

WAKE COUNTY PLAN FOR TRANSPORTATION OF WAKE COUNTY INVOLUNTARY MENTAL COMMITMENT RESPONDENTS

A. SCOPE OF PLAN

It is the policy of Wake County to transport persons subject to involuntary mental commitments (Respondents) in conformity with the requirements set forth in N.C.G.S. 122C-251. This plan regarding transportation of Respondents applies to Wake County Deputies as law enforcement officers, Wake County Detention Officers and any contract transportation provider designated by the Wake County Commissioners pursuant to N.C.G.S. 122C-251(g).

B. SERVICE OF INVOLUNTARY COMMITMENT ORDERS ON RESPONDENTS AND INITIAL CUSTODY MUST BE PERFORMED BY A LAW ENFORCEMENT OFFICER

The initial service of the Involuntary Commitment Order upon a Respondent and the initial custody of the Respondent shall be accomplished by a law enforcement officer pursuant to N.C.G.S. 122C-261(e). Once the Respondent has been committed to a 24-hour facility, transportation to and from that facility can be accomplished by a law enforcement officer or anyone authorized to provide transportation to involuntary commitment Respondents pursuant to N.C.G.S. 122C-251(g).

C. TRANSPORTATION OF RESPONDENTS WITHIN WAKE COUNTY

Transportation of a Respondent within Wake County pursuant to involuntary commitment proceedings, including initial custody, medical and psychiatric evaluation, admission and discharge, shall be provided by deputies of the Wake County Sheriff's Office for (1) a Respondent who resides in Wake County but outside city limits or (2) a Respondent who is taken into custody in Wake County but outside of city limits. However, transportation after initial custody by deputies can be performed by Wake County Detention Officers or a contract transportation provider designated by Wake County pursuant to N.C.G.S. 122C-251(g).

D. TRANSPORTATION OF RESPONDENTS BETWEEN COUNTIES

Transportation between Wake County and other counties under involuntary commitment proceedings for admission of a Respondent taken into custody in Wake County to a 24-hour facility shall be provided by members of the Wake County Sheriff's Office or contract transportation providers designated by Wake County pursuant to N.C.G.S. 122C-251(g).

Transportation between counties under involuntary commitment proceedings for Respondents held in 24-hour facilities who have requested a change of venue for their District Court hearing shall be provided by members of the Wake County Sheriff's Office or contract transportation providers designated by Wake County pursuant to N.C.G.S. 122C-251(g) if the petition for involuntary commitment for the Respondent was initiated in Wake County.

Transportation between counties under involuntary commitment proceedings for discharge of a Respondent from a 24-hour facility shall be provided by members of the Wake County Sheriff's Office or contract transportation providers designated by Wake County pursuant to N.C.G.S. 122C-251(g) if the discharged Respondent is a resident of Wake County. Nothing in this policy prevents a Respondent being discharged from a facility to use their own transportation at their own expense.

E. PROCEDURES FOR TRANSPORT OF RESPONDENTS

Members of the Wake County Sheriff's Office or contract transportation providers designated by Wake County pursuant to N.C.G.S. 122C-251(g), to the extent possible, shall advise Respondents, when either taking them into custody or performing transport, that the Respondent is not under arrest, has not committed a crime, but is being transported to receive treatment for their own safety and that of others. It should also be explained to the Respondent that it will be necessary for the Respondent's safety and the safety of others that the Respondent be handcuffed or otherwise restrained.

In providing transportation pursuant to this policy, members of the Wake County Sheriff's Office or contract transportation providers designated by Wake County pursuant to N.C.G.S. 122C-251(g), may use reasonable force to restrain the Respondent if it appears necessary to protect themselves, the Respondent, or others. Members of the Wake County Sheriff's Office or contract transportation providers designated by Wake County pursuant to N.C.G.S. 122C-251(g) should carefully read the Involuntary Commitment Order and Petition or seek information from the committing facility to determine if the Respondent presents any danger of assault or escape during the transport. All Respondents being transported shall either be secured in a car or van cage, if available, or handcuffs and waist chains shall be used if there is no car or van cage. The transportation of Respondents may require the use of restraints other than, or in addition to, handcuffs and waist chains. Restraints used in these situations should restrain the Respondent securely, without causing injury. If special restraints are required to transport a Respondent, the person performing the transport should coordinate with the Wake County Crisis Assessment Center or other facility to obtain use of available appropriate restraints.

In providing transportation of a Respondent there shall be a driver or attendant who is the same sex as the Respondent unless a family member of the respondent is allowed to accompany the Respondent in lieu of an attendant of the same sex as the Respondent. Trained NAMI Volunteers may also be used to comply with this section of the policy. The Wake County Sheriff's Office maintains a list of trained NAMI Volunteers.

F. COUNTY TRANSPORTATION PLAN PURSUANT TO N.C.G.S. 122C-251(g)

Wake County Law Enforcement Officers, Wake County Detention Officers or any person or firm contracted to provide transportation of involuntary commitment Respondents shall be subject to the terms of this plan and shall be trained using appropriate lesson plans provided by the North Carolina Justice Academy for interacting with the mentally ill, emotionally disturbed and other special populations. Crisis Intervention Training will also be provided. In this manner, this plan and approved training plan shall assure adequate safety and protections for both the public and the Respondent.

Wake County Detention Officers or a contract transportation provider designated by Wake County pursuant to N.C.G.S. 122C-251(g) to provide transportation to Respondents shall provide the transportation and follow the procedures in this policy and appropriate statutes in Article 5, Chapter 122C of the North Carolina General Statutes. References in Article 5 to a law enforcement officer apply to Wake County Detention Officers or to a contract transportation provider retained and approved by Wake County pursuant to N.C.G.S. 122C-251(g) when providing transportation to involuntary commitment Respondents.

Contract transportation providers designated by Wake County pursuant to N.C.G.S. 122C-251(g) shall agree to indemnify and hold harmless the County of Wake and the Wake County Sheriff and his employees or agents and provide necessary insurance as required by the Wake County Risk Manager before performing transportation duties pursuant to said contract.