

WINONA POLICE DEPARTMENT

NUMBER: 106-05 PAGES: 4

EFFECTIVE DATE: July 27, 2004

SUBJECT: MENTAL ILLNESS AND DETOXIFICATION COMMITMENTS

1.0 PURPOSE:

It is the purpose of this general order to establish policy and procedures for the emergency hospitalization of persons who are either mentally ill or in need of detoxification by members of the Winona Police Department.

2.0 POLICY:

2.1 It is the policy of this department, in accordance with the provisions of Minnesota State Statutes Section 253B.05, that any peace officer may take a person into custody and transport the person to a treatment facility if such officer has reason to believe that such person is mentally ill or mentally deficient and is in imminent danger of injuring self or others if not immediately restrained.

2.2 Any peace officer may also take a person who is intoxicated in public into custody and transport the person to a treatment facility. If the person is not endangering himself/herself or any other person or property, the peace officer may transport the person to his/her home as prescribed in 3.1.4.

2.3 In accordance with the provisions of Minnesota State Statute 253B.04, voluntary admission is preferred over involuntary commitment and treatment for detoxification, chemical dependency, mental illness, and mental retardation.

2.4 Any person hospitalized pursuant to Section 2.1 or 2.2 of this general order may be held up to 72 hours after admission, exclusive of Saturdays, Sundays, or legal holidays, unless a petition for commitment of such person has been filed in the probate court of the county of residence or of the county where such treatment facility is located. If the person is released during the 72-hour hold period, the treatment facility shall notify the Police Department immediately.

2.5 Officers will take into custody and transport to CMH a person who is mentally ill if a Health Officer (Licensed Physician, Licensed Consulting Psychologist, Psychiatric Social Worker, Psychiatric Health Nurse) signs the 72-hour hold and requests police transport, and

2.5.1 if the Health Officer has made arrangements for direct admission to the hospital, or,

2.5.2 if the Health Officer responds immediately to the CMH emergency room to take charge of the patient.

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2.6 For the purposes of this general order, the following facilities have been designated for use as primary treatment facilities:

2.6.1 Community Memorial Hospital -- this facility will be the primary facility for cases from Winona.

2.6.2 Zumbro Valley Mental Health Center -- this facility will serve as a backup facility to Community Memorial Hospital.

3.0 PROCEDURE:

3.1 Hospitalization for detoxification:

3.1.1 If a person is found intoxicated in public and the person is in need of emergency hospitalization as described in Section 2.2 of this general order, the person can be transported to the hospital by the police officer.

3.1.1.1 Admissions will be made through the hospital Emergency Room.

3.1.1.2 The officer will make out the necessary hospital admissions forms after the person is secured.

3.1.2 If a person is found intoxicated in public and the person is visibly injured, suspected of being injured, or found unconscious, Winona Area Ambulance Service will be used to transport the person to the hospital. In this case, the investigating officer will meet the ambulance at the hospital and the officer will then complete the admissions forms after the person is secured.

3.1.3 If a person is found intoxicated in public and the person is in need of emergency hospitalization and the Community Memorial Hospital is not able to accommodate the person, the secondary facility, Zumbro Valley Mental Health Center, will be used.

3.1.3.1 In all cases of transportation to the Zumbro Valley Mental Health Center, Winona County Sheriff's Department will be responsible for transportation.

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3.1.3.2 If the person is to be transferred to and treated at the Zumbro Valley Mental Health Center, the investigating officer shall complete the Crisis Receiving Unit Form for Zumbro Valley (copy attached) and complete the Peace Officer Hold Order Form (copy attached).

3.1.3.3 Any visible injuries or other medical problems will be treated at Community Memorial Hospital prior to transportation to Zumbro Valley.

3.1.4 If a person is found intoxicated in public and the officer feels that such a person is not endangering himself/herself or another person or property, the officer may transport the person to his home. The following conditions should be met for the officer to implement this option:

3.1.4.1 It must be determined that the intoxication is the result of alcohol abuse, and not a problem of a medical nature, such as diabetes, epilepsy, or other illness or injury.

3.1.4.2 Determine prior to transporting to the home that a responsible adult will be there who can care for and accept responsibility for the person.

3.1.4.3 Determine that it is safe for the intoxicated person, or others present in the home, for the intoxicated person to be returned to the home.

3.1.5 If the person does not appear to be a threat to himself/herself or to other persons or property, and he/she does not appear to need any emergency hospitalization, the officer may allow this person to go on his/her way.

3.2 Hospitalization for Mental Illness

3.2.1 If an officer has reasonable cause to believe that a person is mentally ill or mentally deficient and is in imminent danger of injuring himself/herself or others, the may take such person into custody and deliver the person to the hospital for evaluation.

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3.2.1.1 If the person is transported to the hospital by the investigating officer, admission will be made through the Emergency Room.

3.2.1.2 The hospital admissions forms will be completed by the officer after the person has been secured.

3.2.1.3 If there is visible signs of injury, Winona Area Ambulance Service can be called for transportation. In this case, the officer will meet the ambulance at the hospital and complete the admissions forms after the person has been secured.

3.2.2 If the person does not appear to be a threat to himself/herself or to other persons or property, and he/she does not appear to need any emergency hospitalization, the officer may allow this person to go on his/her way.

3.2.3 In the event of any contact with a person who the officer has reason to believe is mentally ill, or mentally deficient, a report shall be written and a copy of this report shall be forwarded to the Winona County Department of Human Services.

3.3 In the event of any transportation to the hospital, the officer shall request the dispatcher to inform the hospital Emergency Room of the impending arrival and the nature of the commitment.