide attempt or overdose, documented medical condition) they can only be treated at a hospital with an emergency department. (Refer to the Resource Library, Resource Guides, for listings of San Diego County LPS facilities with emergency departments or press control and click [here](#).)
- b. Clinical Appropriateness - the person states to the officer that they wish to go to a particular hospital or has past history at a specific LPS facility.
- c. Financial Ability - the person has medical insurance.
- d. In cases where the adult detainee is uninsured, or the officer is unable to determine financial ability and the detainee does not have an obvious medical need, the best facility to transport to is the San Diego County Psychiatric Hospital (SDCPH), at 3853 Rosecrans Street, San Diego, 92110.
- e. Whether the person is under arrest and a jail clearance is requested by jail intake staff, SDCPH is the only facility that can provide jail clearance.

NEW

2. Crisis Stabilization Units (CSU) are LPS facilities and may also be an option for a 5150 committal depending on the circumstances of the call and subject. A CSU may be appropriate when:
  - a. The subject is not elderly and/or does not require medical attention.
  - b. The subject is not violent and does not have a history of violence.
  - c. The subject is not intoxicated or under the influence of a controlled substance.

- d. The officer has a good faith belief the subject will be compliant with treatment offered at the facility.
- e. If the officer has questions about the suitability of a patient for CSU, the officer may contact a PERT clinician for additional recommendations or the CSU facility directly by [phone](#) prior to transport.

3. Juveniles may be transported to any appropriate LPS facility. However, officers should attempt to transport to a children's facility. These facilities are:

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a. Critical Care Emergency Screening Unit - Located at 4309 3<sup>rd</sup> Avenue, San Diego, CA. 92103. This is a non LPS facility without an emergency room. It is a screening unit only for uninsured and Medi-Cal patients only. The Emergency Screening Unit may refuse a client. It is suggested officers call this facility prior to transport to determine patient eligibility. The phone number is **(Redacted-record exempt)**.

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b. Rady Children's Hospital - This is an LPS facility with an emergency room located at 3020 Children's Way, San Diego CA 92123. Their phone number is **(Redacted-record exempt)**. There is no need to call prior to arrival.

c. Sharp Mesa Vista Hospital - This is an LPS facility without an emergency room located at 7850 Vista Hill Avenue, San Diego, CA. 92123. It is suggested officers call this facility prior to transport to determine patient eligibility. Their phone number is **(Redacted-record exempt)**.

d. Aurora Hospital - This is an LPS facility without an emergency room located at 11878 Avenue of Industry, San Diego, CA. 92128. It is suggested officers call this facility prior to transport to determine patient eligibility. Their phone number is **(Redacted-record exempt)**.

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4. If officers are unable to gain entrance into any of these hospitals, they should divert to the nearest LPS facility with an emergency room. (Refer to the Resource Library, User Resource Guides, for listings of [San Diego County LPS facilities with emergency departments](#).)

F. Admittance of Patient into County of San Diego LPS Facilities

1. **(Deleted – records of security)**

## 2. Emergency Detentions

- a. The officer shall remain at the facility no longer than the time necessary to complete documentation of the factual basis of the detention under section W&I 5150 and the safe and orderly transfer of physical custody of the person.
- b. Prior to the hospital staff accepting a patient from law enforcement, the officer must:

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- (1) Prepare and sign the 72-hour (W&I Section 5150) evaluation paperwork; this form will be supplied to the officer at the LPS facility. Officers may also find a copy of this form on the F: Drive under Templates\Patrol Based Forms and listed as App For Assess-Hosp Eval-Treatment-DHCS 1801. This form will be given to hospital staff. Or click [here](#).

NEW

- (2) Prepare and sign the San Diego County Sheriff Admittance Request. This form is located at all area stations and on the F: Drive under Templates\Patrol Based Forms and listed as Mental Health Transport Sheet. Or click [here](#).

- (a) If officers are making a placement into County Mental Health, the transport form stays at the hospital.

- (b) If officers are placing a subject into any other LPS facility, this law enforcement transport form will not be accepted by the hospital. Prior to the end of the detaining officer's shift this completed form must be submitted to the Sheriff's Department:

- (i) Fax: **(Redacted-record exempt)**

or

- (ii) Email: **(Redacted-record exempt)**

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- (c) Attach the Law Enforcement Transport Sheet (Attachment A) to the case in NetRMS by the end of shift.

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- (d) Once the transport form has been faxed or emailed to the Sheriff's Department and attached in NetRMS it shall be placed into the appropriate report room bin.

(3) Suicide Attempts

If the subject attempts suicide, the officer shall prepare and submit all of the following:

- (a) A case report in NetRMS with a narrative detailing the circumstances of the suicide attempt in demonstrating the subject's danger to self. The report shall include a case number showing 930000ZZ, SUICIDE ATTEMPT as the code section and description. This report shall include:
  - (i) A statement as to how the officer's attention was directed to the patient;
  - (ii) Any necessary witness information and statements;
  - (iii) Any credible third-party statements,
  - (iv) Any use of force; and,
  - (v) The disposition of the subject.
- (b) The 5150 supplemental is optional but may be included as an attachment. The details in the NetRMS fillable fields are required for accurate statistical data and later retrieval of information.
- (c) The Law Enforcement Transport Sheet (Attachment A) must be completed and sent to the San Diego County Sheriff's Department Property Unit by the detaining officer by the end of his/her shift.
  - (iii) Fax: **(Redacted-record exempt)**
  - or
  - (iv) Email: **(Redacted-record exempt)**
- (d) Attach the Law Enforcement Transport Sheet to the case in NetRMS by the end of shift.
- (e) The W&I Section 5150 Emergency Hold Form.

c. Once these documents are completed, the patient will be registered by the hospital clerk, and all property received will be inventoried by hospital staff. Officers should verify that the inventory is correct. Officers shall remain no longer than the time necessary to complete documentation of the factual basis of the detention under W&I Section 5150 and a safe and orderly transfer of physical custody of the person.

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d. Officers shall maintain control of the individual for hospital staff until an orderly transfer has been completed. For the most part, an orderly transfer occurs once the 72-hour evaluation paperwork and San Diego County Sheriff Transport Form are completed and verbally explained to hospital staff, and the detainee's property is properly inventoried. Once this orderly transfer has occurred, the officer is free to leave the hospital and return to service.

e. Non-Admissions

(1) Once the orderly transfer is completed, it is not the responsibility of the transporting officer to remain at the hospital for determination of whether the designated facility will accept the patient, nor is it the responsibility of the transporting officer to transport persons not admitted to the facility.

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(2) If there is some sort of disagreement pertaining to the patient's admission into the hospital, officers shall complete a case report in NetRMS. The report must be filed by the officer who last contacted the patient. A copy of this report should be directed to the Neighborhood Policing Administration Office at MS 711, and should contain the following:

(a) Reasons why the officer believes the patient should have been admitted. This can usually be obtained from forms the committing officer completed at the Psychiatric Unit;

(b) Name of doctor;

(c) The reason for non-admission; and,

(d) Final disposition of patient (i.e., home, halfway house, etc.).

(e) Incident number on the report.

3. Voluntary non-emergency Cases

- a. The officer will enter the facility with the patient through the non-voluntary entrance located at the rear of the facility off Pacific Highway.
- b. Verbally communicate to hospital staff the circumstances of why the individual is a voluntary admittance and that there is no request for a W&I Section 5150.
- c. Maintain control of the individual for hospital staff until a safe and orderly transfer has been completed.
- d. Document the voluntary transport on their daily journal. The officer is not responsible for completing any admitting paperwork.

G. Impounding of Firearms per W&I Section 8102

1. All firearms shall be impounded per Department Policy 3.02, Section VIII (C). No further paperwork is required at the time of impounds.
2. The firearm will be returned upon release of the person from a professional care facility unless:
  - a. A petition is filed with the court for the law enforcement agency to retain and destroy the weapon.
  - b. The person has been prohibited by Department of Justice to possess a firearm.
  - c. The firearm is determined to be illegal to possess in the State of California.
3. All firearm impounds will be routed to the Property Room Gun Desk. The Gun Desk will process the initial impound and send the impounding officer an e-mail with instructions and a request to complete a petition to retain firearms.

H. Criminal Acts

1. Criminal acts committed by individuals take precedent regardless of their mental health condition. It is not the responsibility of the arresting officer to release criminal charges in lieu of being admitted into any LPS facility.
2. Every person who commits a felony shall be booked for appropriate violation(s). If the nature of the offense or the prisoner's demeanor indicates

the possibility of a mental illness, transporting officers shall inform jail personnel.

3. If jail personnel refuse to take custody of the prisoner due to a mental illness, the person shall be transported to SDCPH for a “jail clearance.”
  - a. If SDCPH staff clears the prisoner, the officers should book him/her into jail.
  - b. If the custody of the prisoner requires a request for relief from a Sheriff’s intake deputy, follow the procedures established in Department Procedure 6.02, Booking Procedures.
4. On misdemeanor cases, when a prisoner displays symptoms of serious mental illness, and the officer believes that jail detention cannot be humanely affected, the officer may, prior to booking, transport the suspect directly to the SDCPH.
  - a. Once at SDCPH, the officer must fill out all W&I Section 5150 paperwork as if they were making an involuntary commitment.
  - b. The officer should explain the criminal circumstances and ask the SDCPH staff to evaluate for jail clearance.
  - c. If SDCPH staff clears the prisoner for jail, the officers should book him/her into jail.
5. If a suspect is arrested for a misdemeanor offense, and subsequently admitted to SDCPH, the officer shall submit the proper paperwork to initiate a Notify Warrant.
6. Should the detaining officer or investigating officer want/need to be notified of the client’s release from the LPS facility the detaining officer should indicate this on the original W&I Section 5150. There is a box on this form which should be checked requesting the hospital call law enforcement prior to the release of the individual.

I. Jail Clearance

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1. If a PERT clinician is conducting an evaluation of a patient and that patient is subsequently arrested (i.e. warrant, probable cause, citizen’s arrest for misdemeanor), the following shall apply:
  - a. The PERT clinician will safely complete a PERT Mental Health Screening for Detentions with the subject to identify issues of which the jail staff needs to be aware.



- b. The officer may then transport the subject to jail, however, the jail intake nurse has final authority to accept the clinician's assessment regarding the arrestee's mental health and accept the arrestee into jail.
  - c. If the arrestee is rejected at jail for mental health reasons, the officer will transport the arrestee to SDCPH for a "Jail Clearance."
- 2. If a person has been arrested and a "jail clearance" is necessary at some point during the booking process into jail, the officer must transport the prisoner to the San Diego County Psychiatric Hospital. Officers shall explain the criminal charges to hospital staff and stand by for the decision of the admitting psychiatrist.
- 3. Once the appropriate paperwork is received from the hospital staff, the prisoner shall be booked into County Jail. Officers should bring all hospital paperwork and give it to the booking deputies when booking the prisoner into County Jail.
- 4. If Jail clearance is not authorized and the transporting officer(s) intends to book the person into jail following release, the officer should fill out the section at the bottom of the 5150 Application Form DHCS 1802 which says, "NOTIFICATION TO BE PROVIDED TO LAW ENFORCEMENT AGENCY. Notify (officer/unit & telephone#)". The phone number that CMH should call is **(Redacted-record exempt)**, the Watch Commander's number.
  - a. The officers should take the paperwork for jail (declaration, booking slip, etc.) back to the Watch Commander's office;
  - b. The Watch Commander keeps the paperwork and indicates which division or unit made the arrest;
  - c. When the Watch Commander is notified of the pending release of the prisoner in custody, they notify the indicated division or unit, who dispatches an officer to SDCPH;
  - d. After picking up the prisoner in custody, the officer(s) then retrieves the paperwork from the Watch Commander and books the person into jail.

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#### J. Other Types of Requests for Assistance

##### 1. Professional Referrals

- a. Officers who receive a call from a medical/mental health professional to transport a person, who is not a public conservatee, to an LPS designated facility, should ensure that at least one of the following criteria is met before assuming custody:
- (2) The committing medical professional has telephoned the admitting hospital and obtained approval for the evaluation; this professional may provide supportive, written documentation to accompany the patient at the time of evaluation.
  - (3) The officer observes sufficient conduct on the part of the patient to meet commitment criteria established by W&I Section 5150.
  - (4) "Probable cause" can be established jointly between the professional, or a reliable third party who gives a credible third-party statement, and the officer. This can be based on joint observations, case history, and other supportive information and should be part of the written 5150 W&I detention report. (W&I Section 5150.05.)
- b. Officers are not required to complete a mental health supplemental report when the LPS facility is receiving the patient from a medical professional, and prior arrangements have been made. However, officers shall complete a Case report for the Detention of the subject which should include the name and address of the professional making the commitment.

## 2. Community and Family Referrals

- a. To determine whether to involuntarily transport an individual because of a community or family referral, officers should ensure at least one of the following criteria is met;
- (1) "Probable cause" can be established jointly between a reliable third party and the officer. This can be based on joint observations, case history and other supportive information and should be part of the officers written 5150 W&I detention report. This situation is considered "third party statements" (W&I Section 5150.05.)
  - (2) The officer observes sufficient conduct on the part of the patient to meet commitment criteria established by W&I Section 5150.

- b. If an officer detains an individual as a result of a community or family referral and transports to a hospital the officer is required to complete all necessary W&I Section 5150 reports including the Law Enforcement Transfer Form.

### 3. Public Conservatees

- a. The conservator is responsible for assuring the conservatee receives adequate mental health care.
- b. A public conservator has authority to hospitalize a public conservatee based upon W&I Section 5358 but does not have the authority of a peace officer to physically restrain a conservatee.
- c. A public conservator has the authority to request police assistance to detain, return, or transfer a conservatee, per W&I Section 5358.5. Such requests shall be in writing.
- d. Law enforcement assistance may be requested when a conservatee is uncooperative, volatile, and/or threatening. When a request is made for police assistance, a public conservator shall provide:
  - (1) Written request for police assistance;
  - (2) Copy of the letters and order of conservatorship; and,
  - (3) Official picture identification.
- e. Officers will assist in taking the conservatee into custody and seeing that he/she are properly restrained.
- f. Normally, transportation will be provided by ambulance, but occasionally, officers may be requested to physically transport public conservatees. Officers will do so in accordance with accepted transportation practices.

### 4. Requests for Assistance from Private Institutions

- a. Officers will be dispatched on walk-a-ways from private institutions.
- b. Unless the person requires an emergency detention under W&I Section 5150, officers shall not transport the person involuntarily.

- c. Officers will not assist private ambulance companies with taking a person into physical custody unless the person requires an emergency detention under W&I Section 5150.
- d. If an emergency 5150 W&I detention for evaluation is warranted, officers will take the person into custody and transport to a designated facility.
- e. If an emergency 5150 W&I detention for evaluation is not warranted, the officer should advise the ambulance company that no police intervention is required and clear the scene.

NEW

5. Requests for assistance from Mobile Crisis Response Team (MCRT)

MCRT are teams dispatched from their own communications center. They receive referrals from the Access and Crisis Line, the 9-8-8 line, and will have calls routed to their communication center for dispatch after screening in the controlling jurisdiction's communication center.

- a. MCRT personnel are trained in various de-escalation techniques and have 5150 authority.
- b. MCRT personnel DO NOT, however, have powers of arrest and may request police assistance to detain and transport a person on a 5150.
  - (1) MCRT personnel calling for police assistance shall be assisted in detaining and transporting subjects to LPS facilities.
  - (2) MCRT personnel will follow officers to the hospital and complete the 5150-committal paperwork for the hospital.
  - (3) Officers will be required to complete a case report for detention of the subject placed on the 5150.
  - (4) The report shall include the name of the MCRT personnel placing the 5150 on the subject and a brief statement on the circumstances the clinician believed the subject met 5150 criteria as a credible 3<sup>rd</sup> party witness.
  - (5) Officers may return to duty when a safe and orderly transfer has been completed and released as such by the LPS facility.

- c. MCRT Personnel may need to request police assistance when a contact has escalated or evolved to be unsafe. (i.e. The subject has acquired a weapon, has become violent, is threatening violence, etc.)
- d. If officers are dispatched to a call where MCRT personnel are already on scene and requesting assistance with a subject whose behavior has made it unsafe for MCRT, responding officers will take over the contact and work to bring the contact to a safe conclusion.
- e. Officers will take necessary statements from MCRT personnel as credible 3<sup>rd</sup> party statements to make a determination on the involuntary committal and transport to an LPS facility, if necessary.
- f. If officers determine the subject will be involuntarily taken to an LPS facility, the officer shall complete the contact to its conclusion or the MCRT team may follow the officer to an LPS facility to complete the hospital 5150 WI paperwork and the officer will complete a Case report in NetRMS for the 5150 detention of the subject.

NEW

## VI. ASSEMBLY BILL 953

- A. Assembly Bill 953 (AB 953), also known as the Racial and Identity Profiling Act (RIPA) of 2015, requires law enforcement agencies to collect data on all stops, detentions, and searches. This includes consensual searches and instances where force was utilized. In order to capture this data, an application is available for every event generated through the Department's MPS and Intranet systems and has been so since July 1, 2018. There is a template to collect the required data in the F: Drive under Templates/Patrol Based Forms/PD-953, if the database application is temporarily unavailable. The data documented on this form shall be entered into the electronic application prior to the end of the officer's shift unless exigent circumstances exist.
- B. Under this mandate, the data collected will include the date, time, and duration of the stop, the location, perceived race or ethnicity, perceived gender, perceived LGBT+, perceived or known disability, English fluency, perceived age, and the reason for the stop, detention, or search, along with other stop data. The reason for the stop may be generated from a call for service, a traffic violation, welfare checks, reasonable suspicion or knowledge that the person was engaged, or about to engage in criminal activity and conclude with the actions taken by the officer. These actions will describe the basis of the search, whether or not contraband or other evidence is discovered, the reason for and type of property seized and the results of the stop or detention. The data collected under RIPA replaces the data previously collected from vehicle stop data cards.

1. When completing a detention and/or arrest report, officers will ensure the narrative includes that a RIPA entry was submitted for every person being arrested or detained.
2. Supervisors will verify officers have documented the RIPA entry in their narrative prior to approval.

# ATTACHMENT A



San Diego Sheriff's Department

Fax # : (REDACTED-record exempt)  
Property:

## COUNTY OF SAN DIEGO LAW ENFORCEMENT TRANSPORT SHEET

Date :		Time :		Incident No.:	
Agency :		Division:		Patient CDL	Patient SSN
Last Name		First Name		Middle Name	
Current Address (Number & Street)		City		County	State Zip
Birth Date :	Current Phone No.:			Birth Place :	
Whom to Notify		Current Telephone Number		Relationship	
Current Address (Number & Street)		City		County	State Zip
<b>Brought from :</b> Home <input type="checkbox"/> Jail <input type="checkbox"/> Other <input type="checkbox"/> Street Address <input type="checkbox"/> _____ <b>Personal property/ residence secured</b> Yes <input type="checkbox"/> No <input type="checkbox"/> <b>Follow up needed</b> Yes <input type="checkbox"/> No <input type="checkbox"/> <b>Reason:</b> _____			<b>Firearm Confiscated :</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <b>Type:</b> <input type="checkbox"/> Handgun <input type="checkbox"/> Rifle <input type="checkbox"/> Shotgun <input type="checkbox"/> Other Total : _____		
Automobile: <input type="checkbox"/> Yes <input type="checkbox"/> No Make : _____ Model : _____ License # _____ Year : _____ <input type="checkbox"/> At Residence <input type="checkbox"/> Other Location : _____ <input type="checkbox"/> Impounded Location of Vehicle/Keys: _____			Animals/Pets: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Bird(s) <input type="checkbox"/> Dog(s) <input type="checkbox"/> Cat(s) <input type="checkbox"/> Other: _____		
<b>Reason for Request:</b> <input type="checkbox"/> Danger To Self (DTS) <input type="checkbox"/> Danger To Others (DTO) <input type="checkbox"/> Gravely Disabled (GD)					
<b>Incident Description:</b> _____ _____ _____					
<b>PATIENT WAS TRANSPORTED TO :</b> <input type="checkbox"/> Aurora <input type="checkbox"/> API <input type="checkbox"/> Palomar <input type="checkbox"/> U.C.S.D. <input type="checkbox"/> Balboa Hospital <input type="checkbox"/> Sharp Grossmont <input type="checkbox"/> Paradise Valley <input type="checkbox"/> VA Hospital <input type="checkbox"/> Bayview Hospital <input type="checkbox"/> Sharp Mesa Vista <input type="checkbox"/> Pomerado <input type="checkbox"/> C.M.H. / EPU <input type="checkbox"/> Scripps Mercy <input type="checkbox"/> Tri City <input type="checkbox"/> Other Hospital: _____					<b>EPU (only)</b> <input type="checkbox"/> Crisis House <input type="checkbox"/> Jail <input type="checkbox"/> DISCHARGE SELF
Officer (Print Name)		ID No. :	Unit No. :	Station Phone No. :	

PITS: 03-07-2019