



Durham Crisis Intervention Team

Observe, listen, create a plan, communicate and connect

IVC Orders and Forced Entry

When may forced entry be used in cases of Involuntary Commitment Orders?

There are 3 circumstances which would allow an officer to enter private premises to take a respondent into custody:

First, in *In re Reed*, 39 N.C. App.227, 249 S. E. 2d 864 (1978), the court found that a custody order is analogous to an arrest warrant. Thus, officers in possession of a signed involuntary commitment custody order do not need to obtain a search warrant to enter the respondent's premises in order to take the respondent into custody. An officer may enter the premises of the respondent under the same circumstances allowed for executing an arrest warrant. This means the officer must: have probable cause to believe that the person to be taken into custody is at the premises; have given notice of his or her presence and his or her admittance has been denied or unreasonably delayed; and have the signed custody order in his or her possession. Once these conditions are satisfied, the officer may use force to enter.

If the respondent is in a third party's premises, and the third party is refusing admittance, the officer would have to obtain a search warrant in addition to the Involuntary Commitment Order in order to protect the rights of the third party.

Because the facts of each situation will be different, the search warrant affidavit will vary in every circumstance. The basic outline of the affidavit should be something to the effect of:

On (date/time) (name/title of judicial official) issued an involuntary commitment order, naming (name of respondent) as the respondent. Said order is attached to this search warrant application and orders that (he/she)

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Collaborating Agencies:

- Durham County Sheriff's Department
- City of Durham's Police Department
- Veteran's Administration
- Duke University Campus Police
- N.C.C.U. Campus Police
- NAMI
- The Durham Center

OFFICER SPOTLIGHTS



CODE 5/ 5R

REMINDER

If a call concerns a mental health concern in any way- please clear the call 10-24, code 5. If the call requires an incident or arrest report- clear 10-24, code 5R. All referrals should be supported with a CIT Report as well.

Inter-Agency Partnerships at their best!!

Officer J. Bayne responded to a call of a disoriented female in the area of Cole Mill Rd and Berini Dr. The consumer could not identify where she lived, who she lived with and carried no identifying information. Officer Bayne realized that the female possibly suffered from Dementia, was in crisis and transported her to Durham Access where she and Sgt. D. Edwards (who was working at DCA) contacted hospitals, pharmacies, and the like attempting to locate her family. After a couple of unsuccessful hours, Officer J. Childress responded to a missing person call that involved the disoriented female. From the call description, the female had walked away from her son's house in the county. The Sheriff's office responded to take the consumer back to her residence and conduct a home safety check. According to the Deputy, this is not the first time the female had walked away from the residence. The family was provided some reference information, and a copy of the Sheriff's Office CIT Report was forwarded to Officer J. Childress. He forwarded the information to the CIT Investigator for future follow-ups.

Tell us about the great job your officers do every day. We want to know!! Sgt. Ray

Officer T. Huelsman referred a consumer to CIT Investigator W. Fleeman and Clinical Case Manager Alanna Jones for further follow-up. Officer Huelsman transported the homeless consumer to Durham Regional for medical clearance to go to DCA at his request. Inv. Fleeman and Ms. Jones put forth a great effort in locating the consumer in his homeless camp. After many contacts with the consumer, Inv. Fleeman and Ms. Jones connected him with PATH. Although he had many fears regarding his future and even initially dodged efforts at assistance, the consumer was voluntarily admitted to Central Regional Hospital for stabilization and treatment. Future treatment plans include a 30 day treatment for addiction dependency with the plan of eventually moving into his own house with PATH's assistance.

Collaborating Agencies Contact Information

Durham County Sheriff Office:
 Captain R. Padgett
 919-560-0097 or 621-3020
RPadg10410@aol.com

Durham Police Department:
 Sgt. L. Ray 919-560-4438 x 29227
lori.ray@durhamnc.gov

Duke University Police Department: Captain M. Linton
 919-681-4370 or 812-2920;
Michael.linton@duke.edu

North Carolina Central University Police Department: Captain A.J. Carter 919-530-7365;
acarter@ncu.edu

Veterans Administration Police: Sgt. J. Fordham 919-286-0411 x 4078

The Durham Center 560-7100 or Jennifer Meade 919-560-7201
jmeade@co.durham.nc.us

NAMI Durham Hotline-
 919-231-5016 (non-crisis)

[www.durhampolice.com/
units/
crisis_intervention_team](http://www.durhampolice.com/units/crisis_intervention_team)

CIT FORMS

OFFICERS, PLEASE MAKE SURE YOU FILL OUT **THE ENTIRE CIT FORM**, FRONT AND BACK AND SIGN YOUR NAME! WE WANT TO BE ABLE TO KNOW WHO TO MAKE CONTACT WITH IN CASE OF FOLLOW-UP QUESTIONS AS WELL AS GIVING CREDIT TO THE OFFICERS !!



BJA Grant Update

Planning for the Mental Health Outreach Program (MHOP) Grant is in full swing. Clinical Case Managers Alanna Jones and Jacqueline Kennedy have joined the team. Ms. Jones, Inv. Fleeman and Corporal Morais travelled to Houston, Texas to review and study Houston Police Department's CIRT program and BJA Grant progress. Many cutting edge concepts and ideas were brought back to Durham. The team is currently developing community partnerships that will strengthen our resolve to meet the program's goals.

Goals:

- Reduce arrests for non-violent offenses
- Reduce repeat calls for service
- Increase number of individuals engaged in mental health treatment
- Increase amount of patrol officers trained in de-escalation and mental health identification



C.I.T. Class #9

In February, the 9th C.I.T. Class certified 21 law enforcement officers. In attendance were 12 Durham Police Officers, 2 Duke Police Officers, 1 Veterans Administration Police Officer, and 6 Durham County Sheriff's Deputies. For the first time, Durham County Jail employees completed the training.

Our 10th CIT class will be held May 16-20 at Durham Tech Campus at the South Bank Bldg. on Main Street.

Please send an email to Sgt. Lori Ray at lori.ray@durhamnc.gov if you are interested in attending this class.

NEW! Come visit our Durham CIT web link at: www.durhampolice.com/units/crisis_intervention_team

SPOTLIGHT RESOURCE:



919.683.5300

Promoting a Healthier Durham

We Care About The World

www.caare-inc.org

CAARE, Inc

Welcome to CAARE, Inc. We Care About The World

Healing with CAARE, Inc. a nonprofit community-based organization, worldwide has launched its 2009-2010 Capital Fundraising Drive - a mobile giving campaign.

CAARE's holistic program has helped decrease a broad range of health disparities that are affecting global health. The top five health disparities - cancer, cardiovascular disease, diabetes, obesity, and HIV/AIDS are CAARE's primary focus areas. CAARE, Inc. currently servers over **1,000** clients per month with this number increasing daily. On behalf of all CAARE constituencies, thank you for your continued support

Supportive Services Include:

HIV Education and Prevention

V.A. Transitional Housing

Mental Health Services

Case Management

HIV Counseling and Testing

Food Pantry

Support Groups

Job Readiness

Alternative Health Services (yoga, mind body spirit, massage therapy)

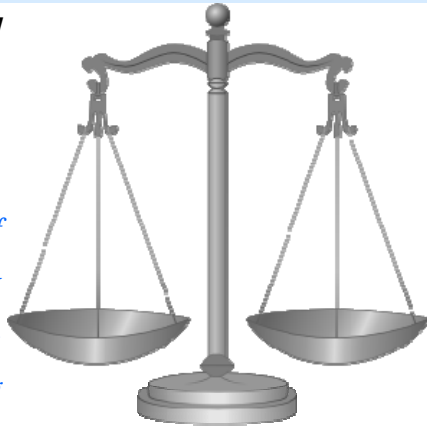


Located at 214 Broad St. Durham, NC.

IVC Orders and Forced Entry

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(insert language of order found on back page). (Describe probable cause for believing that respondent is at a particular address, describe notice provided and attempt to take respondent into custody, and describe facts demonstrating that entry was denied or unreasonably delayed).



Second, officers may forcibly enter private premises to take a respondent into custody if doing so is urgently necessary. This can be done without a search warrant or even an involuntary commitment order. GS 15A-285 allows an officer to enter buildings, vehicles or other premises if he reasonably believes that doing so is urgently necessary to save life, prevent serious bodily injury or avert or control a catastrophe. The key is that the officer's actions must be urgently necessary (it's the non-evidentiary equivalent of exigent circumstances. The officer must be able to articulate that he has probable cause to believe that death or serious injury is imminent and is likely to occur if time to obtain the appropriate paperwork is taken) .

Third, officers may enter private premises when valid consent has been obtained. Presumably, force would not be needed if consent is given.

Clearly, just because a forcible entry may be made legally, officers should still use their best judgment and discretion in determining whether other options exist.

CIT Officers Recognized

We had one amazing luncheon February 4, 2011 at the Durham Armory. This year's banquet featured 6 recognition awards to some very deserving officers who went above and beyond their special calls of duty to serve and protect those living with mental illness. Our very first Officer of the Year 2008, Mark Morais with the Durham Police Dept. facilitated the Awards presentation. *Officer Larry Carter* of the Duke Campus Police, presented by Chief John Daley, *Deputy Brian Cyr* of the Durham Sheriff's Dept., presented by Sheriff Worth Hill and *Officer Frederick Kearns* of the Durham Police Dept. presented by Chief Jose Lopez were all recipients of the **Officer of the Year Awards**. *Corporal Hector Borges* of the Police Dept. was awarded the **Heart of CIT** award for his work as Editor of the Durham CIT News Letter, participating and instructing in our trainings and developing a CIT prostitution outreach initiative. Durham Police *Investigator William Fleeman* was given a special award of recognition from Durham's Housing for New Hope's PATH team and *Sgt. Dale Gunter* of the Durham Police Dept. was given a **Certificate of Excellence**.

Our Invocation was by Chaplain Ralph Thompson of the Durham Police Department. TROSA catered our delicious lasagna luncheon and our keynote speaker Dr. Risdon Slate, Professor of Criminology at Florida Southern College gave a very thought provoking presentation about persons with mental illness involved in the Criminal Justice System. In conclusion, Shane Laws, In Our Own Voice Presenter/ Coordinator and Certified Peer Support Specialist bid everyone farewell with another round of thanks.

