


<p>RABUN COUNTY SHERIFF'S OFFICE</p>  <p>General Order Number: 4.47</p>	<p>Date of Issue</p> <p>2/23/2016</p>	<p>Effective Date</p> <p>2/23/2016</p>	<p>Revision Date</p>
<p>Subject: MANAGING MENTALLY ILL OR INTOXICATED PERSONS</p>	<p>Amends:</p>	<p>Rescinds:</p>	
<p>Index as: Intoxicated Persons, Managing Mentally Ill or Intoxicated Persons, Mentally Ill Persons</p>	<p>State Certification Standards:</p>		
<p>Special Instructions:</p>			

PURPOSE

The purpose of this policy is to establish procedures for employees of the Rabun County Sheriff's Office to safely manage mentally ill and/or intoxicated persons.

STATEMENT OF POLICY

Most law enforcement deputies will have experiences with one or more persons who behave abnormally. When confronted with this situation, an deputy should endeavor to gain as much background information about the individual as possible. It is the policy of the Rabun County Sheriff's Office to manage mentally ill and/or intoxicated persons in a safe manner.

I. MENTALLY ILL PERSONS

A. Signs to Help in the Recognition of Mental Illness in a Person:

1. Significant changes in behavior:
 - a. Others will say that an impaired person is not "themselves";
 - b. They may behave in a way dangerous to themselves or to others, and;

- c. They may withdraw into themselves, talking only to themselves.
 - 2. They may have sensations that are not reality based:
 - a. Visions, strange odors, peculiar taste or voices - the impaired person may experience all or any one of these sensations;
 - b. They may have sensations about themselves that are not realistic.
 - 3. The impaired person may have unrealistic ideas about themselves:
 - a. They may believe that they have a grand position;
 - b. They may believe that they are worthless (e.g., extreme depression);
 - c. They may exaggerate events that occur;
 - d. They may believe the world is more unfriendly than it is;
 - e. They may have strange losses of memory or not know the time, where they are, or even who they are.
- B. When deputies encounter someone who is exhibiting symptoms of a mentally ill or impaired person they should:
 - 1. Take time to evaluate the situation;
 - 2. Not abuse or threaten the person;
 - 3. Avoid unnecessary excitement;
 - 4. Not become overly excited or emotional, and;
 - 5. Not lie to them.
- C. The types of impaired (abnormal) behavior that are most dangerous are the violent, the depressed/suicidal, or conditions where physical illness or loss of memory is involved. Impaired (abnormal) behaviors seen most often by law enforcement deputies include:
 - 1. The psychopathic personality;
 - 2. The alcoholic;
 - 3. The drug dependent;
 - 4. The sex offender;
 - 5. The mentally retarded, and;
 - 6. The mental disorders of old age.

II. INTOXICATED PERSONS

When a complaint is received from a person in such an intoxicated condition, mere drinking is not sufficient, that any information from them is doubtful or unfounded, without witnesses and/or physical evidence, the deputy shall:

- A. Make an Incident Report noting the condition of the complainant.

- B. Advise the complainant that a report will be taken by the Sheriff's Office if they were to call back when they are sober, and;
- C. If the complainant is arrested, their complaint will be noted in the narrative section of any Incident Report that is made.
- D. Exceptions:
 - 1. There is visible injury to the complainant or another.
 - 2. The offense was witnessed by a sober person, and;
 - 3. It is obvious that a crime has occurred.
- E. If there is continued harassment (numerous unfounded calls by the complainant), the deputy should initiate steps to have the person provided treatment or place criminal charges against them for the appropriate offense(s).

III. RECEIVING MENTAL PATIENTS UNDER CERTIFICATE FROM PHYSICIAN

- A. Under OCGA 37-3-41, any physician within this state may execute a certificate stating that he has personally examined a person within the preceding 48 hours and found that, based upon observations set forth in the certificate, the person appears to be a mentally ill person requiring involuntary treatment. A physician's certificate shall expire seven (7) days after it is executed. Any peace deputy within 72 hours after receiving a physician's certificate shall make diligent effort to take into custody the person named in the certificate and to deliver him forthwith to the nearest available emergency receiving facility serving the county in which the patient is found, where he shall be received for examination. Such certificate, disseminated by the Georgia Sheriff's Office of Human Resources, is known as "Emergency Admission Certificate and Report of Peace Deputy" and is commonly referred to as a "1013 form".
- B. The appropriate court of the county in which a person may be found may issue an order commanding any peace deputy to take such person into custody and deliver him forthwith for examination, either to the nearest available emergency receiving facility serving the county in which the patient is found, where such person shall be received for examination, or to a physician who has agreed to examine such patient and who will provide, where appropriate, a certificate pursuant to subsection (a) of this Code section to permit delivery of such patient to an emergency receiving facility pursuant to subsection (a) of this Code Section, or upon the affidavits of at least two (2) persons who attest that, within the preceding 48 hours, they have seen the person to be taken into custody and that, based upon observations contained in their affidavit, they have reason to believe such person is a mentally ill person requiring involuntary treatment. The court order shall expire seven (7) days after it is executed.
- C. Any peace deputy taking into custody and delivering for examination a person, as authorized by OCGA 37-3-41, shall execute a written report detailing the circumstances under which such person was taken into custody. The report and either the physician's certificate or court order authorizing such taking into custody shall be made a part of the patient's clinical record.
- D. A court of competent jurisdiction may issue an order requiring any peace deputy to take a person into custody and deliver that person for examination to the nearest available emergency receiving facility or to a physician who has agreed to examine the individual for the purpose of deciding if they are mentally ill and in need of involuntary treatment. The court order must be based either on a timely physician's certificate or on the affidavits of two persons attesting that they have seen the observations, they have

reason to believe that such person is mentally ill and in need of involuntary treatment. The court order shall expire seven days after it is executed (OCGA 37-3-41(a)).

- E. Any peace deputy may take any person to a physician or directly to an emergency receiving facility for an examination, if the person is committing a penal offense and the deputy has probable cause for believing that the person is mentally ill and in need of involuntary treatment. The deputy need not formally tender charges against the individual before taking them in for an examination (OCGA 37-3-42(a)). Whenever a person is taken into custody for the purpose of transport to a physician or an emergency receiving facility for an examination, the deputy must complete a Sheriff's Office Incident Report detailing the circumstances under which such a person was taken into custody (OCGA 37-3-41; 37-3-42).

Note: Available Community Mental Health Resources are: Mountain Lakes Medical Center, and Laurelwood facility in Hall County.

- F. The governing authority of the county of the patient's residence is responsible for arranging all required transportation of mental patients. The type vehicle used shall be at the discretion of the governing authority, but whenever possible, marked vehicles normally used to transport criminals or those accused of crimes should not be used for the transport of mental patients. The court shall, upon the request of the county board of health, order the Sheriff to transport the patient in such manner as the patient's condition demands. At any time the county board of health is satisfied that the patient can be transported safely by family members or friends, such private transportation shall be encouraged and authorized (OCGA 37-3-101).
- G. Upon request of the county board of health, the probate court or juvenile court if the individual is under 17 years of age, OCGA 37-3-1(4) must order the sheriff to transport the mental patient to a state owned or operated facility in such manner as the patient's condition demands. No female patient shall be transported at any time without another female in attendance who is not a patient, unless such female patient is accompanied by her husband, father, adult brother, or adult son (OCGA 37-3- 101).
- H. If routine enforcement, collision reporting and investigation activities lead to a discovery of a driver who is suspected of incompetence, physical or mental disability, disease, or other condition that might prevent the person from exercising reasonable and ordinary care over a motor vehicle, the deputy shall prepare a letter addressed to the State of Georgia Sheriff's Office of Public Safety Drivers License Advisory Board, Confederate Avenue, Atlanta, Georgia 30316, documenting all reasons why the drivers license should be referred for re-examination.



By Order of the Sheriff: **Chad K. Nichols**
Sheriff, Rabun County