



# EMERGENCY EVALUATION OF MENTALLY DISORDERED INDIVIDUALS

FC No.: 921

Date: 06-10-05

If a provision of a regulation, departmental directive, rule, or procedure conflicts with a provision of the contract, the contract prevails except where the contract provision conflicts with State law or the Police Collective Bargaining Law. (FOP Contract, Article 61)

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## I. Policy

Under Maryland law, police officers, duly licensed physicians, certified psychologists, and local health officers or designees of the Health Office can seek emergency evaluation of individuals whom they feel meet the established criteria. When an officer ***suspects an individual suffers a mental disorder and presents a danger to the life and safety of the individual*** or others, the officer will take the

individual into custody and complete the Petition for Emergency Evaluation (and the accompanying procedures) as outlined in this directive. ***The petition for the emergency evaluation may be based on examination, observation, or other information that is pertinent to the factors giving rise to the petition.*** (CALEA 71.3.1)

## II. Crisis Intervention Team (CIT)

- A. ***The Crisis Intervention Team (CIT) consists of volunteer officers trained in handling the mentally ill consumer. A consumer is an individual (or parent of a minor child) who received mental health services from the Maryland Public Mental Health System.***
- B. ***Employees interested in becoming a CIT officer must complete an MCP 921, "Crisis Intervention Team Application," (appendix F) and submit it to the CIT Coordinator.***
- C. ***Volunteer employees (both sworn and non-sworn) receive 40 hours of instruction on mental illness and techniques used to effectively de-escalate crisis incidents involving mentally ill consumers. Upon completion of the 40 hours of training, the employees will become certified as CIT members. CIT members will be awarded a CIT insignia to be worn above their nametags.***
- D. ***The CIT officer will be identified in the CAD with a code so they can be dispatched when requested to handle complicated mental illness calls for service. The CIT officer will respond to the scene when requested by the beat officer or officer assigned to the call. If there are no trained CIT officers available in a specific district, an adjoining district CIT officer and that officer's supervisor will be notified of the need for the CIT officer to respond.***
- E. ***Once the CIT officer is on the scene of a mental illness call, the CIT officer becomes the primary officer. This does not relieve the first officer on the scene of a hostage, barricade, or life-threatening situation from activating the***

***Emergency Response Team as directed in FC 950, "Emergency Response to Hostage, Barricade, and All Life-Threatening Situations," if such activation is tactically necessary.***

**F. The CIT officer will determine:**

1. ***If the mentally ill consumer is in need of a Petition for Emergency Evaluation.***
2. ***If the Mobile Crisis Team needs to respond to assist.***
3. ***If the mentally ill consumer needs to be charged criminally or diverted to mental health services. (Refer to section III.)***
4. ***If the mentally ill consumer does not require immediate medical or mental health attention and can be referred to resources available during normal business hours.***

**G. The CIT officer will complete:**

1. ***An MCP 922, "Crisis Intervention Team Report" (appendix G) and forward it to the CIT Coordinator.***
2. ***All other required reports.***

**H. The Crisis Intervention Team Coordinator is assigned to Field Services Bureau and can be contacted at (240) 773-5057 or fax (240) 773-5058.**

**III. Pre-Booking Diversion (Appendix A)**

***Pre-booking diversions will be completed at CPU between 0800 and 2400 hours seven days a week. CIT Officers will request ECC notify the Crisis Center while they are enroute to CPU with the consumer. Crisis Center staff will meet the CIT Officer at CPU to conduct the pre-booking diversion assessment.***

**IV. Petition Procedure**

**A. Citizen Petitioners**

1. A citizen who has reason to believe a person is suffering from a mental disorder ***and presents a danger to the life and safety of the individual or others*** may complete a petition for the emergency evaluation of that person. Judicial review is required when a citizen is the petitioner.
2. If the court is open:
  - a. The petitioner will present the petition to a judge of the District Court for immediate review.
  - b. Upon determining that probable cause exists to detain the subject named in

the petition, the judge will sign the order and direct the Sheriff to take the subject into custody and transport the subject to an emergency facility.

- c. If the judge determines the petition does not establish probable cause, the judge will order no further action.
3. If the District Court is closed:
  - a. The petitioner will request a petition application from the nearest available District Court Commissioner.
  - b. The Commissioner will take appropriate action to provide for review of the petition by the on-call judge.
  - c. If the judge signs the order, ***the commissioner will contact the Sheriff for service of the petition. If the Sheriff is not available, the commissioner will contact MCP for service of the petition.***
  - d. The life of the judge's order is five days.

**B. Departmental Responsibilities in Serving Petitions Obtained by Citizens (CALEA 5.1.3)**

1. ***The petitioner will respond, with the petition, to the district where the petition is to be served.***
2. The PSA will attach an MCP 2942, "Petition for Emergency Evaluation Information Sheet," (Appendix B) to the petition and instruct the petitioner to complete the form.
3. ***The primary concern is the welfare of the evaluatee and other citizens. Shift supervisors will not delay service of a petition arbitrarily. If all officers are already assigned to non-emergency calls, shift supervisors should reassign officers to ensure that the petition is served as soon as possible.*** Delay of service is appropriate when:
  - a. The evaluatee (or others) would not be endangered due to the delay, or
  - b. Other factors necessitate a delay (e.g. higher priority calls, no officers available, etc.).
4. A minimum of two officers will be assigned to serve the petition. One of the officers should be the same sex as the person named in the petition whenever practical.
5. Officers serving a petition will notify ECC of their status (Code 62).
6. The shift supervisor responsible for overseeing service of the petition will ensure that:

- a. The MCP 2942 is as complete as possible.
  - b. The individual named in the petition is placed in custody as soon as possible.
  - c. The individual is transported to the closest designated emergency facility for evaluation (Holy Cross, Montgomery General, Shady Grove Adventist, Suburban, or Washington Adventist).
7. If officers locate the evaluatee, two officers will take the evaluatee into custody and transport the evaluatee to the nearest hospital utilizing a single vehicle. Officers will request that the dispatcher have the station call the hospital and advise them that the police are bringing in a patient for an emergency evaluation and request that hospital security meet them in the emergency room. Service of the petition will be documented by completing Court Form CC/DC 27, "Return of Service by Peace Officer," which will be found attached to the petition. (CALEA 71.1.3, 71.3.1)
  8. If officers assigned to serve a petition are unable to locate the evaluatee, they will record their attempts to serve the petition on the MCP 2942 and return the petition to their supervisor. The supervisor will determine whether additional attempts at service will be made by the police or if the petition should be returned to the Sheriff's Office.
  9. If the shift supervisor determines that additional attempts at service should be made by the oncoming shift, that supervisor will deliver the petition to the oncoming shift supervisor. The transfer of the petition will be recorded on the MCP 2942.
  10. If the shift supervisor determines that the petition should be returned to the Sheriff's Office for service, the supervisor will ensure that the unserved petition is hand-carried to the Sheriff's Office or relayed to the Sheriff's Transport Unit as soon as possible. The transfer of the petition will be recorded on the MCP 2942.
  11. If a person named in a petition is subsequently located (e.g., if a family member finds the person and notifies the Sheriff's Office), and the petition is at the Sheriff's Office, the Sheriff's Office will contact ECC to request the police serve the petition when a Sheriff's Office supervisor has determined that:

- a. The Sheriff's Transport Unit is out of service,
  - b. The Sheriff's Office has no other personnel available to serve the petition, and
  - c. Delaying the service would endanger the evaluatee or others.
12. If the Sheriff's Office is unable to relay the petition to the police district where the petition is to be served, the police will obtain the petition from the Sheriff's Office.

C. Responsibilities of Police Officers as Petitioners

1. If a police officer has probable cause to believe that a person has a mental disorder and ***the person presents a danger to the life or safety of the individual or of others***, the officer will take the subject into custody and transport the subject to the nearest designated emergency facility. ***The petition may be based on examination, observation, or other information pertinent to the factors giving rise to the petition.*** (CALEA 71.3.1)  
***NOTE: The police officer does NOT have to observe the behavior.***
2. Once at the hospital, officers will complete side 1 of the CC/DC 13, "Petition for Emergency Evaluation," (Appendix D) and the top half of the CC/DC 14, "Additional Certification by Peace Officer." (Appendix E) Both forms will be presented to the physician in charge of the emergency room at the hospital. Officers completing the forms must sign their names and write their titles (e.g., Police Officer III) and ID numbers next to their names.
3. Officers will take immediate action to prevent harm to all persons. Police officers are not civilly or criminally liable for completing a Petition for Emergency Evaluation or for taking a person into custody for an evaluation when it is done in good faith. As with a physician, certified psychologist, health officer, or designee of the Health Officer, no prior judicial review is required. (CALEA 71.3.1)

D. Crisis Center/Mobile Crisis Team Staff as Petitioners

1. The staff of the Montgomery County Crisis Center, which includes the Mobile Crisis Team, are named as designees of the Health Officer. Emergency Evaluation Petitions signed by the Crisis Center staff

either at the Crisis Center or on-site in the community do not require prior judicial review. The address and phone number for the Crisis Center are:

1301 Piccard Drive  
Rockville, MD 20850  
(240) 777-4000

2. Upon the completion and signing of a petition for emergency evaluation in accordance with all legal criteria and requirements, the Crisis Center staff will contact ECC to request assistance for service of the petition.
3. ECC will dispatch the Sheriff's Transport Unit. If the Sheriff's Transport Unit is unavailable, ECC will advise a shift supervisor in the district where the petition is to be served.
4. The shift supervisor will consult with the Crisis Center staff and will determine if service of the petition can wait until the Sheriff's Transport Unit becomes available. If the shift supervisor determines that delaying the service for the Sheriff's Transport Unit would be appropriate, the supervisor will advise ECC to assign the call to the Sheriff's Transport Unit when it becomes available.
5. If the shift supervisor determines that delaying the service of the petition would be inappropriate, the supervisor will assign a minimum of two officers to serve the petition. The supervisor will assign at least one officer of the same sex as the person named in the petition whenever practical.

E. Other Assistance Requested by the Mobile Crisis Team

If the Mobile Crisis Team requests police assistance for any reason other than actual petition service (e.g., back-up/security to interview a potential evaluatee, etc.), the police will provide assistance as appropriate.

V. **Procedure While at the Emergency Facility**

- A. The emergency facility must accept the individual for evaluation upon a properly executed petition.
- B. Officers will give emergency room staff all pertinent information about the evaluatee including the identity and location of the evaluatee's relatives, if known.

- C. The officers will leave the hospital and return to normal duty unless the patient is violent and the physician requests that the officers remain. If the request is made, the officers will advise their supervisor of the request.
- D. The officers must remain at the hospital until their supervisor has responded to the physician's request. If the evaluatee is violent, the supervisor will direct the officers to remain at the hospital. When officers are requested to remain at the hospital, it is the responsibility of the attending physician to examine the evaluatee as promptly as possible.
- E. An evaluatee must be examined within 6 hours after being transported to the emergency facility and may not be detained for longer than 30 hours from the time of arrival at the hospital.
- F. If the examining physician does not certify the evaluatee for admission to a state hospital, the evaluatee will be released immediately. If a police officer was the petitioner, the department will provide transportation for the released patient from the local hospital back to the location where the evaluatee was taken into custody if there is no alternative transportation available to the patient. If the petitioner is anyone other than a police officer, this department will not provide return transportation for released evaluatees unless a shift supervisor believes that extenuating circumstances dictate otherwise.
- G. If the examining physician certifies the evaluatee, the physician shall place the evaluatee in an appropriate facility. Once a physician has placed an evaluatee, the physician will contact the private ambulance company which is under contract with the county. The private ambulance service will transport persons certified for commitment. Officers will only transport persons to a designated emergency facility within the county for evaluation. They will not transport patients to any other facility after an evaluation has been completed.
- H. In all circumstances, whether the evaluatee is certified or not, officers will complete the appropriate event report (2942 - Mental *Illness*) and all reimbursement forms (see section V).

**VI. Transporting Aggressive Patients with Mental Illness (CALEA 71.2.1, 71.3.1)**

The transporting of patients with mental illness requires officers to exercise caution to avoid possible injury to themselves or the evaluatee. Officers will use their own judgment to determine the most appropriate method of restraint. Officers should consider leather restraints, ankle cuffs, and waist chains (in addition to handcuffs) based on their assessment of the evaluatee. In situations where the transporting officer deems the patient "aggressive," the following procedures apply:

1. Request an ambulance via ECC.
2. Assist Fire/Rescue personnel with the application of appropriate restraints (e.g., tie-down stretcher, leather restraints, etc.).
3. One police officer will ride inside the ambulance, and a second officer will follow behind in a cruiser. (CALEA 71.1.3)
4. Officers will document the transport on the appropriate departmental report, and the reimbursement forms will be completed whenever the transport is accomplished using a police vehicle.

**VII. Clearance and Reporting**

*The Mental Transport clearance code (2942) will remain, however, the title will change to "Mental Illness" and will allow the CIT team to track all related mental illness police calls. The classification (2942) will also receive an optional asterisk (\*) and police reports will be prepared on an as needed basis. This does not relieve officers from the responsibility to write reports involving mental transports.*

**VIII. Requirements for Reimbursement of Transportation Costs**

The Maryland Department of Health and Mental Hygiene (DHMH) will reimburse the Department of Police for the cost of transporting an evaluatee to an emergency facility (Emergency Evaluation Petition only). In order to meet the requirements set by DHMH, the following procedures will be adhered to:

**A. Transporting Officers' Responsibilities**

1. Transporting officers will be responsible for obtaining and recording ALL required information on the MCP 557, "Transport Reimbursement Memorandum." (Appendix C)
2. Ensure the transport vehicle contains a department-issued first aid kit when transporting an evaluatee as a result of an Emergency Evaluation Petition.
3. Retain a properly executed copy of the Emergency Evaluation Petition and any other related forms.
4. Complete the MCP 557 and forward it along with a copy of the petition, and any other related forms, to the district commander before the end of the tour of duty.

**B. Shift Supervisor's Responsibilities**

1. Ensure that an MCP 557 is attached to the Petition for Emergency Evaluation before it is assigned to an officer for service.
2. Ensure that all forms are completed before they are submitted to the district commander.

**C. District Commander's Responsibilities**

Send the Petition for Emergency Evaluation, the completed MCP 557, and any other related forms, via interoffice mail to:

Accounting General Ledger Manager  
Department of Finance  
Division of the Controller  
EOB, Eighth floor

Packets are to be sent to this location for Emergency Evaluation Petitions only.

**IX. Resolution of Issues Between the County Police and the Sheriff's Office**

Problems arising related to this directive will be resolved by forwarding to the Management and Budget Division a memorandum outlining the issues involved.

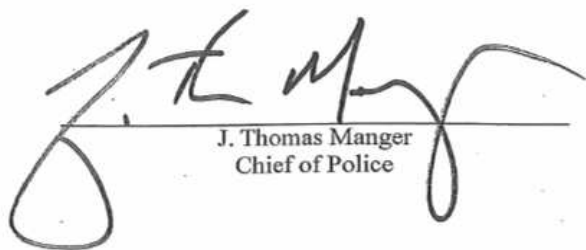
**X. Proponent Unit: *CIT Coordinator***

**XI. Cancellation**

***This directive cancels Function Code 921, effective date 06-08-99, and Headquarters Memorandum 01-09.***

FC No.: 921

Date: 06-10-05



J. Thomas Manger  
Chief of Police