


Involuntary Commitments

410.1 POLICY HEADER

Original Effective Date:	Revised Date:
September 1, 2021	January 4, 2023
<p>Authorization:</p>  <p>Jason Haberman Chief of Police</p>	

410.2 PURPOSE AND SCOPE

This policy provides guidelines for when officers may detain and transport a person for an involuntary commitment (50 P.S. § 7301 et seq.).

410.3 POLICY

It is the policy of the Mt. Lebanon Police Department to protect the public and individuals through legal and appropriate use of the involuntary commitment process.

410.3.1 DEFINITIONS

Definitions related to this policy include (50 P.S. § 7301):

Clear and present danger - Commission of any of the following acts committed within the 30 days preceding detention for an involuntary commitment:

- (a) The person has inflicted or attempted to inflict serious bodily harm on another, and there is a reasonable probability that this conduct will occur on a repeated basis.
- (b) The person has acted in such manner as to evidence that the person would be unable, without care, supervision, and the continued assistance of others, to satisfy the person's need for nourishment, personal or medical care, shelter, or self-protection and safety, and there is a reasonable probability that death, serious bodily injury, or serious physical debilitation would ensue within 30 days without treatment.
- (c) The person has attempted suicide or committed acts in furtherance of a threat to commit suicide.
- (d) The person has substantially mutilated themselves or committed acts in furtherance of a threat to mutilate themselves.

Severely mentally disabled - A person is severely mentally disabled when, as a result of mental illness, the person's capacity to exercise self-control, judgment, and discretion in the

Mt. Lebanon Police Department

Policy Manual

Involuntary Commitments

person's conduct and social relations or to care for the person's own personal needs is reduced to such a degree that the person poses a clear and present danger to others or themselves.

410.4 AUTHORITY

An officer may take a person into custody and transport him/her to an approved facility for an involuntary commitment when, based upon personal observation, the officer has reasonable grounds to believe that the person is severely mentally disabled and in need of immediate treatment (50 P.S. § 7301; 50 P.S. § 7302).

Officers may also take a person into custody for an involuntary commitment pursuant to a warrant. The person shall be transported to the facility specified in the warrant (50 P.S. § 7302).

410.4.1 VOLUNTARY EVALUATION

If an officer encounters an individual who may qualify for an involuntary commitment, he/she may inquire as to whether the person desires to be voluntarily evaluated at an appropriate facility. If the person so desires, the officer should:

- (a) Transport the person to an appropriate facility that is able to conduct the evaluation and admit the person.
- (b) Document the circumstances surrounding the individual's desire to pursue voluntary evaluation and/or admission.

If at any point the person changes his/her mind regarding voluntary evaluation, the officers should proceed with the application for involuntary commitment, if appropriate.

410.5 CONSIDERATIONS AND RESPONSIBILITIES

Any officer handling a call involving a person who may qualify for detention for the purpose of an involuntary commitment should consider, as time and circumstances reasonably permit:

- (a) Available information that might assist in determining the possible cause and nature of the person's action or stated intentions.
- (b) Community or neighborhood mediation services.
- (c) Conflict resolution and de-escalation techniques
- (d) Community or other resources that may be readily available to assist with mental health issues.

While these steps are encouraged, nothing in this section is intended to dissuade officers from taking reasonable action to ensure the safety of the officers and others.

Involuntary commitments should be preferred over arrest for people who have mental health issues and are suspected of committing minor crimes or creating other public safety issues.

Involuntary Commitments

410.6 TRANSPORTATION

When transporting any individual for an involuntary commitment, the transporting officer should have the Dispatch Center notify the receiving facility of the estimated time of arrival, the level of cooperation of the individual and whether any special medical care is needed.

Officers may transport individuals in the patrol unit and shall secure them in accordance with the Handcuffing and Restraints Policy. Should the detainee require transport in a medical transport vehicle and the safety of any person, including the detainee, requires the presence of an officer during the transport, Watch Commander approval is required before transport commences.

410.7 TRANSFER TO APPROPRIATE FACILITY

Upon arrival at the facility, the officer will escort the individual into a treatment area designated by a facility staff member. If the individual is not seeking treatment voluntarily, the officer should provide the staff member with the written application for an involuntary commitment and remain present to provide clarification of the grounds for detention, upon request.

Absent exigent circumstances, the transporting officer should not assist facility staff with the admission process, including restraint of the individual. However, if the individual is transported and delivered while restrained, the officer may assist with transferring the individual to facility restraints and will be available to assist during the admission process, if requested. Under normal circumstances, officers will not apply facility-ordered restraints.

410.8 DOCUMENTATION

The officer shall complete an application for involuntary commitment and treatment, provide it to the facility staff member assigned to the individual and retain a copy for inclusion in the case report (50 P.S. § 7302).

The officer should also provide a verbal summary to any evaluating staff member regarding the circumstances leading to the involuntary detention.

410.9 CRIMINAL OFFENSES

Officers investigating an individual who is suspected of committing a minor criminal offense and who is being taken into custody for an involuntary commitment should resolve the criminal matter by issuing a warning or a citation, as appropriate.

When an individual who may qualify for an involuntary commitment has committed a serious criminal offense that would normally result in an arrest and transfer to a jail facility, the officer should:

- (a) Arrest the individual when there is probable cause to do so.
- (b) Notify the appropriate supervisor of the facts supporting the arrest and the facts that would support the detention.
- (c) Facilitate the individual's transfer to an appropriate facility.

Mt. Lebanon Police Department

Policy Manual

Involuntary Commitments

- (d) Thoroughly document in the related reports the circumstances that indicate the individual may qualify for an involuntary commitment.

In the supervisor's judgment, the individual may be arrested or booked and transported to the appropriate mental health facility. The supervisor should consider the seriousness of the offense, the treatment options available, the ability of this department to regain custody of the individual, department resources (e.g., posting a guard) and other relevant factors in making this decision.

410.10 FIREARMS AND OTHER WEAPONS

Whenever a person is taken into custody for an involuntary commitment, the handling officers should seek to determine if the person owns or has access to any firearm or other deadly weapon. Officers should consider whether it is appropriate and consistent with current search and seizure law under the circumstances to seize any such firearms or other dangerous weapons (e.g., safekeeping, evidence, consent).

Officers are cautioned that a search warrant may be needed before entering a residence or other place to search, unless lawful warrantless entry has already been made (e.g., exigent circumstances, consent). A warrant may also be needed before searching for or seizing weapons.

The handling officer should further advise the person of the procedure for the return of any firearm or other weapon that has been taken into custody.

410.10 TRAINING

This department will endeavor to provide department-approved training on interaction with mentally disabled persons, involuntary commitments, and crisis intervention.

New officers shall receive training to recognize and respond to suspected mentally ill persons.

All officers shall receive update training whenever the mental health statute or related department policy changes within 90 day or as required by statute, and in any event no less than once every three years.

All officers shall receive annual update training on mental illness to include training provided through the course of legal mandate and/or Municipal Police Officers' Education and Training Commission (MPOETC) regulation, if available.