

# MEMORANDUM OF UNDERSTANDING

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## Policy for Detention and Transportation of Persons who Fall Under 5150 W&I

This Memorandum of Understanding documents the procedures agreed to by the Yolo County Law Enforcement Agencies<sup>1</sup> and local medical facilities related to 5150 calls:

1. Section 5150 of the California Welfare and Institutions Code authorizes peace officers to take custody of “mentally disordered persons” and to bring them to certain designated facilities to be evaluated for involuntary treatment.

Frequently, these persons present with obvious medical conditions which must be assessed. Any acute care hospital which operates with an emergency department is authorized by its license to provide medical evaluation, treatment and/or clearance.

It is the policy of Yolo County's Law Enforcement Agencies that persons placed under "5150" detention and who need immediate medical treatment, will be transported by ambulance to the nearest Acute Care Hospital Emergency Department for medical evaluation/treatment. County ambulance protocols will be followed.

For those persons placed under “5150” detention who do not require immediate medical treatment, Law Enforcement will transport to the nearest Acute Care Hospital Emergency Department within Yolo County for medical evaluation/treatment.

2. It shall be the policy of Yolo County Law Enforcement Agencies that officers will either "trail" the ambulance, or transport via Law Enforcement vehicle individuals who are being taken to an Acute Care Hospital Emergency Department. Officers will ensure that the individual is free of weapons or devices that may cause harm prior to transport of any kind and will communicate all pertinent information regarding the circumstances of the incident. A "5150" form written in ink will be provided to the receiving Acute Care Hospital Emergency Department.
3. Yolo County Law Enforcement Agencies agree to have the escorting officer(s) remain in attendance at the treatment facility.

For **adults** being taken to an Acute Care Hospital Emergency Department, officers should remain long enough for the facility to establish safe physical control of the patient. Safe physical control is defined as an individual being placed in appropriate restraints or medicated sufficiently to control behavior. The maximum time for this transfer of should be 20 minutes unless extenuating or extraordinary circumstances prevail.

For **minors** being taken to an Acute Care Hospital Emergency Department, officers should remain until a parent/guardian takes custody and long enough for the facility to establish safe physical control of the patient as described above. An officer shall be relieved of responsibility for the care and custody of the minor when a parent/guardian takes custody or/unless a report or referral to Yolo County Child Welfare Service is required.

4. In the event that an individual does not meet the criteria for admission per W&I 5150 and the Law Enforcement Officer does not elect to retain custody of this individual, Community Intervention Program (CIP) staff will attempt to make other appropriate mental health and/or social services referrals for this individual. These referrals for other resources will be offered to the individual on a voluntary basis by the Acute Care Hospital Emergency Department in compliance with Health Insurance Portability and Accountability Act or HIPAA. If transportation to another agency/facility is

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<sup>1</sup> The “Yolo County Law Enforcement Agencies” consist of the Yolo County Sheriff’s Office, Woodland Police Department, Davis Police Department, West Sacramento Police Department, Winters Police Department, and U.C. Davis Police Department.

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required, transportation options will be cooperatively arranged by the CIP staff and other agencies/facilities involved.

- 5. In the event that the policy and procedures outlined in this Memorandum of Understanding are not followed designated representatives (e.g. Law Enforcement on duty Watch Commander or Acute Care Hospital Emergency Department Chief) will be contacted, for problem-solving/resolution of individual episodes.

**SIGNATURES**

**Yolo County Sheriff's Office**

E.G. PRIETO SHERIFF [Signature] 11/19/15  
Printed Name & Title Signature Date

**Woodland Police Department**

[Signature] [Signature] 9/28/15  
Printed Name & Title Signature Date

**Davis Police Department**

LANDY BLACK, POLICE CHIEF [Signature] 9/30/15  
Printed Name & Title Signature Date

**West Sacramento Police Department**

Tom McDonald, Police Chief [Signature] 05 28, 2015  
Printed Name & Title Signature Date

**U.C. Davis Police Department**

Matt Carmichael, Police Chief [Signature] 12/9/15  
Printed Name & Title Signature Date

**Winters Police Department**

Sergio Gutierrez, Police Chief [Signature] 12/9/15  
Printed Name & Title Signature Date

**Woodland Memorial Hospital**

H. KEVIN VAZIRI [Signature] 3/29/16  
Printed Name & Title Signature Date

**Sutter Davis Hospital**

[Signature] [Signature] 2-1-14  
Printed Name & Title Signature Date

**Yolo County Health and Human Services Agency**

KAREN LARSEN, DIRECTOR [Signature] 3/29/16  
Printed Name & Title Signature Date