INTRADEPARTMENTAL CORRESPONDENCE

January 10, 2024
14.2

TO: The Honorable Board of Police Commissioners

FROM: Chief of Police

SUBJECT: HANDLING OF THE MENTALLY ILL AUDIT (AD NO. 23-011)

RECOMMENDED ACTION

It is recommended that the Board of Police Commissioners REVIEW and APPROVE the attached Handling of the Mentally Ill Audit.

DISCUSSION

Audit Division conducted the Handling of the Mentally Ill Audit to evaluate compliance with Department policies and procedures.

If additional information regarding this audit is required, please contact Police Administrator Sharon Sargent, Commanding Officer, Audit Division, at (213) 486-8480.

Respectfully,

MICHEL R. MOORE
Chief of Police

Attachment

HANDLING OF THE MENTALLY ILL AUDIT
Conducted by Audit Division
2023

OVERVIEW

In accordance with the Los Angeles Police Department (Department) Annual Audit Plan for 2023, Audit Division (AD) completed the Handling of the Mentally Ill Audit. The purpose of this audit was to determine if the Department's policies and procedures were followed related to police contacts involving persons suspected of suffering from a mental illness.

The following table summarizes a comparison of the 2019 and 2023 findings.

Table No. 1 – Summary of Findings by Objectives and Comparison to Prior Audit

Objective No.	Description of Objectives	2019		2023	
		Number Meeting Standard	Percentage Meeting Standard	Number Meeting Standard	Percentage Meeting Standard
1	Usage of Proper Disposition Codes	51/61	84%	202/216	94%
2	Documentation of the Detainment Advisement	N/A[1]	N/A	1/234	0%
3	Mental Evaluation Unit Contact Documentation	52/61	85%	139/199	70%

BACKGROUND

The goal of the Department is to provide a humane, cooperative, and effective law enforcement response to persons within the community who are suspected of suffering from a mental illness. The Department seeks to reduce the potential for violence during police contacts involving such persons, while simultaneously assessing the mental health services available to assist them.

The Mental Evaluation Unit (MEU) provides expertise and supports field officers with handling persons suspected of suffering from a mental illness. To improve the types of services provided to the mentally ill community, the Department mandates tracking the outcome(s) of all calls for service (CFS) involving persons suspected of suffering from a mental illness.

PRIOR AUDITS

Audit Division conducted three prior audits for handling of the mentally ill in 2015, 2018, and 2019. The audits evaluated the correct use of disposition codes and documentation of MEU being contacted when an involved person is suspected of suffering from a mental illness.

[1] Objective No.2 was not tested in 2019.

SCOPE AND METHODOLOGY

The audit period covered February 1, 2023, through April 30, 2023. Auditors obtained data on CFS related to incidents involving persons suspected of mental illness, injury, or attempt suicide. The population and sampling varied for each objective.

For Objective No. 1, auditors selected a random sample of 216 CFS from a population of 11,914 CFS.[2]

For Objective No. 2, auditors selected a random sample of 246 CFS from a population of 2,288 CFS related to arrests with an indication of mental illness (ARM) and hospitalized/hold (HOM) disposition codes. Auditors determined that 12 of the 246 CFS were handled by outside entities, resulting in 234 CFS to be reviewed.

For Objective No. 3, auditors selected a random sample of 199 CFS from a population of 2,145 CFS cleared with the HOM disposition code.

DETAILED FINDINGS

Objective No. 1 – Usage of Proper Disposition Codes

Criteria

Field Notebook Divider, *Incidents Involving Persons Suspected of Suffering from a Mental Illness*, Form 18.47.00, dated October 2020, states:

> *"Officers SHALL use one of the six mental illness-related incident disposition codes to clear all incidents dispatched as involving a person suspected of mental illness, (e.g., "918-person with mental illness," "245-ADW suspect, with a possible mental illness").*
>
> 1. ***ARM** – Arrest, Indication of a Mental Illness*
> *Subject arrested for a crime and exhibits indication of a mental illness.*
> 2. ***HOM** – Hospitalized/hold, Indication of a Mental Illness*
> *Subject met 5150 WIC hold criteria and was hospitalized.*
> 3. ***REM** – Referral, Indication of a Mental Illness*
> *Subject exhibits signs of a mental illness, but does not meet the requirement for a hold or arrest; subject was released with referral advice.*
> 4. ***NMI** – No Indication of a Mental Illness*
> *Subject does not exhibit any indication of a mental illness.*
> 5. ***ARN** – Arrest, No indication of a Mental Illness*
> *Subject arrested, and does not exhibit any indication of a mental illness.*
> 6. ***GOA** – Gone on Arrival*

[2] Auditors used a one-tail test with a 95 percent confidence level and an error rate of five percent for all objectives.

> *Shall be used in instances in which the parties (person reporting or subject) cannot be located for officers to make a determination if a mental illness is involved or not.*

Audit Procedures

Auditors reviewed 216 CFS and associated Computer Aided Dispatch (CAD) Summary Reports and Incident Recalls to determine whether Department personnel used the proper mental illness disposition codes to clear the calls. The Department met the standard if Department personnel used the proper disposition codes.

Findings

Of the 216 CFS reviewed, 202 (94 percent) met the standard while 14 did not.[3]

Objective No. 2 – Documentation of the Detainment Advisement

Criteria

Department Manual Section 4/260.20, *Taking Persons with A Mental Illness into Custody*, dated Quarter 4, 2022, states:

> *"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."*

Audit Procedures

Auditors reviewed 234 activity logs to determine if the Detainment Advisement was given and documented by officers. The Department met the standard for this objective if officers documented communication of the Detainment Advisement to a person in custody.

Findings

Of the 234 activity logs reviewed, one (zero percent) met the standard while 233 did not.[4]

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[3] See Addendum, Table No. 2 for detailed findings.
[4] See Addendum, Table No. 3 for detailed findings.

Objective No. 3 – Mental Evaluation Unit Contact Documentation

Criteria

Office of Operation Notice, *Mental Evaluation Unit Contact Documentation - Revised*, dated March 29, 2019, states:

> *"Effective immediately, when it is determined that an indication of mental illness exists and MEU is contacted, Department personnel shall only be required to include the MEU Report Number in the incident comment section of the Computer Aided Dispatch (CAD) or Daily Field Activity Report (DFAR) to cross-reference the MEU report with their incident. No additional reference to the MEU contact is necessary in the CAD summary or DFAR."*

Audit Procedures

Auditors reviewed 199 CAD Summary Reports and Incident Recalls to determine if officers included MEU report numbers in the comment section of the CAD Summary Reports or DFAR. The Department met the standard for this objective if the officers included the MEU report number in the comment section of the CAD Summary Report or DFAR.

Findings

Of the 199 CAD Summary Reports and DFARs reviewed, 139 (70 percent) met the standard while 60 did not.[5]

RECOMMENDATIONS

It is recommended that Department Manual Section 4/260.20 be amended to remove the requirement to document the Detainment Advisement on the CAD Summary Report since it is already documented on the *Application for Up to 72-Hour Assessment, Evaluation, and Crisis Intervention or Placement for Evaluation and Treatment* form.

ACTIONS TAKEN/MANAGEMENT RESPONSE

Audit Division presented the findings to the Office of Operations and Detective Bureau Commanding Officers who provided the attached responses.

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[5] See Addendum, Table No. 4 for detailed findings.

ADDENDUM

Table No. 2 – Objective No. 1 Findings

No.	Area	Disposition Code Recorded	Disposition Code Required
1	Central	NMISN NMISY	GOA
2	Rampart	NMISN NMISY	REM
3	Hollenbeck	NMISN	GOA
4	Northeast	NMISN	REM
5	Northeast	HOMSN HOMSY OCC OCCSN	GOA
6	Newton	GOASN HOM NMISY	REM
7	Newton	NMISN	REM
8	77th Street	NMISN	GOA
9	77th Street	NMISN	REM
10	Southeast	GOASN	HOM
11	Mission	OCCSN	HOM
12	Hollywood	NMISN	GOA
13	Wilshire	OCCSN	GOA
14	Pacific	NMISN	GOA

Table No. 3 – Objective No. 2 Findings

DETECTIVE BUREAU	
Division where officer took custody of a person	**Number of incidents when communication of the Detainment advisement was not documented**
Detective Support and Vice Division	27
Total:	**27**
OFFICE OF OPERATIONS	
CENTRAL BUREAU	
Area where officer took custody of a person	**Number of incidents when communication of the Detainment advisement was not documented**
Central	14
Hollenbeck	7
Newton	8
Northeast	8
Rampart	11
Central Bureau Total:	**48**
SOUTH BUREAU	
Area where officers took custody of a person	**Number of incidents when communication of the Detainment advisement was not documented**
77th Street	9
Harbor	10
Southeast	8
Southwest	11
South Bureau Total:	**38**
VALLEY BUREAU	
Area where officers took custody of a person	**Number of incidents when communication of the Detainment advisement was not documented**
Devonshire	14
Foothill	4
Mission	9
North Hollywood	9
Topanga	14
Van Nuys	12
West Valley	14
Valley Bureau Total:	**76**
WEST BUREAU	
Area where officers took custody of a person	**Number of incidents when communication of the Detainment advisement was not documented**
Hollywood	11
Olympic	5
Pacific	10
West Los Angeles	9
Wilshire	9
West Bureau Total:	**44**
Office of Operations Total:	**206**
GRAND TOTAL:	**233**

Table No. 4 – Objective No. 3 Findings

Area	Description of Call	Findings
DSVD[6]	907 ATT SUICIDE	Patrol officer called MEU. MEU report number was not included.
DSVD	918 AMB FEM	Patrol officer called MEU. MEU report number was not included.
DSVD	918 POSS JUV	Patrol officer called MEU. MEU report number was not included.
DSVD	907 POSS ATT SUICIDE	Patrol officer called MEU. MEU report number was not included.
Central	907 POSS ATT SUICIDE	Patrol officer called MEU. MEU report number was not included.
Central	POSS AMB ATT SUICIDE	Patrol officer called MEU. MEU report number was not included.
Central	918 MALE	Patrol officer called MEU. MEU report number was not included.
Central	918 FEM	Patrol officer called MEU. MEU report number was not included.
Central	907 POSS ATT SUICIDE	Patrol officer called MEU. MEU report number was not included.
Central	907 AMB ATT SUICIDE	Patrol officer called MEU. MEU report number was not included.
Central	907 POSS ATT SUICIDE	Patrol officer called MEU. MEU report number was not included.
Hollenbeck	918 MALE	Patrol officer called MEU. MEU report number was not included.
Northeast	918 VIOLENT FEM	Patrol officer called MEU. MEU report number was not included.
Northeast	918 VIOLENT FEM	Patrol officer called MEU. MEU report number was not included.
Northeast	918 MALE	Patrol officer called MEU. MEU report number was not included.
Northeast	918 MALE	Patrol officer called MEU. MEU report number was not included.
Newton	907 ATT SUICIDE	Patrol officer called MEU. MEU report number was not included.
Newton	918 FEM	Patrol officer called MEU. MEU report number was not included.

[6] DSVD – Detective Support and Vice Division, Detective Bureau.

Area	Description of Call	Findings
Harbor	907 AMB ATT SUICIDE	Patrol officer called MEU. MEU report number was not included.
Harbor	907 POSS ATT SUICIDE	Patrol officer called MEU. MEU report number was not included.
Harbor	907 ATT SUICIDE	Patrol officer called MEU. MEU report number was not included.
Southwest	907 POSS ATT SUICIDE	Patrol officer called MEU. MEU report number was not included.
Southwest	918 MALE	Patrol officer called MEU. MEU report number was not included.
Southwest	918 VIOLENT MALE	Patrol officer called MEU. MEU report number was not included.
Southwest	907 POSS ATT SUICIDE	Patrol officer called MEU. MEU report number was not included.
77th Street	907 AMB ATT SUICIDE	Patrol officer called MEU. MEU report number was not included.
77th Street	907 ATT SUICIDE	Patrol officer called MEU. MEU report number was not included.
77th Street	907 AMB ATT SUICIDE	Patrol officer called MEU. MEU report number was not included.
77th Street	918 MALE	Patrol officer called MEU. MEU report number was not included.
Southeast	918 MALE	Patrol officer called MEU. MEU report number was not included.
Southeast	918 POSS MALE	Patrol officer called MEU. MEU report number was not included.
Southeast	918 MALE	Patrol officer called MEU. MEU report number was not included.
Van Nuys	907 AMB ATT SUICIDE	Patrol officer called MEU. MEU report number was not included.
Van Nuys	907 POSS ATT SUICIDE	Patrol officer called MEU. MEU report number was not included.
West Valley	918 FEM	Patrol officer called MEU. MEU report number was not included.
West Valley	907 AMB ATT SUICIDE	Patrol officer called MEU. MEU report number was not included.
West Valley	918 AMB MALE	Patrol officer called MEU. MEU report number was not included.
Devonshire	918 VIOLENT FEM	Patrol officer called MEU. MEU report number was not included.

Area	Description of Call	Findings
North Hollywood	918 VIOLENT FEM	Patrol officer called MEU. MEU report number was not included.
North Hollywood	918 JUV	Patrol officer called MEU. MEU report number was not included.
North Hollywood	907 POSS ATT SUICIDE	Patrol officer called MEU. MEU report number was not included.
North Hollywood	918 FEM	Patrol officer called MEU. MEU report number was not included.
Devonshire	907 ATT SUICIDE	Patrol officer called MEU. MEU report number was not included.
Devonshire	918 FEM	Patrol officer called MEU. MEU report number was not included.
Devonshire	907 POSS ATT SUICIDE	Patrol officer called MEU. MEU report number was not included.
Mission	918 FEM	Patrol officer called MEU. MEU report number was not included.
Mission	918 AMB FEM	Patrol officer called MEU. MEU report number was not included.
Mission	918 MALE	Patrol officer called MEU. MEU report number was not included.
Topanga	907 AMB ATT SUICIDE	Patrol officer called MEU. MEU report number was not included.
Topanga	907 POSS ATT SUICIDE	Patrol officer called MEU. MEU report number was not included.
Topanga	907 POSS ATT SUICIDE	Patrol officer called MEU. MEU report number was not included.
Topanga	918 AMB MALE	Patrol officer called MEU. MEU report number was not included.
Hollywood	918 VIOLENT FEM	Patrol officer called MEU. MEU report number was not included.
Wilshire	918 POSS MALE	Patrol officer called MEU. MEU report number was not included.
Wilshire	918 MALE	Patrol officer called MEU. MEU report number was not included.
Wilshire	918 AMB MALE	Patrol officer called MEU. MEU report number was not included.
Pacific	907 AMB ATT SUICIDE	Patrol officer called MEU. MEU report number was not included.
Pacific-LAX	907 POSS ATT SUICIDE	Patrol officer called MEU. MEU report number was not included.

Area	Description of Call	Findings
Pacific-LAX	907 POSS AMB ATT SUICIDE	Patrol officer called MEU. MEU report number was not included.
Olympic	918 AMB MALE	Patrol officer called MEU. MEU report number was not included.

APPENDIX I

Audit Division Contact: Police Performance Auditor Adama D Franklin, (213) 486-8374 or N5815@LAPD.online

FOR

ADAMA D. FRANKLIN
Police Performance Auditor, Project Manager
Audit Division

WENDY GAMBLE
Police Performance Auditor, Officer-In-Charge, Section-A
Audit Division

SHARON SARGENT, Police Administrator
Commanding Officer
Audit Division

INTRADEPARTMENTAL CORRESPONDENCE

August 3, 2023
8.2

TO: Commanding Officer, Audit Division

FROM: Commanding Officer, Detective Support and Vice Division

SUBJECT: DOCUMENTATION OF DETAINMENT ADVISEMENT

On May 18, 2023, members of Los Angeles Police Department's Audit Division (AD) met with Detective Support and Vice Division (DSVD) as part of the Board of Police Commissioners (BOPC) Annual Audit Plan, regarding an audit involving contacts of persons with mental illness and documentation protocol.

During this meeting, DSVD was informed of the following manual section and its requirements to document the Detainment Advisement for Persons Suffering from Mental Illness. **Department Manual, 4th Quarter 2022, Vol. 4, "Line Procedures," Section 260.20, "Taking Persons With A Mental Illness Into Custody**," states: *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.*

Officers attempting to complete an application for assessment, evaluation, and crisis intervention or placement evaluation are required to complete Los Angeles County Department of Mental Health – MH 302 NCR form. On that form, it states that Welfare and Institutions Code (WIC), Section 5150(f) and (g), requires that each person, when first detained for psychiatric evaluation, be given certain specific information orally (Detention Advisement) and a record be kept of the advisement by the evaluating facility. If this advisement is not completed, the application will not be accepted from the medical facility.

DSVD was advised by AD that during their inspection, they identified four mental evaluation incidents (incident numbers 23030200003205, 23041000001896, 23022200001653, and 23032200000589) in which Mental Evaluation Unit (MEU) officers responded to incidents and completed holds. AD alleged with each of these incidents, subjects were placed on mental evaluation holds at licensed mental health facilities without being read the Verbal Detention Advisement.

Upon review, DSVD determined officers provided subjects with the verbal Detention Advisement, as documented on the MH302 NCR Application for Assessment, Evaluation, and Crisis Intervention or Placement for and Treatment form. The MH302 is an application for a mental hold, and is the initial document used by medical facilities prior to assessing a subject's mental health. Once a medical facility accepts the hold, officers document it on their MEU Daily Field Activities Report.

Medical facilities will not accept an application for a mental hold unless the MH302 is thoroughly completed. A requirement of the MH302 is the Detention Advisement. By documenting a medical facility's acceptance of a mental hold on a MEU DFAR, it is implicitly understood that the Detention Advisement was completed. Annotation of the mental hold on the DFAR satisfies the requirement that the Verbal Detainment Advisement was given, per LAPD Manual section 4/260.20.

The DSVD is in general agreement with the findings of this inspection. Moving forward, DSVD collaborated with Information and Technology Division (ITD) to make additions to the standard MEU DFAR, explicitly clarifying the Detention Advisement. A Detention Advisement box was added to the MEU DFAR to document if a verbal Detention Advisement was given. If the Detention Advisement was not given, officers are required to provide a short explanation. This box is autogenerated and must be completed prior to completion of their investigation. As such, the officers will be unable to complete their log entry without specifically addressing this box.

If you have any questions, please contact Lieutenant II Jonathan Larsen, DSVD, Crisis Response Support Section, at (213) 996-1349.

APPROVED:

CLIFF HUMPHRIS, Captain
Commanding Officer
Detective Support and Vice Division

KRIS E. PITCHER, Deputy Chief
Chief of Detectives

INTRADEPARTMENTAL CORRESPONDENCE

October 30, 2023
11.2

TO: Commanding Officer, Audit Division

FROM: Assistant to the Director, Office of Operations

SUBJECT: 2023 HANDLING OF THE MENTALLY ILL AUDIT – RESPONSE

The Audit Division (AD) conducted a Handling of the Mentally Ill Audit to evaluate adherence to policy as delineated in Department Manual Section 4/260.20, *Taking Persons with A Mental Illness into Custody*, dated 4th Quarter, 2022, the Office of the Chief of Police Special Order No. 30, dated December 9, 2020, and Office of Operations Notice, *Mental Evaluation Unit Contact Documentation – Revised*, dated March 29, 2019. The audit period covers February 1, 2023 through April 30, 2023.

The Audit Division conducted three prior Handling of the Mentally Ill audits in 2015, 2018, and 2019. The audits evaluated the correct use of disposition codes and documentation of the Mental Evaluation Unit (MEU) being contacted when an involved person is suspected of suffering from a mental illness. The new objective, *Documentation of the Detainment Advisement*, was not tested in previous audits.

Table No. 1 - Summary of Findings by Objectives and Comparison to Prior Audit

Objective No.	Description of Objectives	2019		2023	
		Number Meeting Standard	Percentage Meeting Standard	Number Meeting Standard	Percentage Meeting Standard
1	Usage of Proper Disposition Codes	51/61	84%	202/216	94%
2	Documentation of the Detainment Advisement	N/A[1]	N/A	1/234	0%
3	Mental Evaluation Unit Contact Documentation	52/61	85%	139/199	70%

Objective No. 1:
The Office of Operations (OO) is responsible for all 14 of the findings for Objective No. 1. The Office of Operations Inspection Unit (OOIU) concluded that these findings are documentation errors in the CAD (Computer Aided Dispatch) summaries which are solely administrative issues and have minimal risk to the Department.

These documentation errors are specific to an officer's selection from pre-existing disposition codes that document the outcome of an incident. According to Department Form 18.47.00 (10/20), *Incidents Involving Persons Suspected of Suffering from a Mental Illness Field*

[1] This objective was not tested in the prior year's audit.

Notebook Divider, incidents that are dispatched as involving a person that is suspected of suffering from a mental illness, shall be limited to one of six disposition codes. This requirement ensures the Department can accurately track calls for service involving persons suspected of having a mental illness.

The OOIU determined for all 14 findings, the officers appropriately documented the outcome and actions taken during the incident in the CAD summary comments box explaining whether the subject was "placed on a 5150 hold", referred to mental health resources, or gone on arrival (GOA). Despite proper documentation in the CAD summary describing the correct disposition, the incidents were findings solely due to the usage of an improper disposition code.

In addition, the OOIU noted that the criteria used by AD to test Objective No. 1 is derived from Department Form 18.47.00 (10/20), *Incidents Involving Persons Suspected of Suffering from a Mental Illness Field Notebook Divider*. This revised form was introduced through Office of the Chief of Police Special Order No. 30, dated December 9, 2020, however, this Special Order does not articulate the requirements to use the disposition codes as found in the form.

Instead, this requirement to use one of the designated dispositions codes was established through Office of Operations Order No. 1, *Incident Disposition Codes for Incidents Involving Persons Suspected of Mental Illness*, dated January 14, 2005, and further reiterated in Office of Operations Order No. 8, *Incident Disposition Codes for Incidents Involving Persons Suspected of Mental Illness - Revised*, dated May 16, 2007, and Office of Operations Notice, *Mental Evaluation Unit Contact Documentation - Revised*, dated March 29, 2019. However, none of these publications include the same six dispositions code that are listed in the current notebook divider.

The field notebook dividers published by the Department are forms that provide personnel with simplified guidelines to assist with conducting their duties according to Department policy and procedure found in the Department Manual. The notebook dividers attempt to condense policy and procedure and should not be used to preserve requirements, but rather to reflect current ones.

Objective No. 2:
The OO is responsible for 204 of the 233 findings for Objective No. 2. This objective examines the documentation of giving the Detainment Advisement in the CAD Summary Report, Daily Field Activities Report (DFAR), electronic DFAR, or the Traffic Daily Field Activities Report.

Upon review of Department policy and discussion with the MEU, the OOIU determined that officers are in compliance with Department requirements when the officers document in their CAD summary that a Los Angeles County Department of Mental Health – MH 302 NCR form, "Application for Assessment, Evaluation, and Crisis Intervention or Placement for Evaluation and Treatment" (commonly referred to as a 5150 hold application) is completed by a peace officer and accepted by the medical facility.

This is due to every MH 302 NCR form requiring the officers to read the Detainment Advisement to the subject as required by 5150(f) and (g) of the California Welfare and Institutions Code (WIC). The form also provides a space to explain good cause for an incomplete advisement (i.e. subject incapacitated). This form is then reviewed by hospital staff

to ensure that the application is completed in its entirety, including the Detainment Advisement. If the application is not completed properly then the application will be rejected by medical staff and returned to the officer for correction.

The completion and acceptance of the application by the hospital is evidence that the officers had given the Detainment Advisement or had good cause for not providing the advisement. Therefore, when officers document that a MH 302 NCR form, commonly referred to as a "5150 hold" is completed in the CAD summary they are also fulfilling the requirement to document that the Detainment Advisement was given, as required by Department policy and 5150(f) and (g) WIC.

According to 5150(g)(1) WIC:

> Each person, at the time the person is first taken into custody under this section, shall be provided by the person who takes them into custody, the following information orally in a language or modality accessible to the person. If the person cannot understand an oral advisement, the information shall be provided in writing. The information shall be in substantially the following form:
>
> "My name is [name].
> I am a (peace officer/mental health professional) with (name of agency).
> You are not under criminal arrest, but I am taking you for an examination by mental health professionals at (name of facility).
> You will be told your rights by the mental health staff."

According to 5150(g)(2) WIC:

> If taken into custody at his or her own residence, the person shall also be provided the following information: "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."

Department policy is based on this WIC requirement. However, both the WIC section and Department policy use "custody" to determine when the subject should be given the Detainment Advisement. Custody could refer to any time between an officer's initial actions to prevent the free movement of the subject up until the subject is transported and accepted to a medical facility or detention center.

According to the context of the WIC section, the requirement does not pertain to "custody" as the initial detention such as placing the subject in handcuffs, but instead when officers establish probable cause to transport the subject to a "medical facility" for "an examination by mental health professionals." The requirement to advise the subject that the officers will be taking the subject to a medical facility for examination would be inconsistent if, after detention and investigation, the officers determined that the subject does not meet the 5150 WIC criteria and is released from the detention.

Therefore, to best reflect the WIC, officers should only be required to give the Detainment Advisement upon establishing probable cause that the subject meets 5150 WIC criteria, and prior to transporting the subject to a medical facility for evaluation.

Objective No. 3:
The OO is responsible for 56 of the 60 findings for Objective No. 3. This objective reviews the CAD summary's comments section or DFAR to determine if officers included the MEU Case No. as required.

Although the officers contacted MEU to create a report as required, they did not input the MEU Case No. to reference the contact. However, MEU has since addressed this issue and have worked with Information Technology Division to allow for incident numbers to be searchable in the MEU database. This will allow for easier cross-referencing which was the intent of the requirement to include the MEU Case No. in the CAD summary.

Office of Operations Response and Action Plans

The Office of Operations is in general agreement with the findings and will address the deficiencies as follows:

- The Office of Operations Inspections Unit will continue to collaborate with the Detective Support and Vice Division (DSVD) to revise and clarify the Chief of Police Special Order No. 30 as they pertain to the deficiencies from Objectives No. 1 and No. 2.

- A Department Operations Center notification was circulated by DSVD on 08/31/2023 to remind officers to document that the Detainment Advisement was given and to ensure that officers are submitting copies of the MH 302 NCR to MEU to be retained. This will address the deficiencies from Objective No. 2.

- The Office of Operations Notice, *Mental Evaluation Unit Contact Documentation – Revised*, dated March 29, 2019, will be revised to consider the ability to cross reference incident numbers and the MEU Case No. Since June 15, 2023, the Information Technology Division adapted the MEU database to allow searches based off of incident numbers. This will address deficiencies in Objective No. 3.

If you should have any questions regarding this correspondence, please contact Police Performance Auditor IV Yadira Huerta, Inspections Unit, Office of Operations, at (213) 486-6960.

BRYAN D. LIUM, Commander
Assistant to the Director, Office of Operations