

Name: \_\_\_\_\_

Date: \_\_\_\_\_

## DECEMBER ROLL CALL TRAINING

### High Risk Critical Task / Person of Diminished Capacity

Every community can expect its law enforcement officers to encounter persons of diminished capacities. This group of special needs individuals presents deputies with different and often complex issues. These types of persons, whether from intoxication, suicidal potentials, medical complications or mental illness, can display a wide range of behaviors that are usually different than those exhibited by other members of the community or persons involved in criminal activities. They may display conduct that is bizarre, irrational, unpredictable and threatening. They may not receive or comprehend commands or other forms of communication in the manner that the deputy would expect. They often do not respond to persons of authority or the display of force.

It is the primary task of deputies confronting these special needs individuals to control the incident and resolve the encounter in the safest manner. It is the deputy's task to bring these types of persons to professional resources, when necessary. It is not the mission of the deputy to diagnose the root cause for the person's behavior.

Courts have acknowledged that a suspect's mental state, where known, is a factor when analyzing the reasonableness of the use of force, especially where the suspect is not presenting a threat to the officer or others. Proper tactical and de-escalation techniques can assist in resolving the immediate field implications of the encounter and hasten the intervention by professional resources.

The ultimate mission of law enforcement when encountering a person of diminished capacity is to control the encounter and then determine the best course of action for the subject person. These types of incidents can be segmented into four (4) distinct response tactics: Containment, Coordination, Communication and Time.

1. **Containment:** Before any reasonable control and defusing techniques can be used, the subject must be contained.
2. **Coordination:** This is essential for control of the encounter and is the foundation for the development of an effective plan and use of personnel and resources. It may be appropriate to have multiple officers present to contain the incident and effectively restrain the person, if appropriate, as quickly as possible.
3. **Communication** with the person of diminished capacity should be planned and controlled. Officers should attempt to calm the situation while avoiding words or actions that may unnecessarily agitate the person.
4. **Time** is the concept of elongating the encounter, rather than hastening it.

**Scenario:** An officer is dispatched to a call of an emotionally disturbed person walking in the street obstructing traffic. When officers arrive, the emotionally disturbed person sits on the ground, hugs the signpost with his arms and legs, and refuses to get up. He refuses to be examined by EMS and refuses to

go to the hospital. There are three officers on the scene, as well as several firefighters and EMS personnel. The subject is making no attempt to threaten anyone, nor does he appear to be planning to run into traffic, as he is hugging a signpost with his arms and legs.

**Question:** What are some characteristics of emotionally disturbed persons that the officers should consider?

**Answer:** Emotionally disturbed persons:

- May display very unusual reactions to stimuli.
- May display unpredictable, bizarre, irrational, or threatening behavior.
- May not receive or comprehend officer's commands in a normal manner.
- May not respond to authoritative commands or display of force.

**Question:** What should be considered regarding the handling of this incident?

**Answer:**

- Request back up officers, if possible.
- Gather information about the subject and consider who may be able to reason with him, i.e. family/friend/mental health provider.
- Calming steps- no sirens, move crowd, and where violence has not occurred, take your time.
- Move slowly and avoid words or actions that may agitate the person.
- Communicate with the individual.
- Don't threaten.
- Always attempt to be truthful because there may be a next time.
- Remember that courts have acknowledged that a suspect's mental state, where known, is considered in analyzing the reasonableness of the use of force, especially where the suspect is not presenting a threat to the officer or others.