

# **IMPROVING POLICE RESPONSE TO PERSONS WITH MENTAL ILLNESS**



# IMPROVING POLICE RESPONSE TO PERSONS WITH MENTAL ILLNESS

**A Progressive Approach**

*Edited by*

**THOMAS J. JURKANIN, PH.D.**

**LARRY T. HOOVER, PH.D.**

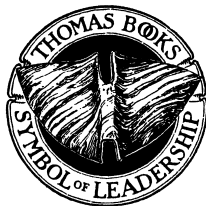
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## PREFACE

The origins of this book are traceable to two similar tragedies in the states of Illinois and Texas. In both instances the death during a confrontation with the police of a person suffering from mental illness led to both administrative and legislative action. Given legislative concern about the issue, the Illinois Law Enforcement Training and Standards Board convened in the Spring of 2000 a Task Force on Dealing With Persons With Mental Illness. In Illinois, this anthology has its roots in the work of that Task Force. In Texas, legislation required that the Bill Blackwood Law Enforcement Management Institute of Texas (LEMIT) include training addressing interaction with persons with mental illness in the 2006–2007 cycle of its Police Chief’s Leadership Series. Development of the content for that Series is the root of this anthology in Texas.

The Illinois Task Force was deliberately constituted to bring together both law enforcement and mental health professionals with three purposes. First, the Task Force was legislatively charged with reviewing current procedures for court-ordered transport of mentally ill persons. Such transport was almost exclusively done by sheriffs’ offices in the State of Illinois. Sheriffs throughout the state had expressed concern about the appropriateness of conducting such transport using marked patrol cars and uniformed law enforcement officers. That concern existed as well in the mental health services sector. Second, the Task Force was asked by the Board to review current training for adequacy and appropriateness. Third, the Board asked the Task Force to examine other issues where model policies or procedures might be developed to improve services to persons with mental illness. The Task Force in this respect focused upon interagency agreements between police departments and mental health agencies for both field emergency intervention and temporary housing. The Task Force ulti-

mately developed three related protocols:

- **Statewide Policy Protocol.** The Task Force developed a three-part protocol that is characterized as a “statewide policy protocol.” This protocol outlines in broad terms the relationship that should exist between law enforcement agencies and mental health service providers.
- **Model Agency Policy.** The model agency policy is based upon that developed by the Police Executive Research Forum and National Alliance for the Mentally Ill.
- **Model Cooperative Agreement.** The model cooperative agreement was developed by combining features from several existing agreements in the State of Illinois. The primary reference was the City of Champaign agreement.

A special report provides documentation of the proceedings and other deliberations of the Task Force. The primary products are represented among several chapters in this anthology. The effort also included a survey of Illinois law enforcement agencies with respect to the challenges they face in dealing with persons with mental illness. That survey was replicated in the state of Texas, and is described by Leonard Peck in Chapter 3.

The primary charge of the Task Force was the transportation issue. As a result of the Task Force recommendations, the Illinois General Assembly passed Public Act 093-0770 effective January 1, 2005, amending the Illinois Mental Health and Developmental Disabilities Code by adding a provision providing for ambulance transport of a person who is mentally ill in lieu of transportation by the county sheriff. The Act releases the ambulance service for any liability incurred if they act in good faith and without negligence. The Act is designed to provide transportation by medical rather than police conveyance—appropriate to treating mental illness as the disease that it is rather than a “threat to public safety.”

In Texas, LEMIT developed an 18-hour unit of instruction for its Chiefs’ Leadership Series that was designed to both foster understanding of the attributes of mental illness and suggest “best practices”



in developing law enforcement policy and response protocols. The Series is offered on a biennial cycle, and is attended by every chief of police in the state as a requisite for maintaining their certification. Every police chief in Texas had completed the unit of instruction by summer 2007. Additionally, LEMIT published a special issue of its Texas Law Enforcement Management and Administrative Statistics Bulletin series that addressed comparative policies and practices. Like the experience in Illinois, it became evident during the course of LEMIT's efforts that an anthology addressing issues and approaches would be a useful addition to the professional literature in this area.

Certainly a number of excellent resources already exist that address police engagement with persons with mental illness. Among the most important are the following three:

- **Police Response to People with Mental Illnesses**, produced by the Police Executive Research Forum, is a training curriculum and model policy for police agencies that wish to educate their officers about appropriate responses to situations involving people with mental illnesses. The curriculum includes modules—which can be used separately or together—on the Americans with Disabilities Act, types of mental illnesses, treatment options, voluntary and involuntary commitment of people with mental illness, psychiatric evaluations and other situations that police may encounter. It offers techniques and model practices for police officers to deal with a variety of situations, from talking to a person who is experiencing delusions, to transporting a person to a mental health facility for evaluation. PERF, 1997 ISBN: 1-878734-19-9
- **Police Response to People with Mental Illnesses: Video Series**, produced by the Police Executive Research Forum. This is a two-part video on improving the police response to people with mental illness. The first part covers basic information about mental illness, the Americans with Disabilities Act and tips for police dealing with some common types of encounters with people who are mentally ill. The second part focuses on a community policing response to situations involving people with mental illness, including how police can forge partnerships with other service providers to develop long-term resolutions to recurring prob-

lems.

- **Criminal Justice/Mental Health Consensus Project Report**, produced by the Council of State Governments, is a comprehensive review of issues across the criminal justice system, including law enforcement. The project is an ongoing effort of the Council of State Governments. Information and the ability to download the report are available at <http://www.consensusproject.org/>.

Nevertheless, it was evident that a book that systematically explored issues and problems would be an important addition to the literature base. We have not attempted to reproduce the policy and training guidelines that are available from the resource documents above. Rather, this anthology provides a more “issue-oriented” discussion of current developments, trends, and emerging protocols to improve services provided by law enforcement to persons with mental illness.

A long-standing cooperative relationship exists between the Illinois Law Enforcement Executive Institute, an entity of the Illinois Law Enforcement Training and Standards Board, and the Law Enforcement Management Institute of Texas, a program of Sam Houston State University. Concurrently, both entities recognized the need for this anthology in the police literature base. Given the concurrent developmental effort on the issues, and given the long-standing cooperative relationship, co-sponsorship of this anthology was logical.

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**IMPROVING POLICE RESPONSE TO  
PERSONS WITH MENTAL ILLNESS**



## **Part I**

### **The Origins of the Problem**





# **Chapter 1**

## **ATYPICAL SITUATIONS– ATYPICAL RESPONSES**

LARRY T. HOOVER

**A**re police “uncaring” toward persons suffering from mental illness? A statewide summit on the issue of police interaction with persons with mental illness was the focus of a conference convened in Bloomington, Illinois, in November 2002, sponsored by the Illinois Law Enforcement Training and Standards Board. As is typical with that type of meeting, the 100 participants were broken into smaller groups and assigned specific issues to discuss, then report back in a plenary session. Although most groups consisted of a mix of mental health professionals and police managers, given its assignment my particular group was all mental health professionals. During the course of the group discussion, references were made on several occasions to the uncaring attitude of the police toward mentally ill persons, and what might be done about it.

My personal experience is that the police are not at all callous toward the plight of persons with mental illness. Indeed, they are extremely sympathetic. Yes, there are locker room comments that involve the use of colloquial terms that are inappropriate, but I have never personally witnessed police officers interacting with someone in such distress in a calloused way. I finally raised the issue—noting that my experience did not match the perception of the mental health professionals that the police were indeed callous about victims of mental illness. The response is a quintessential illustration of variation in human perception. The explanation provided was that the only con-