

OFFICE OF THE CHIEF OF POLICE

SPECIAL ORDER NO. 30

December 9, 2020

APPROVED BY THE BOARD OF POLICE COMMISSIONERS ON December 8, 2020

**SUBJECT: CONTACT WITH PERSONS SUFFERING FROM A MENTAL ILLNESS – REVISED; HANDCUFFING PERSONS WITH A MENTAL ILLNESS – REVISED; A PERSON SUSPECTED OF SUFFERING FROM A MENTAL ILLNESS – CONSIDERATIONS – ESTABLISHED; TACTICAL DISENGAGEMENT – ESTABLISHED; PRIVATE PERSONS’ REQUEST FOR INFORMATION – REVISED; NOTIFICATIONS FROM A MENTAL HEALTH PROFESSIONAL – ESTABLISHED; TAKING PERSONS WITH A MENTAL ILLNESS INTO CUSTODY – REVISED; PERSON CONFINED IN PSYCHIATRIC WARD, LOS ANGELES COUNTY-USC MEDICAL CENTER – PROPERTY DISPOSITION – REVISED; FIELD OFFICER’S NOTEBOOK, FORM 15.03.00 – REVISED; DETAINMENT ADVISEMENT FOR PERSONS WITH A MENTAL ILLNESS, FORM 15.04.00 – ACTIVATED; AND, INCIDENTS INVOLVING PERSONS SUSPECTED OF SUFFERING FROM A MENTAL ILLNESS – FIELD NOTEBOOK DIVIDER, FORM 18.47.00 – REVISED**

**PURPOSE:** Individuals suffering from a mental illness are some of the most vulnerable residents of the City. The purpose of this Order is to provide Department personnel with specific direction on interacting with, evaluating, taking custody of, and remanding persons with a mental illness to treatment facilities. This Order also rescinds Chief of Detectives Notice, *Determination of Persons Suspected of Suffering from a Mental Illness*, dated May 19, 2017.

**PROCEDURE:**

- I. **CONTACT WITH PERSONS SUFFERING FROM A MENTAL ILLNESS – REVISED.** Department Manual Section 1/240.30, *Contact with Persons Suffering from a Mental Illness*, has been revised and is attached with the revisions indicated in italics.
- II. **HANDCUFFING PERSONS WITH A MENTAL ILLNESS – REVISED.** Department Manual Section 4/217.36, *Handcuffing Persons with a Mental Illness*, has been revised and is attached.
- III. **A PERSON SUSPECTED OF SUFFERING FROM A MENTAL ILLNESS – CONSIDERATIONS – ESTABLISHED.** Department Manual Section 4/260.05, *A Person Suspected of Suffering from a Mental Illness – Considerations*, has been established and is attached.
- IV. **TACTICAL DISENGAGEMENT – ESTABLISHED.** Department Manual Section 4/260.07, *Tactical Disengagement*, has been established and is attached.

**Note:** Personnel should reference Training Bulletin, **Tactical Disengagement**, dated July 2019 for additional information. Personnel are further reminded that the apprehension of serious and/or violent criminal offenders remains the preeminent consideration in the Department's mandate to maintain public safety.

- V. **PRIVATE PERSONS' REQUEST FOR INFORMATION – REVISED.** Department Manual Section 4/260.10, *Private Persons' Request for Information*, has been revised and is attached with the revisions indicated in italics.
- VI. **NOTIFICATIONS FROM A MENTAL HEALTH PROFESSIONAL – ESTABLISHED.** Department Manual Section 4/260.12, *Notifications from a Mental Health Professional*, has been established and is attached.
- VII. **TAKING PERSONS WITH A MENTAL ILLNESS INTO CUSTODY – REVISED.** Department Manual Section 4/260.20, *Taking Persons with Mental Illness into Custody*, has been revised. Attached is the revised Department Manual section with the revisions indicated in italics.
- VIII. **PERSON CONFINED IN PSYCHIATRIC WARD, LOS ANGELES COUNTY-USC MEDICAL CENTER – PROPERTY DISPOSITION – REVISED.** Department Manual Section 4/260.52, *Person Confined in Psychiatric Ward, Los Angeles County-USC Medical Center – Property Disposition*, has been revised. Attached is the revised Department Manual section with the revisions indicated in italics.
- IX. **FIELD OFFICER'S NOTEBOOK, FORM 15.03.00 – REVISED.** The Field Officer's Notebook, Form 15.03.00, has been revised to include the Detainment Advisement for Persons with a Mental Illness relative to California Welfare and Institutions Code Section 5150 (g)(1).
- X. **DETAINMENT ADVISEMENT FOR PERSONS WITH A MENTAL ILLNESS, FORM 15.04.00 – ACTIVATED.** The Detainment Advisement for Persons with a Mental Illness, Form 15.04.00, has been activated for use by officers to provide a verbal advisement to detained persons suffering from a mental illness.
- A. **Use of Form.** This form shall be laminated by the Department of General Services; and, inserted inside the Field Officer's Notebook or officer's shirt pocket for reference relative to this advisement, per Department Manual Section 4/260.20.
- B. **Completion.** The form is a verbal advisement only and is self-explanatory.
- C. **Distribution.**
- 1 – Original, issued to all sworn personnel.
- 1 – TOTAL

**Note:** Officers who verbally provide this advisement to the person shall note the advisement on either the Computer Aided Dispatch Summary Report, Daily Field Activities Report (DFAR), Form 15.52.00, or the Traffic Daily Field Activities Report (TDFAR), Form 15.52.01.

**XI. INCIDENTS INVOLVING PERSONS SUSPECTED OF SUFFERING FROM A MENTAL ILLNESS – FIELD NOTEBOOK DIVIDER, FORM 18.47.00 – REVISED.** The Incidents Involving Persons Suspected of Suffering from a Mental Illness Field Notebook Divider, Form 18.47.00, has been revised and is attached.

**FORM AVAILABILITY:** The initial dissemination of 10,000 Detainment Advisement for Persons with a Mental Illness forms shall be distributed as laminated cards to all sworn personnel by the Mental Evaluation Unit. Once the current stock of Field Officer's Notebooks which do not contain the integrated advisement have been depleted from the Department of General Services, this advisement shall then be integrated into the inside cover of the Field Officer's Notebook. Training Division shall be responsible to order the stand-alone laminated advisement forms for its recruit officers until the advisement has been integrated into the Field Officer's Notebook.

The "Form Use" link applicable to the Incidents Involving Persons Suspected of Suffering from a Mental Illness – Field Notebook Divider and the Field Officer's Notebook has been updated.

**AMENDMENTS:** This Order adds Sections 4/260.05, 4/260.07, and 4/260.12; and, amends Sections 1/240.30, 4/260.10, 4/260.20 and 4/260.52 of the Department Manual.

**AUDIT RESPONSIBILITY:** The Commanding Officer, Audit Division, shall review this directive and determine whether an audit or inspection shall be conducted in accordance with Department Manual Section 0/080.30.



MICHEL R. MOORE  
Chief of Police

Attachments

DISTRIBUTION "D"

**DEPARTMENT MANUAL**  
**Volume I**  
**Revised by Special Order No.30 , 2020**

**240.30 CONTACT WITH PERSONS SUFFERING FROM A MENTAL ILLNESS.** In police contacts with persons suffering from a mental illness, the goal of the Department is to provide a humane, cooperative, compassionate and effective law enforcement response to persons within our community who *have a* mental illness. The Department seeks to reduce the potential for violence during police contacts involving people suffering from mental illness while simultaneously assessing the mental health services available to assist. This requires a commitment to problem solving, partnership, and supporting a coordinated effort from law enforcement, mental health services and the greater community of Los Angeles.

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**217.36 HANDCUFFING PERSONS WITH A MENTAL ILLNESS.** *When taking a person with a mental illness into custody, Department personnel shall evaluate the totality of the circumstances to facilitate taking custody of the individual without unnecessarily escalating the contact.*

*When the age or physical condition (i.e., height, weight, strength, apparent intoxication or influence of an illicit substance) of a person with a mental illness is such that the personal safety of the individual or the officer clearly will not be jeopardized, the use of handcuffs shall not be required, but shall be at the discretion of the officer.*

*The decision as to the timing and use of handcuffs shall be based in part on the viability of de-escalation factors such as time and distance, to minimize the likelihood that the application of the restraints unduly results in an aggressive/combatative response from the person with a mental illness.*

When handcuffing a person with a mental illness, officers *shall* use only official handcuffs and ensure that the handcuffs are double locked. Temporary plastic restraints *shall* not be used to restrain a person with a mental illness, nor *may such restraints* be furnished to private persons by *Department personnel* for use in restraining a person with a mental illness.

*Exception: When a person with a mental illness is receiving medical treatment, which requires medical imaging where metal handcuffs are not permissible, Department personnel may utilize temporary plastic restraints for the medical procedure only.*

*Exception: When engaged in an unusual occurrence, such as large-scale crowd control tactics, and officers deem handcuffing to be necessary to ensure the safety of themselves and others, personnel are permitted to use Department approved temporary plastic restraints on individuals with a mental illness. However, absent exigent circumstances and sufficient need, Department personnel are expected to make every effort to utilize official handcuffs on persons with a mental illness.*

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**260. PERSONS WITH MENTAL ILLNESS.**

**260.05 A PERSON SUSPECTED OF SUFFERING FROM A MENTAL ILLNESS – CONSIDERATIONS.** *In formulating the opinion that a person may be suffering from a mental illness, officers shall consider the following:*

- *The officer's observations, based on his or her training and experience;*
- *A self-reported condition by the subject, i.e., diagnosis and/or medication;*
- *Statements from a credible third party, i.e., family member, caregiver, mental health professional, and/or citizen; or,*
- *History of law enforcement contacts, mental health evaluations or hospitalizations, e.g., Mental Evaluation Report via the Mental Evaluation Unit.*

**260.07 TACTICAL DISENGAGEMENT.** *Disengagement is the tactical decision to leave, delay contact, delay custody, or plan to make contact at a different time and under different circumstances. This tactic should be considered when an officer reasonably believes continued contact may result in an unreasonable risk to the person in crisis, the public, and/or Department members, especially in situations involving a barricaded suspect, a suicidal subject, or a person believed to be experiencing a mental health crisis (pursuant to the Department Training Bulletin, Tactical Disengagement, dated July 2019).*

**Investigating Officer's Responsibilities.** *Disengagement can be proposed by the primary unit, but shall **not** be effected prior to:*

- *Consultation with the field supervisor;*
- *Consultation with the Mental Evaluation Unit (MEU) watch commander, if the subject is experiencing a mental health crisis; and,*
- *Approval by the Area watch commander.*

*Tactical situations vary and there is no single solution to resolving every incident. Disengagement is only one of many tactics that should be considered, if feasible, to potentially reduce the intensity of the encounter if believed it would de-escalate the situation and no crime or a minor crime has occurred (i.e., non-violent misdemeanor or felony, weapons uninvolved).*

**Note:** *Minor crimes include, but are not limited to, infractions or crimes that can be followed up with an Investigative Report, Form 03.01.00.*

*Officers should continually assess the situation as circumstances change and new information is received. Officers should additionally evaluate if further contact with the subject may result in an undue safety risk to the person, the public, and/or officers.*

*The primary unit shall document their notifications and any direction received from Department personnel on their Daily Field Activities Report, Form 15.52.00.*

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**Field Supervisor's Responsibilities.** *The incident commander (IC) at scene shall contact the Area watch commander, and when feasible, contact Metropolitan Division's watch commander to request the Special Weapons and Tactics team (SWAT) and/or the Crisis Negotiations Team (CNT) whenever:*

- *The incident meets the criteria for a barricaded suspect; or,*
- *A suicidal subject is armed; or,*
- *A suicidal subject is on an elevated or unstable surface which could cause a fall that may result in a significant impact injury.*

*The IC shall also contact MEU, Detective Support and Vice Division, for advice if the incident involves an individual experiencing a mental health crisis. However, the watch commander for the geographic Area of occurrence shall be the final authority on whether to disengage from any of the above circumstances. The IC shall document his or her notifications and any direction received from Department personnel on their Sergeant's Daily Report, Form 15.48.00.*

*Note: Not all suicidal subjects are considered barricaded or require a SWAT/CNT response or immediate police action.*

**Watch Commander's Responsibilities.** *The Area watch commander shall make direct contact with the incident commander in incidents under consideration for tactical disengagement. Where appropriate, the watch commander shall review the incident with the MEU and Metropolitan Division watch commanders. The Area watch commander shall:*

- *Weigh the situation against the community's interests (i.e., Balance Test);*
- *Provide direction to at-scene personnel consistent with the Department's guiding principle of reverence for human life and pursuant to the Tactical Disengagement Training Bulletin (dated July 2019); and,*
- *Document his or her notifications and any direction received from and given to Department personnel on his or her Watch Commander's Daily Report, Form 15.80.00.*

**260.10 PRIVATE PERSONS' REQUEST FOR INFORMATION.** Private persons who inquire about treatment of persons with a mental illness or the filing of mental health petitions shall be advised to telephone the *National Alliance on Mental Illness (NAMI) Greater Los Angeles County* or the *Los Angeles County Department of Mental Health Access Center* for guidance.

**260.12 NOTIFICATIONS FROM A MENTAL HEALTH PROFESSIONAL.** *When an officer receives a notification from a mental health professional regarding a communicated threat of physical violence against a reasonably identifiable victim(s), also known as a "Tarasoff Notification," he or she shall immediately notify the Mental Evaluation Unit (MEU), Detective Support and Vice Division. The MEU shall complete the required documentation and notification to the California Department of Justice.*

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*The reporting officer shall conduct the appropriate criminal investigation, to include any required investigative reports.*

**260.20 TAKING PERSONS WITH A MENTAL ILLNESS INTO CUSTODY.** When Department personnel make the determination to take custody of a person suspected of suffering from a mental illness, and the only reason for the detention is the person's suspected mental illness, officers shall communicate the Detainment Advisement for Persons with a Mental Illness, Form 15.04.00, to the individual. Officers shall further ensure that they document on their activities log, [e.g., Computer Aided Dispatch (CAD) Summary Report, Daily Field Activities Report (DFAR), Form 15.52.00, or its electronic version (i.e., e-DFAR); or the Traffic Daily Field Activities Report (TDFAR), Form 15.52.01], that the Detainment Advisement was given.

The Mental Evaluation Unit (MEU) shall be contacted prior to transporting a person with mental illness to any health facility or hospital.

**Exception:** In those situations where an exigency exists (i.e., hostile crowd, combative suspect or the subject is injured and requires immediate medical treatment), the MEU shall be contacted after the subject is transported to an appropriate medical facility. Officers shall fax or forward via Department mail a copy of the Los Angeles County Department of Mental Health – MH 302 NCR Application for Assessment, Evaluation, and Crisis Intervention or Placement for Evaluation and Treatment form to the MEU.

When a person is taken into custody for a criminal offense and the person is suspected of having a mental illness, the MEU shall be contacted prior to the person being booked. When the subject is a suspect in a felony or high-grade misdemeanor crime, or has a felony or high-grade misdemeanor warrant, the criminal matters shall take precedence. If the subject is under arrest for a low-grade misdemeanor crime, misdemeanor warrant, or infraction, and meets the criteria for an Application for Assessment, Evaluation, and Crisis Intervention or Placement for Evaluation and Treatment form, booking is at the discretion of the Area watch commander. Arrestees suffering from a mental illness may be booked at any Department jail facility. Brief information concerning the mental illness should be documented in any booking reports and under the "Additional" heading in the Arrest Report.

The MEU, Detective Support and Vice Division, is available for advice and assistance in facilitating the transfer of the subject to a Los Angeles County jail facility. Any questions concerning the arrest, booking, housing, or transfer of an individual suspected of suffering from a mental illness shall be directed to the MEU Watch Commander. If the subject is not booked for the criminal offense, officers shall complete the appropriate criminal Investigative Report (IR), Form 03.01.00. Brief information concerning the mental illness shall be documented under the "Additional" heading in the IR, as well as the notifications made (i.e., who was contacted and/or provided advice). Follow-up shall be conducted by the appropriate investigative entity.

When practical, provide the subject and/or family with the Department's Community Mental Health Resource Guide and 911 Checklist, available from the MEU, and on E-forms. Upon