

**STANDARDIZED ROLL CALL TRAINING PROGRAM**

Deployment Period #10-06

**Lesson Plan**

**TOPIC:** Human Relations  
**SUBJECT:** Mental Health History  
**PREPARED BY:** Human Relations Training Unit,  
Training Division, (310) 342-3160  
**Date Prepared:** 1-04 **Revised** 8-06  
**REFERENCES:** Welfare and Institutions Code Sections 5150 and 5150.05

**PERFORMANCE OBJECTIVE**

Officers will have a clear understanding of Section 5150.05 of the Welfare and Institution Code (WIC), which addresses the requirement to consider information about the mental health history of a person when trying to determine if the criteria for 5150 WIC hold has been satisfied.

**SCENARIO**

*Officers respond to a radio call of an individual with a possible mental illness. Upon arrival at the location, the officers are met by a woman who states that her brother, who has been diagnosed with severe depression, hasn't taken his medication in 5 days. The sister advised the officers that her brother has been very depressed because he was not accepted into law school. During the conversation, the woman tells the officers that her brother had attempted suicide 3 years ago when he stopped taking his medication and she is worried that he might try it again. Based on the information given to them, the officers interview the brother. The brother tells the officers that he was upset about the law school issue but has no idea why his sister called the police. He states that he is fine and is on his way to apply at another school. The officers do not observe any evidence of mental illness.*

**DISCUSSION**

**What should officers do?**

In this particular scenario, the sister's statements that her brother had been diagnosed with severe depression and that he had attempted suicide in the past when he stopped taking his medication should be used by the officers to form probable cause to place the subject on a 72-hour hold.

Under the authority of Section 5150 WIC, a police officer may detain a person for transportation to a designated mental health facility for a 72-hour hold for treatment or evaluation, if the officer has probable cause to believe that a person is: a) a danger to self, b) a danger to others or, c) gravely disabled due to a mental illness.

Many times law enforcement officers responding to calls involving persons with mental illness have a difficult job in determining if probable cause actually exists for the 72-hour detention. This task is made more challenging because during the interview, the person may not display any outward indications of a mental illness that would allow an officer to form the probable cause necessary for a legal 5150 hold. In fact, it is not uncommon for a person with a mental illness to “present well” with no displayed psychiatric symptoms and have rational plans for self care when in the presence of law enforcement officers who may be considering an involuntary hold under the authority of Section 5150 WIC.

However, often times a family member or other person associated with the individual is present and is willing to give the officer prior mental health history that would assist the officer in forming probable cause for the detention. Prior to January of 2002, officers could not consider a person’s mental health history because Section 5150 WIC had no provisions to take that information into consideration. However, in January 2002, Section 5151.05 WIC was added to include relevant mental health history. Section 5150.05 WIC states:

“When determining if probable cause exists to take a person into custody, or cause a person to be taken into custody, pursuant to Section 5150, any person who is authorized to take that person, or cause that person to be taken, into custody pursuant to that section shall consider available relevant information about the historical course of the person’s mental disorder if the authorized person determines that the information has a reasonable bearing on the determination as to whether the person is a danger to others, or himself or herself, or is gravely disabled as a result of the mental disorder.”

Basically, the requirements are that any person who is authorized to take a person into custody for involuntary treatment **shall** consider available relevant information about the historical course of the person’s mental illness. The information must have a reasonable bearing on the determination as to whether the person is a danger to self, others or is gravely disabled as a result of the mental illness.

The relevant mental health history shall include, but is not limited to, evidence presented by persons who have provided, or are providing, mental health or related support services to the patient and/or information presented by one or more members of the family of the person subject to detention. If officers use the information given to them by family, friends or witnesses as probable cause for a 5150 WIC detention, this information must be articulated in the narrative portion of the MH 302 detention form.

## **REVIEW**

*Officers respond to a residence of a possible suicide attempt. When officers arrive on scene they are met by the person's mother who states that her son was pacing the floor, waving his arms around, crying and stated that he didn't want to live anymore and that he wished he was dead. She also observed him bang his forehead on the bathroom cabinet. Furthermore, her son has attempted suicide twice in the past and has not been taking his anti-depressant medication. She directs you to her son, who is sitting quietly in his room listening to a jazz radio station. He then turns to the officers and in a very gentle tone states that everything is fine and that he is just trying to rest before going to a party at a friend's house. Furthermore he states that he has no intention of killing himself and that his mother is just overprotective. Officers observe a bandage on his forehead and ask him about it. He states "I tripped over my bed."*

### **What should the officers do?**

The officers should detain the son under the authority of Section 5150 WIC.

### **Why?**

Even though the son "presented well" during the officers' initial interview, they are required by 5150.05 WIC to consider all relevant historical information regarding the mental health history. In this case, the officers should consider statements made by the mother that her had son had attempted suicide in the past and that he has stopped taking his anti-depressant medication.

Remember, officers shall contact the Mental Evaluation Unit prior to transport to a mental health facility.