


# AURORA POLICE DEPARTMENT DIRECTIVES MANUAL

<b>06.12</b>	<b>Title: EMERGENCY DETOXIFICATION HOLDS</b>	
	<b>Approved By: Nick Metz, Chief of Police</b>	
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	<b>Associated Policy: DM 06.13,</b>	
	<b>References: CRS 27-81-111, CRS 27-65-105</b>	
<b>Review: Traffic Section Commander</b>		<b>Duty Honor Integrity</b>
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## 6.12 EMERGENCY DETOXIFICATION HOLDS

This directive specifically outlines the procedures for handling persons under the influence of intoxicating alcohol and presenting a threat to themselves or others. Guidelines for the handling of individuals under the influence of drugs are included in this directive.

### 6.12.1 Emergency Detoxification Holds

Pursuant to 27-81-111 CRS, a sworn member should initiate an emergency detoxification hold when probable cause to believe that both of the following conditions exists:

(a) "When any person is intoxicated or incapacitated by alcohol,"

AND

(b) The person is "clearly dangerous to the health and safety of himself or others."

Persons that voluntarily admit themselves to a detoxification center should not be taken into protective custody and placed on a police hold. Emergency Detoxification Holds are reserved for those situations when an individual under the influence of alcohol should be admitted to a facility for the protection of the individual or others.

### 6.12.2 Definitions

Initial screening and processing of an intoxicated subject at a Detoxification Center usually occurs during the first hour to two hours after placement in the center.

"Actively" or "Immediately" Suicidal - means the subject is attempting to or seriously threatening to take their life at the present time.

"Combative" or "Violent" - means the subject is physically resisting or striking out at those in contact with the subject. Criminal charges should be considered in these instances.

#### 6.12.3 Initial Screening

When a member of the police department comes into contact with an individual believed to be intoxicated by alcohol and dangerous to the health and safety of themselves or others, the following steps will be taken:

- (a) Assess the need for emergency medical treatment for any reason and, if appropriate, notify rescue and/or arrange for transport to the Emergency Room.
- (b) Determine suitability for immediate transport to a Detoxification Center by utilizing the following determinants:
  - Is the individual "immediately" or "actively suicidal"?
  - Is the individual combative or violent?

If the initial screening of the subject individual shows that he/she is:

- NOT in need of emergency medical treatment,

AND

- NOT immediately/actively suicidal,

AND

- NOT combative or violent,

the member will transport the subject to the detoxification center.

#### 6.12.4 Placement of Intoxicated Subjects Arrested for D.U.I.

All D.U.I. suspects that have an intoxilyzer result of .08 to .38, or who request a blood test, or who refuse all tests, will be released to a Detoxification Center. The only exceptions will be those suspects who:

- (a) Are wanted on warrants and who would normally be detained in the Detention Center;
- (b) Need to be jailed or bonded on felony DUI charges or additional criminal charges;

- (c) Have medical conditions that will require treatment or hospitalization;
- (d) Are violent or suicidal and placement in detoxification is inappropriate according to Section 6.12.3 - Initial Screening of this Directive;
- (e) Have an intoxilyzer result of .38 or above;
- (f) Should not be turned over to the Detoxification Center due to extenuating circumstances.

D.U.I. suspects who have an intoxilyzer result of .38 or above will be placed in our Detention Center or transported to a hospital for medical treatment. The Detention Supervisor will decide whether the suspect will be accepted by the Detention Center or if medical treatment is indicated. If a suspect needs to be treated at a hospital, the arresting officer will accompany the suspect to the hospital and will remain with the suspect until the suspect is either released back to the officer's custody with a medical clearance or the suspect is admitted to the hospital.

The decision not to release a suspected D.U.I. to the Detoxification Center due to extenuating circumstances will be made by a supervisor.

Suspects that request a blood test, or who refuse testing will be further evaluated by the Detoxification Center staff to determine if they can be released to a responsible party. The additional evaluation of these suspects will not be part of the criminal case.

#### 6.12.5 In-House Detention of Intoxicated Subjects

If during the initial screening and processing of an intoxicated subject, it becomes apparent that the subject is

- Immediately / actively suicidal

And / or

- Combative or violent,

The Detoxification Center may relinquish custody of the subject to the Aurora Police Department for more appropriate and suitable detention.

In either case noted above, either before or after attempted placement in the Detoxification Center, and absent the necessity of emergency medical treatment, the subject will be brought to the Aurora Police Detention Center for protective custody and detoxification. Members will contact the Detoxification Center and obtain a verbal refusal to house the individual and note this in their reports.

6.12.6 Release of Emergency Detoxification Holds

When an individual is taken into protective custody and transported to a detoxification center, the administrator of the facility will determine when release is appropriate.

In those cases where individuals on a detoxification hold were not transported, and after a sufficient period of time has elapsed and the subject appears to have adequately detoxified to permit an evaluation, Detention Center medical staff will interview and observe the individual. The Detention Center medical staff will document the evaluation and findings in a medical records report.

- (a) If, in the judgment of the Detention Center medical staff pursuant to observation and interview, the individual has sufficiently detoxified and no longer appears to be clearly dangerous to the health and safety of themselves or others, the Detention Center medical staff will contact the Aurora Mental Health Center, explain their observations and opinion and arrange for, at a minimum, a telephonic evaluation of the individual by an Aurora Mental Health professional. The decision to release the individual will be based upon the advice of the mental health professional. The individual will be provided the appropriate referrals (see this directive for Juvenile Detoxification Holds) when released.
- (b) If the individual has sufficiently detoxified and still appears to be mentally ill and appears to be an imminent danger to others or to themselves or appears to be gravely disabled, the procedure for an Emergency Mental Health Hold will then apply. (See Directive 6.13 - Handling the Mentally Ill)
- (c) If, in the judgment of the Detention Center medical staff pursuant to observations and interview, the individual has NOT sufficiently detoxified, the Detention Center medical staff will initiate the procedures enumerated in this directive under Initial Screening and will again determine if detoxification placement would be appropriate.
- (d) If the individual becomes ill or in need of emergency medical care, notify Rescue and/or arrange for transport to the Emergency Room.

6.12.7 Emergency Holds for Subjects Under the Influence of Drugs

Should occasions occur when the Police Department has placed an individual in protective custody because they appear to be an imminent danger to others or themselves, or gravely disabled, and Aurora Mental Health cannot perform an emergency evaluation pursuant to 27-65-105 CRS, because of drug involvement, and the subject is not intoxicated by alcohol, the following procedures will apply:

- (a) Immediately assess the need for emergency medical treatment and, if appropriate, notify rescue and/or arrange for transport to the Emergency Room.

- (b) If hospitalization is necessary, release custody to the emergency medical personnel in charge of treatment.
- (c) If the hospital staff determines that emergency medical treatment is not necessary, but will accept responsibility for evaluation and placement of the detainee, then custody of the detainee should be released to the hospital staff and the member will record all appropriate information in the report.
- (d) If a medical clearance is obtained, and no further hospitalization is necessary, attempt to notify Aurora Mental Health to conduct an emergency evaluation pursuant to CRS. (See Directive 6.13 - Handling the Mentally Ill)
- (e) Should Aurora Mental Health decline evaluation until such time the subject is no longer under the influence of drugs, members may place the individual in the Detoxification Center under a detoxification hold. If the subject is violent or combative, contact the Detoxification Center and obtain a refusal to house the individual. The subject may then be placed in the Aurora Detention Center as an Emergency Protective Custody Hold until they are sober enough for an evaluation by Aurora Mental Health. Special care should be taken to notify detention officers of the subject's condition and the observations of medical personnel.
- (f) Should a concern over the subject's mental state exist after a sufficient period of detoxification has passed, the procedure for an Emergency Mental Health Hold will then apply. (See Directive 6.13 - Handling the Mentally Ill).

#### 6.12.8 Juvenile Detoxification Holds

Members will first attempt contact with parents, guardians or a responsible party when dealing with a juvenile under the influence of alcohol or drugs. If contact is unsuccessful, the juvenile will be transported to the Emergency Room for evaluation.

- a) Officers must make all reasonable attempts to contact and advise the parents or guardians of the juvenile. If no contact is possible, the officer must notify the appropriate social services agency.
- b) If, after a sufficient period of detoxification has passed, the staff at the hospital is unable to contact the parents/guardians of the placed juvenile for release or, is unable to release the juvenile to social services for whatever reason, custody will be relinquished to the Aurora Police Department for resolution.

#### 6.12.9 Referrals and Notifications

In any case of Emergency Holds for detoxification, the appropriate referrals will be given to the subject for follow-up treatment. In each case, all reasonable attempts will

be made to notify a responsible individual of the protective custody hold and the referral information.