

DATE:	DECEMBER 1, 2022
NUMBER:	J.7
SUBJECT:	EMERGENCY TRANSPORTATION OF INCARCERATED PERSONS WITH MENTAL HEALTH NEEDS
RELATED SECTIONS:	M.9 , M.5 , M.6 , J.1 , M.25 , MSD.M.10

PURPOSE

To provide guidelines for an incarcerated person needing transportation to access mental health care meeting criteria outlined in Penal Code (P.C.) section 4011.6, Welfare and Institutions Code (W&I) sections 5150 , 5250 , 5356 , 5300 , and 5256 .

POLICY

All incarcerated persons shall be provided with adequate and timely transportation services to meet their health and/or mental health needs.

PROCEDURE

I. IDENTIFICATION OF INCARCERATED PERSONS WITH MENTAL HEALTH NEEDS

- A. If an incarcerated person appears to be a danger to themselves or others, or if they appear gravely mentally disabled, the incarcerated person shall be removed from the mainline population.

“Gravely mentally disabled” shall refer to any incarcerated person who does not appear able to appropriately utilize the food, clothing and/or shelter provided by the detention facility.

- B. The incarcerated person shall be immediately evaluated by a medical doctor. If a medical doctor is not readily available, a nurse will evaluate the individual to determine if there is an immediate need for transport. The person shall be evaluated by a medical doctor at the next sick call, or within 24 hours, whichever is earlier.

II. MENTAL HEALTH EVALUATIONS

Any incarcerated person who is believed to be a danger to themselves or a danger to others shall be immediately evaluated by a Qualified Mental Health Provider (QMHP) (e.g., psychiatrist, psychologist, mental health clinician, or psychiatric nurse practitioner). If a QMHP is not available, the person will be placed into Enhanced Observation Housing (EOH) or a safety cell (only if actively self harming or actively assaultive) until cleared by a QMHP.

- A. Detention facilities without mental health services shall transport the person to a 24-hour detention facility where a QMHP or assigned designee is available to assess the person or to be placed into EOH/safety cell pending a review by a QMHP or assigned designee.

- B. The watch commander shall be notified by facility health staff (as defined in Detention Services Bureau Policies and Procedure section M.13) and/or sworn staff of any pending transfer.

III. RELEASED INCARCERATED PERSONS

Incarcerated persons being released from custody, to include any person housed in a psychiatric stabilization unit (PSU) or Detentions Safety Program (DSP), may require transportation to the Emergency Psychiatric Unit (EPU) or another Lanterman-Petris-Short Act (LPS) designated facility. If an individual is to be transported to an EPU or LPS designated facility, they are to be transported with all their personal property they came into custody with. This property will be transferred to the EPU or LPS staff for storage subject to their facility policy.

1. If the incarcerated person is in DSP or if the person is voluntarily admitted to PSU and requires transportation to EPU for a mental health evaluation and/or treatment upon release, the following shall be completed by sworn staff:
 - a. Request for 72 Hour Detention (DHCS 1801) form. This form can be completed by either sworn staff or a QMHP. When onsite, the QMHP should complete the DHCS 1801 form.
 - b. NetRMS incident report (5150 W&I arrest report)
 - c. Jail Information Management System (JIMS) Incarcerated Person Status Report (ISR)
2. If the person is in DSP or if the person is voluntarily admitted to PSU and does not require further mental health evaluation and/or immediate treatment, they will be released with medication and a list of resources with which to continue mental health care.
3. If the person is released from custody while under a LPS hold (i.e., involuntarily admitted to PSU) as defined in W&I Code sections 5150, 5250, 5356, 5300, or 5236, they are transported to EPU with the following:
 - a. Original current legal hold documents
 - b. Copies of their most recent progress notes
 - c. Medication record in a sealed envelope.

A DHCS 1801 form and NetRMS report are not required. Once an LPS hold is verified by health staff, a JIMS ISR shall be written referencing the LPS hold and subsequent transfer to EPU.

4. If the court orders the incarcerated person be released from Sheriff's custody and transported to EPU, the following shall be completed by sworn staff:
 - a. DHCS 1801 form.
 - i. Sworn staff should indicate on the DHCS 1801 form that the detained person's condition was called to sworn staff's attention by the attached court order and should check the "Gravely disabled (as defined by W&I Code section 5008 or 5585.25)" box on page two of the DHCS 1801 form.
 - ii. A copy of the court order should be attached to the DHCS 1801 form.
 - b. NetRMS incident report (5150 W&I arrest report)
 - c. JIMS ISR

5. Prior to the incarcerated person being transported, health staff shall notify EPU of the referral/impending transfer and give a verbal report.
6. The transporting deputy will transport the incarcerated person to EPU, delivering the person and required documents to the psychiatrist before leaving. The deputy will remain with the released incarcerated person until a safe and orderly transfer of services is completed and the psychiatrist on duty releases the deputy from further standby duties.
7. The SDCPH/EPU psychiatrist shall determine if the person meets the criteria for admission to EPU or may be released to the street.