

Should I Call Police?

A Resource for Families and Friends

Sometimes when individuals with mental illnesses experience a mental health crisis / severe psychotic episode, family members and friends may need to call others to help them with the situation. Police are often called to respond to these situations, particularly when the individual is refusing to seek mental health care voluntarily and/or when they may be at risk of hurting themselves or others around them.

As a family member or a friend you may be reluctant to call the police. You may have many questions and reservations about what will happen to your family member/friend: Will they be taken to a hospital? Will police have to lay charges or bring them to jail? If so, what are the implications? Will this ruin your relationship with them?

The information below can help you understand when and how to involve the police and what you can expect if you choose to do so.

When to contact the police:

Police should be contacted in a situation where the safety of people or property is at risk. This can include mental health crises and any instance when you or anyone else feels threatened and/or experience verbal, emotional and/or physical harm.

It is important to note that in many municipalities, police are first responders to any situation that may be deemed a risk to public safety (even if it is a medical emergency). This is why when you call 911, police may be the first responders to arrive. In these instances, their role is to assess the safety of the situation and ensure that other emergency responders will not be in any imminent danger.

Mobile Crisis Teams

If your community has a mobile crisis team and you are not in imminent danger, you should call them first. Mobile crisis teams consist of a specially trained police officer and a mental health nurse from the partner hospital. These teams can provide crisis response and if needed, transport the individual to a psychiatric facility. Mobile crisis teams can also arrange for community support and facilitate necessary referrals.

To find a mobile crisis team in your area, call 1-866-531-2600 or visit www.mentalhealthhelpline.ca. You can also call 911 and request a mobile crisis team.

How to contact the police:

- When calling 911, it is helpful to say to the operator that your call is regarding a mental health crisis and you require assistance. If your family member/friend has a diagnosis, let the 911 operator know what it is. Advocating for your family member/friend's treatment and care can help ensure that their illness is taken into account by the police and other emergency responders during their interactions with them.
- If appropriate, request a mobile crisis team to come to your home instead of police.
- When speaking with the 911 operator and/or police, provide as much information about your family member/friend's mental illness, prior contact with the law, and any concerns you have about the situation. Be prepared to repeat this information once police or other emergency responders arrive.
- If you must vacate the premises to call the police, stay close enough so that you can identify and speak with the officers when they arrive.

What can I expect?

- It is not up to you to "press charges." If there are reasonable grounds to believe an offence has been committed, police are required to lay criminal charges. If that happens, police may ask you to go to the police station to take your statement. Even if they do not lay a charge, police complete an "occurrence report."
- Police have options. Even in instances when police believe that a crime has occurred, police can use discretion in their responses. These responses can be (in increasing order of seriousness):
 1. **Issue a warning** — if it is a first offence and it is a minor offence.
 2. **Call in a Crisis Team** — local mental health crisis team comes to assist.
 3. **Divert to psychiatric care under the Mental Health Act** – police bring the individual to the nearest hospital. Ambulance may be called to assist with transportation; however, in most cases police will escort the individual themselves.
 4. **Arrest** – police believe a crime has occurred and arrest the individual.



- If police have concerns about public safety; police can take the individual into their custody to charge the individual with a criminal offence.
- If police do not have concerns about public safety; police can charge the individual and issue a summons or an appearance notice instead which asks them to appear at court at a specific time .

Please note that police may search (frisk) your family member/friend at any of these scenarios.

- Police may decide not to lay charges if they suspect/know that the individual has a mental illness. Instead, they take another route called “pre-arrest diversion”. Under the *Mental Health Act*, police have powers to apprehend the individual and accompany them to the nearest hospital emergency room for a mental health examination. This happens when the officer has reasonable grounds to believe that a person is acting in a disorderly manner due to a potential mental illness and/or if the individual is a threat or at risk of causing harm to themselves or others. This decision is based on:
 - Seriousness of the situation and/or offence, if one was committed.
 - Person’s ability to understand their actions and their consequences.
 - Person’s and community’s need for safety/public interest.
- If the individual is brought to the hospital, police will remain and retain custody of the individual until the hospital accepts custody by formally admitting them as a patient. This means that your family member/friend will have to wait at a hospital emergency room (ER) with the police officers.
 - After triage, if the individual does not wish to be admitted voluntarily, the doctor can place them on a Form 1 (application for psychiatric assessment), if the doctor believes that they may:
 - Be at risk of causing harm to self or others,
 - Show a lack of competence to care for themselves,
 - have a known or suspected mental illness, and/or
 - Have previously received treatment for a mental illness.
 - Form 1 will allow the hospital to hold the individual for assessment for up to 72 hours. The individual will not receive any treatment during this time unless they consent to it.



- At the end of the 72 hours, the individual will either be released, admitted as a voluntary patient, or continue to be held as an involuntary patient on a Form 3 (certificate of involuntary admission).
 - Please note that depending on the doctor's assessment of your family member/friend's mental well-being, the doctor may release them from hospital right after assessment in the ER or before the full 72 hours allowed by Form 1.
- If the individual is brought to the police station, they will be given an opportunity to contact a lawyer if they haven't done so already. Your family member/friend will be booked (have their fingerprints and photo taken), most likely searched again, and have their personal belongings taken from them. Police will also ask them for personal information, such as their name, address and date of birth.
- Following the arrest, your family member/friend may be released by the police, generally when the offence is relatively minor and if police do not believe that there is a threat to public safety.
 - If the police do not release them, they will have a bail hearing with a judge. The judge will then decide whether to release them on bail or keep them in jail until their trial. For more information on arrest, bail and trial process, see *The Justice Process – A Guide for Families*.

Tips for working with police:

- Be prepared for what might happen. The police have discretion as to how to intervene when they arrive at the home. While you may want the police to take your family member/friend to the hospital, they may still lay charges and take them into custody.
- When the police arrive, let them in. They cannot enter your home without permission, unless:
- They have a warrant or reasonable grounds to believe that a crime has occurred, or is about to take place, or
 - 911 was called by you or someone else.
- Have your family member/friend's medical information on hand – name of medications, diagnosis, name of psychiatrist, date of birth, etc. Keep this information together in one place. Tell the officers what is helpful/not helpful in terms of interacting with your family member/friend. Tell the officers about what has occurred prior to the crisis, either earlier on that day or weeks in advance. You can also tell the police:



- You want to talk to them privately.
 - Exactly what happened, whether you or anyone else were assaulted, threatened, or hurt.
 - If this situation happened before.
 - What, if any, weapons were used and whether there are other weapons in your home.
 - If there are children or others who need assistance.
 - If anybody saw or heard the incident.
 - If you are afraid for your safety or safety of your family member/friend.
 - See “Documenting What Happened” fact sheet for more information.
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- Note the names and badge numbers of the police officers involved, so you can follow up.
 - Write down details of what happened during police intervention – number of officers present, response time, and outcome of the interaction.
 - When the police arrive, give them your contact information. This information will be helpful if they have to take your family member/friend to the hospital.
 - Ask the police where they will be taking your family member/friend. If to a hospital – which one? If to a police station – where is it? Ask the police to provide you with as much information as they can about what will happen to your family member/friend and what you can do to help.
 - If the police take your family member/friend into custody, offer them their medication and any instructions they will need for their care.
 - Ask the police for the information in the "occurrence report".
 - If you feel you or someone else who was involved in the situation needs supports or services, you can also ask the police to contact the local Victim Crisis Assistance and Referral Services (VCARS) program, available in many Ontario communities.
 - Call SSO’s Ask the Expert Program for more information and support: 1-800-449-6367.