



# POLICY & PROCEDURE

## PORTAGE POLICE DEPARTMENT

SUBJECT: **MENTAL HEALTH ISSUES**

SCOPE: All Department Personnel  
DISTRIBUTION: Policy & Procedure Manual

REFERENCE: WI State Statue: 51:15

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**PURPOSE:** The purpose of this Policy & Procedure is to provide guidance to members of the Portage Police Department in dealing with persons suspected of being mentally ill, and/or in need of emergency detention.

This Policy & Procedure consists of the following numbered sections:

- I. DEFINITIONS
- II. PROCEDURE
- III. EMERGENCY DETENTION

### I. DEFINITIONS

- A. **MENTAL ILLNESSES OR PSYCHIATRIC DISORDERS:** Are sometimes biologically based brain diseases that can severely disturb a person's ability to think, feel, and relate to other people and the environment on a wide spectrum of levels.
- B. **HALLUCINATIONS AND ILLUSIONS:** A sensory experience of something that does not exist outside the mind, caused by various physical and mental disorders, or by reaction to certain toxic substances and usually manifested as visual or auditory images.  
Although hallucinations can occur in any sensory form – auditory (sound), visual (sight), tactile (touch), gustatory (taste), and olfactory (smell) – hearing voices that other people do not hear is the most common type of hallucination in schizophrenia.
- C. **DELUSIONS:** A fixed false belief that is not subject to reason or contradictory

evidence and is not explained by a person's usual cultural concepts. Delusions may take on different themes.

- D. ANXIETY: A state of apprehensive anticipation of future danger or misfortune accompanied by a feeling of dysphoria or somatic symptoms of tension. The focus of anticipated danger may be internal or external.
- E. INCOHERENCE: Speech or thinking that is essentially incomprehensible to others because words or phrases or behaviors are joined together without a logical or meaningful connection.
- F. PHOBIA: A persistent, irrational fear of a specific object, activity, or situation (the phobic stimulus) that results in a compelling desire to avoid it.
- G. SCHIZOPHRENIA: Schizophrenia is the most chronic and disabling of the severe mental disorders. The illness, which may impair a person's ability to manage emotions, interact with others, and think clearly, typically develops in the late teens or early twenties.

Symptoms include hallucinations, delusions, disordered thinking, and social withdrawal. People with schizophrenia may have perceptions of reality that are strikingly different from the reality seen and shared by others around them. Living in a world distorted by hallucinations and delusions, individuals with schizophrenia may feel frightened, anxious, and confused.

- H. DEPRESSION: A serious medical condition. In contrast to the normal emotional experiences of sadness, loss, or passing mood states, clinical depression is persistent and can interfere significantly with an individual's ability to function.

Symptoms of depression include sad mood, loss of interest or pleasure in activities that were once enjoyed, change in appetite or weight, difficulty sleeping or oversleeping, physical slowing or agitation, energy loss, feelings of worthlessness or inappropriate guilt, difficulty thinking or concentrating, and recurrent thoughts of death or suicide.

- I. BIPOLAR DISORDER: Causes dramatic mood swings—from overly "high" and/or irritable to sad and hopeless, and then back again, often with periods of normal mood in between. Severe changes in energy and behavior go along with these changes in mood. The periods of highs and lows are called episodes of mania and depression. This disorder is also known as Manic-Depression.
- J. SUICIDE BY COP: An act whereby a person presents a threat to a police officer in order to compel the officer or officers to use deadly force to stop that threat.

## II. PROCEDURE

### A. On Scene Assessment

Initially, it's not always easy to distinguish between behavior caused by alcohol or drug abuse, mental disabilities, epilepsy, other medical conditions, and mental illness. In fact, a number of people with mental illness use drugs or alcohol, which

can make it harder for police officers to evaluate and properly respond to the conduct of someone in a crisis.

The following pieces of information, gathered from bystanders, family members, medical personnel and/or officer observations at the scene, are clues that a person who is exhibiting abnormal behavior may have a mental illness:

- A history of mental illness and/or possession of medications for mental illness;
- Unresponsiveness, lack of emotion;
- Incoherent thoughts or speech;
- Inability to pay attention or concentrate;
- Bizarre appearance, movements, or behavior;
- Delusions of grandiose or exaggerated ideas;
- Hallucinations or perceptions unrelated to reality;
- Agitation, often without clear reason;
- Excessive anger, hostility, or violence;
- Excessive fears or worries;
- Withdrawal from normal activities;
- Confusion;
- Alcohol/drug use/abuse;
- Inability to cope;
- Inappropriate reactions;
- Exaggerated self-confidence; and
- Pronounced feelings of hopelessness, sadness, guilt.

Although symptoms of mental illness may be worsened by substance use, this does not change the involuntary nature of the behavior or the need for an informed, compassionate response.

## B. Police Response

It is best to handle an encounter with someone displaying these behaviors or thoughts as if they were mentally ill until evidence indicates otherwise.

If you encounter an individual with the above symptoms, you should be prepared to respond appropriately to mental illness.

The following are suggestions for how to respond to people with mental illness. Follow as many of the suggestions as possible while protecting the safety of you, the person with mental illness, and anyone else at the scene.

Remember that people with mental illness who are aggressive or who make violent threats often feel threatened themselves and have the potential to become violent when they feel they are cornered. Police may defuse a potentially dangerous situation by being patient, remaining calm, and maintaining a safe distance.

### 1. Appropriate Responses

- Stay calm and don't overreact. Be helpful and professional.
- Gather information from family or bystanders.

- Indicate that you are trying to understand and help.
- Speak simply and briefly and move slowly.
- Remove distractions, upsetting influences, and disruptive people from the scene. Understand that you may not have a rational discussion.
- Recognize that sensations, thoughts, frightening beliefs, sounds (“voices”), or the environment may overwhelm the person.
- Be friendly, patient, accepting and encouraging, but remain firm and professional.
- Be aware that your police uniform, gun, handcuffs and nightstick may frighten the person. Reassure him or her that you don’t intend harm.
- Recognize and acknowledge that the person’s delusional or hallucinatory experience is real to him or her.
- Announce your actions before initiating them.
- Request a trained CIT trained officer when possible.
- Engage mobile crisis services/crisis intervention.
- Be conscientious of safety factors.
- Take your time.
- Ask permission, announce intentions, and tell them the obvious.
- Use their name and build rapport.
- Use positive words as - I’m here to help you.

## 2. Inappropriate Responses

- Moving suddenly, give orders rapidly or shout.
- Forcing a discussion.
- Direct, continuous eye contact.
- Touching the person without need to control.
- “Crowding” the person or moving into their “buffer zone” of comfort.
- Expressing anger, impatience or irritation toward the subject.
- Assuming that a person who doesn’t respond to you cannot hear you, mental illness does not cause deafness.
- Using inflammatory language, such as “wacko,” “psycho,” or “looney.”
- Arguing with delusional or hallucinatory statements, or misleading the person to think that you feel or think the same way, that you can see the same hallucinations.
- Rushing, these incidents may take a long time to evaluate and process.
- Talking too much, you need to give them time to process.

## C. Community Resources

Many of the non-dangerous/non-emergency calls the police receive involving people with mental illness are best handled by referring them to the local community programs and agencies that serve this population. Officers should learn what community services are available, their times of operation, how to contact the community response team, and the procedures the resources and teams follow.

Refer to the list of community agencies listed at the end of this Policy & Procedure.

## D. Disposition Determination

To help determine the appropriate disposition, evaluate the following about the individual:

- Present and past behavior;
- Dangerousness to self;
- Dangerousness to others;
- Ability to take care of themselves,
- Availability of family or caregiver;
- Community support network;
- Whether or not they committed a crime; and
- The seriousness of the crime, if one was committed.

The decision about the disposition of an incident involving a person with mental illness should be appropriate to the situation and their condition. People who are confused, incoherent or unable to interact with others are vulnerable and should not be left on their own. Consider this a mental health/medical emergency. Consult with the appropriate medical or mental health agency.

#### E. Options for Disposition after Consultation

- Release
- Release to family or caregiver
- Release and refer to a specific local program, agency or mental health provider
- Release with individual's agreement to seek examination voluntarily
- Request a face to face interview with a mobile worker.
- Detain for involuntary examination (Emergency Detention via WI SS Chapter 51.15)
- Arrest, only if a crime has occurred

If an officer takes an individual into custody for any length of time and that individual is taking medication for their illness, they must continue to take it. If an arrest is made, the officer must advise personnel at the jail of that individual's need to continue their medication.

### III. Emergency Detention

- A. In those situations where a person is behaving in a manner that poses a serious danger to themselves or others and must be removed from the scene, the officer will need to decide whether to arrest the person (if a crime has been committed) and/or transport them to a mental health facility for evaluation.

Reminder: An Emergency Detention is not a CRIME.

Refer to information listed below under subheading "Wisconsin State Statute - Chapter 51.15" for criteria for detainment by a law enforcement officer.

When an officer believes an individual needs to be detained under Wis State Statute 51.15 the officer should do the following:

- Notify Dispatch;

- Contact Northwest Connections to conduct an assessment. The assessment may be onsite, telephonic, or at another location determined by Northwest Connections and/or the officer.
- If applicable, have the individual medically cleared, prior to transport to the mental health facility;
- Once the subject is considered detained under Wis State Statute 51.15 the officer should read / provide the subject with the statement of patient rights as soon as medically / mentally possible.
- If the detainee does not require medical clearance one of the following will occur;
  - a) Officer will convey the subject to the mental health facility after approval from Northwest Connections and/or
  - b) Have a crisis worker respond to a location agreed upon by the officer and worker to assess/interview the subject and/or
  - c) Conduct a telephonic assessment/interview with the subject and a crisis worker.
  - d) If applicable, complete the STATEMENT OF EMERGENCY DETENTION BY LAW ENFORCEMENT OFFICER and submit the original with the report to be given to the Columbia County Corp Counsel. A copy should be left with the mental health facility.

## B. Chapter 51 - Interpretation

In the event an officer has a question regarding the applicability of any aspect of Wisconsin State Statute Chapter 51, they should first this seek clarification from their shift supervisor who may direct them to contact the Columbia County Corporation Council for advice/resolution.

## C. Wisconsin State Statute - Chapter 51.15

Emergency Detention is not a CRIME.

### 1. Criteria for Detainment by a Police Officer:

A. A law enforcement officer or other person authorized to take a child into custody under Chapter 48 or to take a juvenile into custody under Chapter 938 may take an individual into custody if the officer or person has cause to believe that such individual is mentally ill, drug dependent or developmentally disabled, and that the individual evidences any of the following:

- A substantial probability of physical harm to himself or herself as manifested by evidence of recent threats of or attempts at suicide or serious bodily harm.

- A substantial probability of physical harm to other persons as manifested by evidence of recent homicidal or other violent behavior on his or her part, 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 on his or her part.
- A substantial probability of physical impairment or injury to himself or herself due to impaired judgment, as manifested by evidence of a recent act or omission. The probability of physical impairment or injury is not substantial under this subdivision if reasonable provision for the individual's protection is available in the community and there is a reasonable probability that the individual will avail himself or herself of these services or, in the case of a minor, if the individual is appropriate for services or placement under s. 48.13 (4) or (11) or 938.13 (4).

Food, shelter or other care provided to an individual who is substantially incapable of obtaining the care for himself or herself, by any person other than a treatment facility, does not constitute reasonable provision for the individual's protection available in the community under this subdivision.

- Behavior manifested by a recent act or omission that, due to mental illness or drug dependency, he or she is unable to satisfy basic needs for nourishment, medical care, shelter or safety without prompt and adequate treatment so that a substantial probability exists that death, serious physical injury, serious physical debilitation or serious physical disease will imminently ensue unless the individual receives prompt and adequate treatment for this mental illness or drug dependency.
- No substantial probability of harm under this subdivision exists if reasonable provision for the individual's treatment and protection is available in the community and there is a reasonable probability that the individual will avail himself or herself of these services, if the individual can receive protective placement under s. 55.06 or, in the case of a minor, if the individual is appropriate for services or placement under s. 48.13 (4) or (11) or 938.13 (4).

#### E. Rights of the Detained Individual:

Upon delivery of the individual, the treatment director of the facility, or their designee, shall determine within 24 hours whether the individual shall be detained, or shall be detained, evaluated, diagnosed and treated, if evaluation, diagnosis and treatment are permitted under sub. (8), and shall either release the individual or detain him or her for a period not to exceed 72 hours after delivery of the individual, exclusive of Saturdays, Sundays and legal holidays. If the treatment director, or his or her designee, determines that the individual is not eligible for commitment under s. 51.20 (1) (a), the treatment director shall release the individual immediately, unless otherwise authorized by law.

If the individual is detained, the treatment director or his or her designee may

supplement in writing the statement filed by the law enforcement officer or other person, and shall designate whether the subject individual is believed to be mentally ill, developmentally disabled or drug dependent, if no designation was made by the law enforcement officer or other person. The director or designee may also include other specific information concerning his or her belief that the individual meets the standard for commitment. The treatment director or designee shall then promptly file the original statement together with any supplemental statement and notification of detention with the court having probate jurisdiction in the county in which the individual was taken into custody. The filing of the statement and notification has the same effect as a petition for commitment under s. 51.20.

#### F. Training

This Policy & Procedure and the topic of mental health will be conducted for all new officers via Police Officer Training (PTO) Program. Updates will be dispersed on an annual basis by utilizing a combination of the following training formats: In-service, Training/Legal Update Newsletters, Shift Briefing Training and Roll Call Training.

#### G. Community Resources:

1. Columbia County Crisis / Northwest Connections 1-888-552-6642
2. National Suicide and Crisis Lifeline Number: 988
3. CDC Coping with Stress and SAMHSA Disaster Helpline Crisis Counselor:  
800-985-5990

Keith J. Klafke  
Chief of Police

This Policy & Procedure cancels and supersedes any and all written directives relative to the subject matter contained herein.

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