

## CHIEF OF DETECTIVES

### NOTICE 8.2

November 19, 2018

**TO:** All Department Personnel

**FROM:** Chief of Detectives

**SUBJECT:** SERVICE OF ORDERS FOR 72-HOUR DETENTIONS AND/OR APPREHENSION AND TRANSPORTATION ORDERS

This Notice is to serve as a reminder for Department personnel of their responsibility and limitations when Lanterman-Petris-Short (LPS) Act designated County personnel request assistance apprehending individuals subject to mental health holds. There are several instances assistance may be requested: Assisted Outpatient Treatment (AOT) Orders, Apprehension and Transportation (A&T) Orders, Psychiatric Mobile Response Team (PMRT) requests, and court-ordered conservator requests.

When a person has been accepted into the AOT program, a Superior Court judge can issue an Order to have the subject placed on a 72-hour hold pursuant to Welfare and Institutions Code §5346(d)(3). The court will provide the signed Order to the Los Angeles County Department of Mental Health AOT team to serve on the concerned person. The Order directs the person to be placed on a 72-hour hold, be transported to an LPS Act designated hospital, and may include the statement: **“Law Enforcement is ordered to assist in taking client into custody, for transport to the hospital, and if necessary, to use objectively reasonable force.”**

When a person, who is the subject of a mental health hold has escaped from an LPS Act designated treatment facility, an Apprehension and Transportation Order may be issued by the treating facility for the time remaining on the involuntary hold. Welfare and Institutions Code §7325 authorizes police officers to take a person named on a valid A&T Order, into custody and transport them back to the facility they escaped from or the nearest LPS Act designated hospital.

**Note:** Personnel are reminded that the Order is not a criminal arrest warrant, but is a civil Order for apprehension and transportation only. Officers are not empowered to force entry into a room or dwelling to effect service of the Order.

Department personnel are to adhere to the following, when asked to assist in the service of *Orders for 72-hour Detention, Apprehension and Transportation Orders* pursuant to WIC §7325, and assisting in the apprehension of a subject pursuant to WIC §5150 and/or WIC §5358.5.

- Department personnel shall assist the AOT team member or authorized person with the apprehension of the subject pursuant to Department Manual Sections:

4/260.20 TAKING PERSONS WITH A MENTAL ILLNESS INTO CUSTODY

“...Upon request, uniformed officers shall assist the Lanterman-Petris-Short (LPS) Act designated County Psychiatric Mobile Response Teams, LPS designated mental health clinician, the court-designated conservator, or court mandated treatment provider in the apprehension of persons suffering from a mental illness, or violent mental patients who are being placed on a mental health hold.”

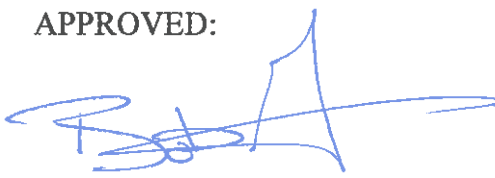
4/260.60 APREHENSION AND TRANSPORTATION ORDER SERVICE

- Contact the Mental Evaluation Unit, when practicable, prior to the apprehension/detention of a person subject to the above-mentioned court Orders and/or Welfare and Institutions Code Sections;
- Verify the Court Order for 72-hour detention is valid;
- Verify the Apprehension and Transportation Order has not expired and is signed;
- Ensure that the court appointed conservator has made the request in writing and has a certified copy of the letter of conservatorship, giving them the power to request the apprehension and transportation of the conservatee;
- Personnel shall be guided by the Department’s Use of Force and Tactics Directive, No. 16, titled, “Tactical De-Escalation Techniques,” dated October 2016 and Training Bulletin, titled, “Barricaded Suspects,” dated December 2016; and,
- Consider the option of serving the Order at a later time and under different circumstances to reduce the risk of a violent confrontation.

If you have any questions regarding this Notice, please contact Lieutenant Brian Bixler, Crisis Response Support Section, Detective Support and Vice Division, at (213) 996-1349.

  
SEAN W. MALINOWSKI, Deputy Chief  
Chief of Detectives

APPROVED:

  
BOB GREEN, Deputy Chief  
Chief of Staff  
Office of the Chief of Police

DISTRIBUTION "D"