

Public Safety Division

Division de la sécurité publique

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MEMORANDUM TO: All Chiefs of Police and
Commissioner Julian Fantino

FROM: Glenn Murray
Assistant Deputy Minister
Public Safety Division

SUBJECT: **Reminder Notice: The Police Response to Persons who
are Emotionally Disturbed or have a Mental Illness**

DATE OF ISSUE:	December 7, 2006
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This memorandum is a result of a recent Coroner's inquest into the deaths of Cindy Oster, George Bell, Vivian McKay, Donald Evans and Joy Evans.

The jury serving on the above inquest met from September 12, 2005 to November 16, 2005 and determined that the five deaths at issue were the consequence of trauma due to a head-on motor vehicle collision. The sole occupant of one of the two vehicles involved in the collision had a history of mental illness and at the time of the collision was in an agitated mental state and driving south on a northbound highway lane.

Upon delivering its verdict, the jury made two recommendations that impact on the police response to persons who are emotionally disturbed or have a mental illness. They are:

- that police units should be reminded of the current policy in dealing with emotionally disturbed individuals; and
- that frequent informal discussions be established between local Community Mental Health (CMH) agencies, police, emergency room personnel and doctors to provide updated information on mental health issues.

The primary purpose of this memorandum is to remind police services of the key requirements of policing guideline LE-013 entitled, *Police Response to Persons who are Emotionally Disturbed or have a Mental Illness or a Developmental Disability*. For ease of reference, a copy of LE-013 is attached to this memorandum.

As you are aware, Section 29 of the Adequacy Standards Regulation requires police services boards to have a policy on the police response to persons who are emotionally disturbed or have a mental illness or a developmental disability. In addition, section 13(1)(g) requires all Chiefs of Police to establish procedures and processes in respect of the police response to persons who are emotionally disturbed or have a mental illness or a developmental disability.

Guideline LE-013 provides police services and police services boards with a sample policy on the police response to persons who are emotionally disturbed or have a mental illness or developmental disability. Some issues addressed in the guideline include:

- the development of a protocol, procedures and training requirements for the police response to persons who are emotionally disturbed or have a mental illness or developmental disability;
- the importance of local service coordination, in which police services are encouraged to work with appropriate community members and agencies, health care providers, government agencies, municipal officials, other criminal justice agencies and the local Crown to address issues relating to persons in the community who are emotionally disturbed or have a mental illness or developmental disability; and
- that every Chief of Police should work, where possible, with local hospitals and psychiatric facilities, towards developing a local protocol that addresses:
 - the admission of a person who is emotionally disturbed or has a mental illness and who has been arrested or transported to the hospital/facility by the police;
 - any criminal offences committed by a person in that facility or hospital who is emotionally disturbed or has a mental illness; and
 - any unauthorized absences from that facility or hospital by a person who is emotionally disturbed or have a mental illness.

Finally, the guideline provides advice on the development of procedures for the police response to persons who are emotionally disturbed or have a mental illness or developmental disability along with recommendations that police services have a procedure to set out the steps to be taken by a police officer when invoking the provisions under the *Mental Health Act*.

To further assist you, attached please find a copy of a document recently distributed by the Ministry of Health and Long Term Care (MOHLTC). The document is entitled, *A Program Framework for Mental Health Diversion/Court Support Services*. It also emphasizes the importance of creating an environment of cooperation among the service sectors working with persons with mental illness (e.g., police, hospital and medical staff, court workers).

Please ensure that the information in this memorandum is made available to all members of your police service whose duties include contact with persons who are emotionally disturbed or have a mental illness. Should you require further assistance in this matter, please contact Marie Fitzgerald, Standards Development Officer. Marie can be reached by phone at 416-261-3332 or by email at marie.fitzgerald@jus.gov.on.ca.

A handwritten signature in black ink, appearing to read 'Glenn Murray', with a long, sweeping horizontal stroke at the end.

Glenn Murray
Assistant Deputy Minister

Attachment