

## 4820 TEMPORARY DETENTION

### A. Policy

It is the policy of the Lakewood Police Department that members are responsible for the welfare of persons in their custody and control. Rooms used for temporary detention, such as interview rooms, testing rooms, or other processing procedures will be used in a humane and responsible manner that promotes the purposes of law enforcement while guarding the constitutional rights and safety of all citizens within the department's custody or control. Detainees must be under constant supervision.

### B. Procedure

1. An interview room is defined as a room outside of the secure booking area, specifically designed and intended to be used for the custodial or non-custodial interview, interrogation, testing of persons suspected of being involved in criminal activity, or persons victimized by or witnessing criminal activity.
2. Interview rooms are located in Patrol and the Investigations Division. Both areas are located in a secured area of the police department. Restrooms and water fountains are conveniently located within the secured areas of the facility and will be made available upon request.
3. Personnel who use the interview rooms should recognize the relative isolation they may find themselves in and the fact that cooperative subjects can turn combative. Officer safety should not be compromised.
  - a. Weapon lockers are available for agent use. Uniform and non-uniform agents should secure all weapons prior to entering an interview room. (Weapons shall be secured when entering the booking facility.)
  - b. A search of the interview room for any weapons, contraband and or dangerous conditions should be conducted immediately before and after the interview.
  - c. Personnel conducting an interview or interrogation of a person who is in custody must conduct a thorough search of the person prior to entering an interview room.
  - d. Investigations' interview rooms are equipped with panic alarms for emergency situations. Investigators should keep their portable radio with them, or conduct the interview with another Investigator present.
  - e. Interviews in the Investigative interview rooms should be conducted with two agents/detectives, with both in the room with the subject or with one observing from the control room.
  - f. While conducting interviews in the Patrol area, Agents shall keep their portable radio with them in the event they need to call for assistance.
4. The interviewing agent controls access to the interview room and is responsible for the proper identification of persons authorized in the room. Any person, other than agency members, allowed access to the interview room might be subject to

a "frisk" or "pat-down" at the Agent's discretion. The number of persons permitted in the interview room during an interview or interrogation should be limited to the suspect or witness, and not more than two Agents/Interviewers. In addition:

- a. If the suspect is a juvenile, parents may be allowed to be present (19-2-511) unless the parent or guardian expressly waives the right to be present (19-2-511(5));
  - b. Juveniles will not be held in the same interview room with any adult suspect;
  - c. Males and females should be kept separated unless they are under observation via video or one way mirrors;
  - d. Family members, clergy or others may be allowed at the agent's discretion; and,
  - e. Attorneys will be permitted access when the person requests one.
5. To minimize distraction, the rooms will be simply furnished with enough chairs for participants. Interview rooms will have only those items necessary to conduct the interview and to provide for the safety and/or comfort of both the agents and the person(s) being interviewed.
  6. Audio-visual equipment is available for recording interviews in the Investigations Division. Only members who are properly trained in its use may use such equipment in accordance with Section 8022 of the Department Manual.
  7. Rooms used for temporary detention should be inspected weekly by the Patrol Support Coordinator for cleanliness and for unsafe conditions.
  8. Annually, a written administrative review of the temporary detention areas and procedures to ensure policies and procedures are being followed should be performed by the Patrol Division Chief or designee.

## 4830 MENTAL HEALTH EMERGENCY SERVICES

### A. Policy

The Lakewood Police Department recognizes that persons with mental illness and their families need to be treated with compassion and respect. The following policy outlines how to work with persons with mental illness in order to maintain the safety of the individual, their families, the agents, and the public and to provide an opportunity for proper medical attention. To facilitate the provision of mental health services, the Jefferson Center for Mental Health (JCMH) case managers will provide mental health case management services to Lakewood citizens who have been identified by a police agent as in need of such services.

### B. Procedures

#### 1. Definitions

- a. Case Manager

An employee of JCMH who is assigned to the Lakewood Police Department to provide mental health intervention and case management services to Lakewood citizens.

b. Danger to Self or Others

With respect to an individual, that the individual poses a substantial risk of physical harm to himself or herself as manifested by evidence of recent threats of or attempts at suicide or serious bodily harm to himself or herself; or (CRS 27-65-102(4.5)(a))

With respect to other persons, that the individual poses a substantial risk of physical harm to another person or persons, as manifested by evidence of recent homicidal or other violent behavior by the person in question, or by evidence that others are placed in reasonable fear of violent behavior and serious physical harm to them, as evidenced by a recent overt act, attempt, or threat to do serious physical harm by the person in question (CRS 27-65-102(4.5)(b))

c. Gravely Disabled

A condition in which a person, as a result of a mental health disorder, is incapable of making informed decisions about or providing for his or her essential needs without significant supervision and assistance from other people. As a result of being incapable of making these informed decisions, a person who is gravely disabled is at risk of substantial bodily harm, dangerous worsening or any concomitant serious physical illness, significant psychiatric deterioration, or mismanagement of his or her essential needs that could result in substantial bodily harm. A person of any age may be "gravely disabled," but such a term does not include a person whose decision-making capabilities are limited solely by his or her developmental disability. (CRS 27-65-102 (9))

d. Person with a Mental Illness

A person with one or more substantial disorders of the cognitive, volitional, or emotional processes that grossly impairs judgment or capacity to recognize reality or to control behavior. Developmental disability is insufficient to either justify or exclude a finding of mental illness within the provisions of this article. (CRS 27-65-102(14))

2. Recognizing Abnormal Behavior

Agents should attempt to recognize behavior that is indicative of mental illness and that is potentially dangerous to self and others. Agents should not rule out other causes of abnormal behavior such as reactions to drugs, alcohol, temporary emotional disturbances or a medical disease. Agents should evaluate the following symptomatic behaviors in the total context of the situation when determining a subject's mental state and the need for intervention absent of the commission of a crime.

General signs/symptoms that may signal mental illness exists (the following are examples and not all inclusive):

a. Degree of Reactions:

Persons with mental illness may show signs of strong and unrelenting fear of persons, places or things. For example, the fear of people or crowds may make the person reclusive or aggressive without apparent provocation.

b. Appropriateness of Behavior:

A person may act extremely inappropriate for a given situation. For example, a motorist who vents frustration in a traffic jam by physically attacking another motorist may be mentally ill.

c. Extreme Rigidity or Inflexibility:

Persons with mental illness may be easily frustrated in new or unforeseen circumstances and may exhibit inappropriate or aggressive behavior.

d. Other Specific Behaviors:

- i. Abnormal memory loss such as name, address or phone number.
- ii. Delusions of grandeur or paranoia.
- iii. Hallucinations of any of the five senses; e.g. hearing voices, feeling one's skin crawl.
- iv. Belief that the person is suffering from extraordinary physical illness that is not possible, such as their heart has stopped beating.
- v. Extreme fright or depression.

3. Assessing Danger

Not all persons with mental illness are dangerous. Persons with mental illness may be dangerous under certain circumstances. As with any situation where there is any level of uncertainty personal safety is the agent's first priority. Indicators may exist to assist the agent in determining if an apparent person with mental illness represents an immediate or potential danger to him/herself, officers or others. Indicators include but are not limited to the following:

- a. Weapons and their availability to the subject.
- b. Substantiated statements (direct threats or subtle innuendo) that the person is prepared to commit a violent act.
- c. A history of prior violence under similar circumstances.
- d. The failure to commit a violent act prior to the agent's arrival does not guarantee that such an act will not occur.
- e. The lack of control the subject demonstrates over his/her emotions of rage, anger, fright and agitation characterized by the following examples:
  - i. Inability to sit still, to communicate effectively, rambling thoughts and speech.

- ii. Wide eyes, clutching one's self or objects to maintain control.
- iii. Begging to be left alone.
- iv. Frantic assurances that he/she is all right.

#### 4. Actions

- a. Persons with mental illness who do not meet the criteria for an emergency mental health hold may be worked with in the following manner:
  - i. The agent may choose to leave the subject where they are at (i.e. residence, on the street). The contact shall be documented on an FI card or in an incident report.
  - ii. The agent may utilize the services of a case manager as outlined below in Section (B) (5).
  - iii. The subject may be voluntarily transported to a Jefferson Center for Mental Health facility (i.e. walk-in crisis center, JCMH office). The contact shall be documented on an FI card or in an incident report.
  - iv. Agents may contact the JCMH Mobile Crisis Unit to respond to the subject's location for evaluation. The contact shall be documented on an FI card or in an incident report.
- b. Persons with mental illness may be detained, taken into protective custody, and transported to an appropriate medical or mental health facility for purposes of a seventy-two hour treatment and evaluation when:
  - i. The subject appears to be an imminent danger to others or to himself or herself or;
  - ii. the subject appears to be gravely disabled; and
  - iii. Acting at the direction of an "intervening professional" as defined in CRS 27-65-105(1)(II). This includes, but is not limited to: a certified peace officer, a physician, a psychologist, a registered nurse who has mental health training, a licensed therapist or counselor who has mental health training, or a licensed clinical social worker.
- c. Court orders. Persons with mental illness may be detained, taken into protective custody, and transported to an appropriate medical or mental health facility for purposes of a seventy-two hour treatment and evaluation when the court orders the person to be taken into custody for such an evaluation based upon an affidavit sworn to or affirmed before a judge that relates sufficient facts to establish that a person appears to have a mental illness, and, as a result of the mental illness, appears to be an imminent danger to others or to himself or herself, or appears to be gravely disabled.
- d. Once it has been deemed necessary to take a subject into protective custody, the person may be transported to an area hospital emergency room, or an appropriate mental health facility that can provide for the needs of the subject.
- e. Persons with mental illness who are intoxicated by alcohol and are clearly a danger to the health and safety of himself or herself or others as a result of intoxication may be taken into protective custody and transported to a detox center or hospital emergency room (CRS 27-81-111). The detox center

supervisor or emergency room staff shall be notified of the intoxicated person's behavior as it relates to their mental illness (i.e. suicidal ideology, delusions).

- f. Persons with mental illness who are under the influence of drugs may be taken into protective custody and transported to the appropriate hospital emergency room or other facility designated as a mental health care center. As with intoxicated persons, the agent shall advise the treatment unit supervisor of the circumstances surrounding the custody.
- g. When deemed appropriate, based upon the circumstances, a subject may be transported by ambulance to the appropriate medical/mental health care facility for an evaluation.
- h. In cases where a subject has been taken into protective custody and transported to a medical/mental health facility, an emergency mental illness (M-1) report and supplemental report shall be written which sets forth the probable cause for the protective custody.
- i. Due to specialized training in the area of mental health, Crisis Intervention Team agents (C.I.T.) should respond, when operationally practical, to assist with calls for service, as well as interviews and interrogations involving a crisis where mental illness is believed to be a factor or where a subject in crisis represents a danger to him/herself or others.

\*See Department Manual 9607 for further information on the purpose and role of the Crisis Intervention Team (C.I. T.).

- j. If the subject has committed a crime, the agent should take appropriate action (citation or arrest). Depending on the subject's symptoms, he/she may be interviewed or interrogated regarding the crime.
- k. When agents document a mental health crisis related situation, agents should create an incident report that will be routed to the case manager.

#### JCMH Case Manager Program

The goals of the behavioral health services provided by case managers are to increase early identification and intervention for citizens with mental illness who have contact with the Lakewood Police Agents and to provide more comprehensive and more effective interventions and resources for Lakewood citizens who are experiencing a mental health crisis. The services aim to reduce the number of repeated calls for service for police agents to respond to citizens through effective case management and referral to appropriate and effective community based resources.

#### 1. Services

The following services can be provided by a case manager:

- a. Field response with agents
  - (1) The case manager will respond to a request by an agent in situations which, in the agent's opinion, involve mental illness or significant mental

health concerns and the agent believes additional resources, support, or further assessment would be beneficial.

- (2) Case managers shall communicate with the agent to coordinate any security needs while the case manager remains on scene.

#### Follow-up response and services

- (3) The case manager will follow up on a referral, after the initial call for service has been completed, from an agent who has contacted an individual who, in the agent's opinion, suffers from a mental illness or mental health crisis and would benefit from additional mental health resources, support, or further assessment.
- (4) Case managers will conduct intervention or assessment with clients and members of clients' support system as needed and appropriate.

#### b. Case management

- (1) Provide follow up to clients and their support systems including assessing the effectiveness of the intervention and support services provided and making appropriate additional referrals or providing additional resources.

#### c. Interface with other agencies

- (1) Maintain relationships and collaborate with mental health and substance abuse service providers
- (2) Participate in stakeholder meetings

#### d. Data collection and tracking

- (1) Develop a tracking mechanism to share the number of contacts and referrals
- (2) Track the number of repeat contacts with clients

#### e. Track the number of repeat calls for service by agents for a client

- (1) Track any other information that may be deemed beneficial for the support of the program.

#### 2. Agent Referrals

Agents should make a referral for follow up services for an individual whom the agent believes may benefit from case management services. They can do this in several ways:

- a. Requesting the response of a case manager to an incident where agents have already arrived. Agents should request the response of the case

manager when encountering situations which, in the agent's opinion, involve mental illness or mental health concerns and the agents believe that additional resources, support, or further assessment would be beneficial. Agents shall remain with the case manager for safety reasons until the case manager no longer requires his or her presence and the Agent feels that the case manager is not in any danger.

- b. Requesting follow-up intervention after the initial call for service has been completed. Agents may refer citizens to the case manager by telephone, email, or in-person when the agent believes that additional support, referrals, or mental health-related intervention might be beneficial.
- c. Referring citizens and their families or members of their support system directly to the case managers/co-responders by providing the unit's telephone number and/or email address.

3. Confidentiality

Case managers are not authorized to provide information regarding Lakewood Police employees or police investigations to the media or any member of the public.

4. Administration

The administration of the Case Manager Program will be the responsibility of a Patrol Commander.

C. Rule

Newly-hired police agents will receive training on "Responding to Persons with Mental Illness," and the training will be documented by the Training Unit Refresher training in responding to persons with mental illness will be conducted and documented annually at a minimum.

4840 BOOKING AREA SUPERVISION

A. Policy

The Booking Area facilities at police headquarters and at the Colorado Mills Mall Police sub-station are utilized for booking, processing, testing, and temporary detention of detainees. Because the threat potential of each detainee to themselves or police personnel is unknown, access and activities within the facilities are controlled and secure. Legal and reasonable treatment of detainees is required and safety precautions are maintained at all times.

## B. Procedure

1. The Patrol Division Chief shall be responsible for the operation of the booking area facilities at police headquarters and at the Colorado Mills Mall Police Substation. A written administrative review of temporary detention areas and procedures shall be the responsibility of the Division Chief or his designee at least annually.
2. The Patrol Support Coordinator shall conduct weekly, documented inspections of the headquarters booking area facility. Mills inspection responsibility will be the sergeant assigned to Mills or designee. Inspections will ensure that:
  - a. All locks, doors, and other security devices are operational.
  - b. No potential weapons or contraband have been left in the cells.
  - c. The cells are clean and sanitary, and free of vermin. Any evidence of vermin and pests shall be reported to the Building Maintenance and corrective action shall be initiated immediately.
  - d. The first aid kit is well stocked.
  - e. Fire equipment is in place.
  - f. Written emergency evacuation plans are posted.
3. The sergeant, or a designee, assigned to Watch 1, 3 and 4 will be responsible for the documented visual inspection of the booking area and the detention cells at the beginning of their respective tour of duty. The purpose of this inspection is to ensure cleanliness and to determine if any unsafe conditions exist. Any concerns or discrepancies shall be noted on the Commander's Log and forwarded to the Patrol Support Coordinator. Documentation will include the name of the person inspecting, the number of prisoners being processed, conditions needing correction, corrective actions taken and any other information that could be of value to others using the temporary detention facility. The Mills holding facility will be inspected at the beginning and the end of the scheduled shift. Inspections will be documented as above.
4. The Patrol Division Equipment Maintenance Specialist shall replenish supplies in the booking area first aid kit weekly. Replenishment of supplies at Mills will be the responsibility of the North Sector Commander or designee.
5. Fire prevention practices and procedures:
  - a. Audible fire alarms shall be responded to by supervisors ensuring that all personnel exit the building via signed exit doors.
  - b. Supervisors shall check restrooms to ensure nobody is left in them.

- c. Sworn personnel shall be responsible to escort prisoners from the detention cells outside via the nearest exit doors away from any hazard. (The emergency door switch in the Sector Commander's office will expedite the opening of cell doors.)
  - d. In the event of a fire alarm activated at the Municipal Center, the desk agent will contact the Jeffcom Communications Center and request that West Metro Fire respond. The Sector Commander shall ensure the fire department is responding to the alarm.
- 6. The Patrol Support Coordinator shall be responsible for documenting a semi-annual test of fire equipment. This inspection shall be completed by City of Lakewood Building Maintenance. At least monthly, the Patrol Support Coordinator shall document a test of the automatic fire detection devices and alarm system. At Mills, the fire detection devices will be inspected by the Mills Security.
  - 7. Maintenance personnel who are required to perform work within the holding facility shall maintain strict accountability of their tools. Following any maintenance work being performed in the booking facility, the Sector Commander or the Patrol Support Coordinator shall inspect the facility to ensure tools and debris have been removed.

C. Rule

- 1. Documentation of inspections and testing of booking area and detention cell equipment shall be maintained on file for a period of 4 years.