



MYRTLE BEACH POLICE DEPARTMENT

ADMINISTRATION REGULATIONS AND OPERATING PROCEDURES

Subject: Responding to the Mentally Ill

Number: 249-A

Effective Date: January 1, 2001

Revised Date: November 17, 2023

Rescinds: 249 – Protective Custody

Dated: 08-04-2008

Approved By: _____

Approved By: _____

I. PURPOSE

To establish guidelines for all departmental officers dealing with subjects believed to be mentally ill.

II. RESPONSIBILITY

Each officer of the Myrtle Beach Police Department who responds to, observes, or is involved in any incident where any subject is to be taken into protective custody, based on mental illness, is required to comply with the guidelines outlined in this Standard Operating Procedure (SOP).

III. DEFINITIONS

- A. Affidavit – a written affidavit under oath by the law enforcement officer (pursuant to 44-17-410) stating he or she has a belief that the person is mentally ill, and because of this condition, is likely to cause serious harm to himself or others if not immediately hospitalized, and stating the specific type of serious harm thought probable if the person is not immediately hospitalized, and the factual basis for this belief.
- B. Crisis Stabilization Program – a community-based psychiatric program providing short-term, intensive, mental health treatment in a nonhospital setting for persons who are experiencing a psychiatric crisis, and who are either unable to safely function in their daily lives or are a potential threat to themselves or the community, with treatment available twenty-four hours a day, seven days a week.
- C. Documentation – Specific to the inquiry or response to an incident involving a subject based on his/her behavior as a result of mental illness or observed by an officer, documentation will consist of any incident report, intelligence report, any

and all forms of electronic communication (internal or external) and/or memos, and/or letters, notes and/or other forms of communication provided to law enforcement serving as notification of a concern for an individual.

- D. Local Mental Health Facility – Any local and approved facility, which provides examination and evaluation of the person in protective custody by a licensed physician.
- E. Protective Custody – Pursuant to South Carolina Code of Law 44-13-05, where any law enforcement officer takes a subject into custody if the subject's likelihood of serious harm to themselves or others, or if a criminal offense that carries a penalty of less than one year, and that does not involve a victim who could seek a warrant for the person's arrest has occurred. The officer will transport the person to the local mental health center or a crisis stabilization program.

IV. PROCEDURE

- A. All officers will receive training in reference to mentally ill persons as part of initial training with the Myrtle Beach Police Department. Provided training will include:
 - 1. recognition of persons suffering from a mental illness,
 - 2. guidelines for dealing with mentally ill persons in street encounters as well as during interview and interrogation,
 - 3. procedures for Emergency Protective Custody,
 - 4. serving Commitment Orders, and
 - 5. accessing community mental health resources.
- B. All officers will receive tri-annual refresher training in reference to dealing with mentally ill persons.
- C. Prior to the consideration of Protective Custody involving a subject believed to be mentally ill, all officers will be responsible for obtaining all available information regarding the subject's identity as well as any known relative or appropriate guardian, and any background information the police department has maintained in reference to the subject's status. In addition, the officer will contact the department's embedded mental health counselor, the Center for Counseling and Wellness, Mobile Response, or Shoreline in order to determine any current status. The officer will also confirm that the subject is a candidate for protective custody based on the criteria set forth in South Carolina Code of Law 44-13-05. In the event information cannot be obtained, the officer shall notify his/her direct supervisor and coordinate additional efforts.
- D. After a subject is placed in protective custody, the officer will transport, via EMS or a patrol vehicle, the subject to South Strand Medical Center or Grand Strand Regional Medical Center for evaluation. Dispatch will notify the charge nurse

prior to officers arriving at either facility and give the charge nurse a history on the candidate. The officer will provide a briefing of the circumstances and relinquish custody to security staff at the hospital.

- E. Upon initiation and completion of protective custody as set forth in this policy, an officer will complete a UCR and an affidavit by the end of shift after taking the subject into custody. The affidavit will be signed under oath in the clerk's office and a copy will be delivered to the medical center completing the evaluation. After approving the UCR, the supervisor will notify dispatch and have an alert placed on the subject's name record in RMS.
- F. Any deviation from these guidelines will be approved by a division supervisor prior to implementation.