

Submit your comments using the “Provide Feedback Here” link located at the end of the directive.

850.22, Directives Review and Development Process

First Universal Review: 01/01/24 – 01/30/24

0850.22 Police Response to Mental Health Director Holds and Elopement

Refer:

- ORS § 426.005, Definitions for ORS § 426.005 to 426.390 – Persons with Mental Illness
- ORS § 426.070, Initiation
- ORS § 426.223, Retaking persons in custody of or committed to Oregon Health Authority
- DIR 0850.20 Police Response to Mental Health Crisis
- DIR 0850.21 Peace Officer Custody (Civil)
- DIR 0850.25 Police Response to Mental Health Facilities

Definitions:

- Community Mental Health Program Director: The director of an entity, including Multnomah County, which provides community mental health program services.
- Designated Residential Mental Health Facility: Secure and non-secure treatment facilities registered with Multnomah County Behavioral Health Division to provide residential mental health treatment for adults in a home-like environment supervised by twenty-four (24) hour staff to provide stabilization, treatment, and community integration, which have been identified and flagged by the Bureau’s Behavioral Health Unit (BHU).
- Disengagement: The intentional decision, based on the totality of the circumstances, to discontinue contact with a person the member could lawfully take into custody.
- Elope: To abscond, depart, leave, or walk away.
- Unlawful Elopement: To elope in violation of a civil or criminal legal/commitment status.

Policy:

1. In the context of mental health services, mental health providers, not law enforcement, are responsible for the evaluation, diagnosis, and treatment of persons who are in mental health crisis. There are times, however, when mental health providers need police services.
2. Because mental health custody as initiated by mental health providers may be civil which can include Director’s Custody, Order of Civil Commitment, Psychiatric Security Review Board (PSRB) Commitment Orders, Revocation Orders in legal/commitment status, members shall be guided by law when responding to mental health provider service requests.
3. A member’s ability to manage a person in custody in a safe, constructive, and humane manner is of critical importance to the involved person, the involved person’s support

Submit your comments using the “Provide Feedback Here” link located at the end of the directive.

system, community members, mental health providers, and the Bureau. Members shall treat the person with dignity and compassion at all times.

Procedure:

1. Police Response to Civil Custody Requests:
 - 1.1. Community Mental Health Program Director's Custody:
 - 1.1.1. Members shall take a person into custody when the Community Mental Health Program Director, or designee, notifies the member that the Director has probable cause to believe that the person is dangerous to self or to any other person.
 - 1.1.2. When assisting a Community Mental Health Program Director or designee as defined in ORS § 426.005 (1) (a) with taking a person into custody (Director's Custody), members shall determine if taking civil custody of the person named on the Director's Custody Report may be achieved in a safe manner.
 - 1.1.2.1. If members disengage, they shall notify a supervisor and then develop a plan to determine a safer time and method to take the person into civil custody. All appropriate police reports shall be completed documenting the details of this decision.
 - 1.1.2.2. If a member takes a person into custody, the member shall arrange for ambulance transport to the secure evaluation facility, unless extraordinary circumstances warrant police transport.
 - 1.1.2.3. When necessary, members shall complete an appropriate police report and mental health mask documenting the civil custody or Director's Hold.
 - 1.2. Unlawful Elopement from a Mental Health Facility or Hospital:
 - 1.2.1. If a person is being held on a Notice of Mental Illness (NMI) and elopes without permission from a facility, they have unlawfully eloped and members may be contacted to bring that person back to the facility.
 - 1.2.2. If a person is on commitment status (e.g., Order of Commitment) and elopes without permission from a facility, they have unlawfully eloped and members may be contacted to bring that person back to the facility.
 - 1.2.3. In the above circumstances, members shall:
 - 1.2.3.1. Verify that the NMI or Order of Commitment exists. The facility should have a copy of the Order on location; otherwise, members may verify the NMI or Order with the Multnomah County Crisis Line.
 - 1.2.3.1.1. Criteria for court-ordered civil commitments are dictated by individual state laws. If a patient has eloped from a mental health facility in another state, members shall assess the person and act in accordance with Directive 0850.20, Police Response to Mental Health Crisis and/or Directive 0850.21, Peace Officer Custody (Civil). Members shall contact the reporting facility and notify them of the disposition.
 - 1.2.3.2. Determine if taking civil custody of the person named on the Order of Commitment may be achieved in a safe manner. If members disengage, they shall notify a supervisor and then develop a plan to determine a safer time and method to take the person into civil custody.

Submit your comments using the “Provide Feedback Here” link located at the end of the directive.

- 1.2.3.3. Transport the named person back to the facility unless the member determines the person meets the criteria in Directive 0850.21, Peace Officer Custody (Civil).
 - 1.2.3.4. Complete the appropriate police report and mental health mask documenting the incident and submit the report to a supervisor before the end of shift.
 - 1.3. Elopement from a Mental Health Facility:
 - 1.3.1. If a person is not on commitment status (e.g., Order of Commitment) and elopes without permission from a facility, that person is free to leave.
 - 1.3.2. If a person wishes to voluntarily return to the facility, members may transport that person to the facility.
 - 1.3.3. Should members receive a call alleging the eloped person is deemed to be dangerous to self or others, members must assess the person in accordance with Directive 0850.20, Police Response to Mental Health Crisis and/or Directive 0850.21, Peace Officer Custody (Civil).
 - 1.4. Member-Supervisor Coordinated Response Required:
 - 1.4.1. Warrants of Detention/Trial Visitation: During pre-trial civil commitment processes, a person with an alleged mental illness may be released into the community and be monitored by a civil commitment investigator. A civil warrant of detention may also be issued by a judge to take a person with mental illness into custody. Because the statutory authority to serve a warrant of detention rests with the Multnomah County Sheriff’s Office, members shall not become involved in these activities unless called to an incident to assist a civil commitment investigator or civil deputy in fulfilling the investigator’s or deputy’s mission.
2. Police Response to Criminal Custody Requests:
 - 2.1. Psychiatric Security Review Board (PSRB) Revocation Orders:
 - 2.1.1. Under ORS § 161.375(4), the Psychiatric Security Review Board (PSRB) has the authority to take PSRB supervised persons into custody on Revocation Orders, which are comparable to arrest warrants and subject to the same rules.
 - 2.1.2. A member is notified of a PSRB Revocation Order through a PSRB Law Enforcement Data Systems (LEDS) message reading: “No Criminal Warrant, PSRB order for mandatory return to Oregon State Hospital.”
 - 2.1.3. Members who encounter a person who is subject to a PSRB Revocation Order shall:
 - 2.1.3.1. Take the person named in the Revocation Order into custody and notify a supervisor.
 - 2.1.3.2. Ensure the Oregon State Hospital Communications Center is notified; the phone number can be found in the PSRB LEDS message.
 - 2.1.3.3. Transport the person with one other member, to the Oregon State Hospital Communication Center and notify a supervisor of the transport.
 - 2.1.3.4. Document the incident on an appropriate police report, complete all reporting requirements for a mental health crisis response, and submit the information to a supervisor before the end of shift.

Submit your comments using the “Provide Feedback Here” link located at the end of the directive.

- 2.1.4. If a member needs additional verification of a PSRB Revocation Order, the member may contact the PSRB Executive Director. The phone number can be found in the PSRB LEDS message.
- 2.2. Unlawful Elopement from PSRB:
 - 2.2.1. If a person is under the jurisdiction of the PSRB and elopes without permission from a facility, they have unlawfully eloped and members may be contacted to bring that person back to the facility. ORS § 161.336(4)(a). Under such circumstances, members shall:
 - 2.2.1.1. Verify the person is under the jurisdiction of the PSRB. The facility should have a copy of the Order on location; otherwise members may verify the Order within LEDS.
 - 2.2.1.2. Determine if taking custody of the person named on the PSRB Order may be achieved in a safe manner. If members disengage, they shall notify a supervisor and then develop a plan to determine a safer time and method to take the person into custody.
 - 2.2.1.3. Transport the named person back to the facility unless the member determines the person meets the criteria in Directive 0850.21, Peace Officer Custody (Civil).
 - 2.2.1.4. Complete the appropriate police report and mental health text template documenting the incident and submit the report to a supervisor before the end of shift.
3. Police Response to Civil or Criminal Custody Requests: Escape from an Oregon State Hospital:
 - 3.1. If the superintendent of an Oregon State Hospital issues an escape warrant for the apprehension and return of a person, members shall:
 - 3.1.1. Verify the identity of the person in LEDS.
 - 3.1.2. Take the named person into custody and notify a supervisor.
 - 3.1.3. Ensure the Oregon State Hospital Communications Center is notified; the phone number can be found in the LEDS message.
 - 3.1.4. Transport, with one other member, the person to the Oregon State Hospital Communications Center and notify a supervisor of the transport.
 - 3.1.5. Document the incident on an appropriate police report and mental health mask and submit to a supervisor before the end of shift.
4. Supervisor Responsibilities:
 - 4.1. Supervisors shall ensure their members follow reporting requirements for the civil or criminal custody.

Established: 05/02/2017

Revised: 2017, 2018, 2020, 2022

Submit your comments using the “Provide Feedback Here” link located at the end of the directive.

Effective: 11/15/2022

Next Review: 11/15/2023

[Provide Feedback Here](#)