

Humane Transport Policy

- I. AUTHORITY: TCA § 33-6-404, TCA § 33-6-406, and TCA § 33-6-901
- II. PURPOSE: To guide the process of law enforcement mental health training, provide policy for humane transport for individuals in need of involuntary psychiatric hospitalization, and establish a standard for the least restrictive processes to be employed when transporting persons to mental health treatment facilities in a manner that does not criminalize, stigmatize, nor retraumatize those in need of care while ensuring the safety and security of all involved in the transport process. This policy is designed to address individuals who are not under arrest and are being transported pursuant to a certificate of need for emergency involuntary hospitalization issued in accordance with TCA § 33-6-404
- III. APPLICATION: Deputies or their assigned designee involved in transporting individuals who are in need of involuntary psychiatric hospitalization and have received a Certificate of Need for Emergency Treatment and Transportation as outlined Tenn. Code Ann. § 33-6-404. This policy applies to non-custodial transports only.
- IV. DEFINITIONS:
 - A. Certificate of Need: A physician, psychologist, or designated professional has examined the person and decided the person is subject to emergency involuntary admission to a hospital or treatment resource under TCA § 33-6-403, has completed a certificate of need form for the emergency diagnosis, evaluation, and treatment showing the factual foundation for the conclusions.
 - B. Emergency Mental Health Transport: Transports of individuals for involuntary psychiatric hospitalization pursuant to Tennessee Code Annotated §33-6-406. The individual must have a Certificate of Need for Emergency Involuntary Hospitalization.
 - C. Hard Restraints: Mechanical devices that restrict movement and which lock with a key, such as handcuffs, waist chains, and leg irons.
 - D. Hospital: A public or private hospital or facility or part of a hospital or facility equipped to provide psychiatric inpatient care and treatment for persons with mental illness or serious emotional disturbance.
 - E. Humane Transport: A compassionate process for taking people from one place to another by vehicle in the least restrictive means possible.
 - F. Person-Centered: A philosophy that sees the people using health and social services as equal partners in planning, developing, and monitoring care to make sure it meets their needs. It involves putting people and their families at the center of decisions, seeing them as experts, and working alongside professionals to achieve the best outcome.
 - G. Recovery Oriented: A practice of acknowledging each individual is an expert on their own life and that recovery involves working in partnership with individuals and their caregivers to provide support in a way that makes sense to them.
 - H. Self-Injurious Behavior – Self harm or self-mutilation deliberately inflicted by such acts as puncturing, cutting, swallowing objects, and head banging.
 - I. Soft Restraints: Canvas, nylon, or similar in construction, these devices are made of a material that are designed to safely fit around the wrists, ankles, or chest of a patient. These devices prevent

excessive movement of the patient's body to which they are attached. Soft restraints do not include any device utilized to restrain someone who is under arrest such as zip ties.

J. Trauma Informed Care: A standard of care that understands and considers the pervasive nature of trauma and promotes environments of healing and recovery rather than practices and services that may inadvertently re-traumatize.

K. Treatment Facility or Resource: Any public or private facility, service, or program providing treatment or rehabilitation services for mental illness or serious emotional disturbance, including, but not limited to, crisis stabilization units, detoxification centers, hospitals, community mental health centers, clinics or programs, halfway houses, and rehabilitation centers.

V. POLICY: It is the policy of the County Sheriff's Office that all individuals being transported under TCA § 33-6-406 shall be done so in the least restrictive mode necessary to maintain patient rights, after being accepted by the receiving hospital/facility, and handled in a manner that does not criminalize, stigmatize, nor retraumatize those in need of care while ensuring the safety and security of all involved in the transport process.

VI. PROCEDURES:

A. Personnel

1. All deputies performing emergency mental health (EMH) transport pursuant to TCA §33-6-406 duties shall receive and successfully complete an agency approved mental health awareness program within six (6) months of having been assigned to a position which is reasonably likely to conduct transports under this policy. POST or Tennessee Correctional Institute Training may satisfy the training requirement if it includes training related to verbal de-escalation techniques.
2. All deputies performing EMH transport shall successfully complete an agency approved mental health awareness training on an annual basis. This includes, but is not limited to, refresher courses. Training should provide information regarding principles and best practices for engaging and interaction with an individual subject prior to their first interview with a medical practitioner. Annual training should include an emphasis on expanding knowledge of trauma-informed care, verbal de-escalation, suicide prevention, medications, symptoms, developmental disabilities, and dementia.
3. All deputies performing EMH transports shall wear a soft uniform or non-tactical uniform when performing said transport. If due to exigent circumstances, the deputy does not have the time or facilities to change into a different uniform, the deputy may wear a plain unmarked jacket to cover the uniform shirt. The deputy may retain their duty belt, firearm, and personal safety equipment while transporting mental health patients.
4. All County Sheriff's Office or contracted Transportation Agency shall maintain records of required training.

B. Operational Considerations

1. Emergency mental health transports shall take place in the least restrictive manner that is calm and compassionate to the extent possible towards the individual being transported. The intent of this consideration is to realize that the individual is already experiencing a mental health crisis, and this is a traumatic event.
3. Personnel should employ verbal de-escalation techniques and contact the local mobile crisis responders as needed.
4. Deputies shall always interact with the individual being transported in a courteous, respectful manner utilizing the principles of a recovery oriented, person-centered, and trauma informed system of care.
5. Adults – Individuals may be transported in the same vehicle only if there is a partition separating them. When practical, the individuals being transported shall be transported to a hospital/treatment resource with law enforcement officer of the same gender in attendance.
6. Juveniles - Individuals of different genders may be transported in the same vehicle only if there is a partition separating them.
7. Juveniles shall not be transported in the same vehicle with an adult passenger.
8. Deputies shall obtain the confirmation number from the sending facility verifying that the state-owned or operated hospital or treatment resource has been contacted and has available suitable accommodations. This shall include a copy of the discharge paperwork to be provided to the receiving hospital or treatment facility.
9. Deputies shall confirm the location of the final destination of the child or adult to be transported.
10. Deputies shall drive child or adult in the most efficient route to the final destination.
11. Deputies shall provide reasonable opportunities to use the restroom while providing appropriate supervision and monitoring. Generally, restroom stops are only necessary if travel time exceeds two hours. Individuals should be encouraged to take care of their personal needs prior to departing the pick-up location.
12. Restroom stops, if necessary, shall only be made when the deputy believes that they can mitigate risk of escape and danger to the individual being transported and others.
13. The individual being transported shall be provided reasonable access to food and water if the transport time is greater than four hours in length.
14. It is the obligation of the Sheriff's Office to ensure the safety of the individual. No individual being transported under TCA §33-6-406 shall be transported simultaneously with an individual who is not being transported pursuant to a certificate of need being issued in accordance with TCA §33-6-406.

15. Deputies shall document the delivery of the individual being transported to the final destination and adhere to all requirements in accordance with (TCA) §33-6-406(b) (2) which includes:
 - a. Notifying the hospital or treatment resource of the anticipated time of arrival
 - b. Remaining at hospital or treatment resource for up to one (1) hour and forty-five (45 minutes) while patient is being evaluated unless otherwise relieved by the hospital or treatment resource staff.
16. Provide the receiving hospital with any items available to provide information about the person being admitted for treatment such as a copy of the CON, copy of crisis assessment, medication list, and any belongings on the person being transported.

C. Vehicles

1. Vehicles shall ensure safety, privacy and are to be unmarked with no stripes or markings identifying the vehicle as a Sheriff's Office vehicle. Vehicles may have discrete code-three lights only that may be installed but not readily visible from the outside of the vehicle. Appropriate locations include:
 - a. Windshield
 - b. Back window
 - c. Grill
 - d. Rear of vehicle (taillights or reverse lights)
2. Windows must be tinted for the privacy and dignity of the person being transported, but tinted windows shall not exceed the shading established in TCA §55-9-107
3. Secure safety panels must be provided between the driver and passenger compartment. The partition should be transparent, e.g. steel cage or plexiglass, to allow the deputy to maintain visual contact with the transported individual.
4. The vehicle transporting the patient must be adequately heated in cold weather and adequately ventilated in warm weather.
5. Vehicles shall contain emergency medical kits such as first aid kits.

D. Property and Searches

1. All members performing transport duties shall thoroughly search persons being transported, when practical, before placing them in the transport vehicle in order to ensure the safety of all those involved in the transport process. The search shall be conducted in professional, courteous manner which preserves the individual's dignity to the maximum extent possible. Same sex searches should be performed whenever practical.

2. Before and after an individual is transported, the secure area of the vehicle where the individual is being placed shall be searched for contraband or other items.
3. All property removed from the person shall be inventoried, documented, and placed in a clear sealed bag unless the property is in the possession of a responsible relative, guardian or conservator of the person. The deputy shall provide verbal assurance that all legal (non-contraband) property being inventoried will be returned to the individual being transported. If practical, obtain the signature of the individual on the property bag to confirm its contents.
4. The person's belongings shall be placed in a secure location in the transport vehicle and out of the reach of the person being transported. If circumstances permit, the person should be able to see the property being placed in the secure location.
5. Upon arrival of the final destination, when the patient is delivered to the facility staff, the patient's belongings shall be provided to the facility staff in the sealed bag. Deputy should note the name of the individual taking custody of the patient's belongings for his/her report.

E. Restraints

1. The transportation agent shall approach the situation with the default presumption that the individual experiencing a mental health crisis will not need restraints. The use of restraints and factors considered shall be documented in the officer's report to document that the least restrictive form of transport was utilized. In determining what restraint is reasonable under the circumstances a deputy must consider:
 - a. Whether the individual poses an immediate threat to the safety of themselves, the officer, or others;
 - b. Whether the individual has been actively combative to the officer or staff at the medical facility;
 - c. Other relevant information the officer reasonably believes to be true at the time.
2. No restraints: If a person being transported is compliant, non-combative, and is showing no outwards signs of harming themselves or others, then the deputy is encouraged to use discretion as to whether to use restraints.
3. Soft restraints: If restraints are deemed as necessary, the use of soft restraint is the preferred level of restraint when the deputy believes that their use is reasonably likely to be effective in protecting the individual, the deputy, and others from harm.
4. Hard restraints: The use of handcuffs, waist-chains, or leg shackles is only justified where based on a demonstrated history of violent behavior and/or articulable current circumstances. Their use is not justified solely because soft restraints are not immediately available.
5. Vehicle Safety Restraint Devices: Seatbelts shall be used to ensure the safety of passengers. Any exceptions shall be authorized only by a medical professional and documented.

6. Deputies should request an ambulance to transport persons when:
 - a. The person is violent and requires restraint to the extent that he/she must be transported in a recumbent position; or,
 - b. If the person is injured or physically ill and is in need of immediate medical attention.

- F. Reporting
 1. A report of each transport shall be made. At a minimum, the report shall include:
 - a. The identity of the transporting deputy(s)
 - b. The identity of the individual(s) being transported
 - c. The address of the pick-up location and time of departure
 - d. The address of the drop-off location and time of arrival
 - e. Whether restraints were used or not, and if used, the individualized reason
 - f. If restraints are used, the type and individualized reason for that type
 2. Reports shall be reviewed by the transporting deputy's supervisor pursuant to the agency's policy on supervisory review of reports.