



# Tulsa Police Department

This policy statement and the procedures thereunder are intended for Police Department use only. The policies, procedures, and regulations are for internal Police Department administrative purposes and are not intended to create any higher legal standard of care or liability in an evidentiary sense than is created by law. Violations of internal Police Department policies, procedures, regulations, or rules form the basis for disciplinary action by the Police Department. Violations of law form the basis for civil and/or criminal sanctions to be determined in a proper judicial setting, not through the administrative procedures of the Police Department.

**Policy #** 116B

**Effective Date** 01/14/2026

**Policy Name** Adult in Need of Mental Health Treatment/Criminal

**Approved Date** 01/13/2026

**Approved by** Dennis Larsen, Chief of Police

**Previous Date** 03/23/2007

## PURPOSE OF CHANGE:

To update policy.

## POLICY:

If a person in custody for a misdemeanor violation exhibits behavior which leads an officer to believe the person is in need of treatment under the criteria established in policy 116A, *Adult in Need of Mental Health Treatment/Non-Criminal*, the officer shall take the person into protective custody. The misdemeanor charges will be held in abeyance until the person has received treatment. Officers will complete an investigation and relevant reports for the criminal offense. Officers will defer to Oklahoma state law and policy 120A-C for domestic violence offenses.

If a person is in custody for a felony charge and exhibits behavior which leads an officer to believe the person is in need of treatment under the criteria established in policy 116A, *Adult in Need of Mental Health Treatment/Non-Criminal*, the officer will book the person on the charge and will fully disclose the emotional condition of the suspect to jail personnel. The determination of any mental illness will then be made through a court ordered examination under criminal insanity procedure statutes.

**SUMMARY:** Procedures for processing alleged emotionally disturbed persons who have been arrested for criminal charges.

**APPLIES TO:** All sworn personnel

**DEFINITIONS:** None

## PROCEDURES:

1. In felony situations, book the subject on the criminal charge and include a detailed description of the subject's mental condition in the *Incident Report* as well as in the *Arrest and Booking Data Sheet*. If arrested on an outstanding felony warrant only, complete an *Incident Report* listing the subject as the victim and "mental illness" as the crime type.
2. In misdemeanor situations, take the subject into protective custody following the procedures set forth in policy 116A, *Adult in Need of Mental Health Treatment/Non-Criminal*. Ensure that an *Incident Report* is completed for the offense victim in addition to an *Incident Report* listing the subject as the victim and Emergency Order of Detention as the crime type. Officers will complete an investigation and relevant reports for the criminal offense.
3. Officers will defer to Oklahoma State law and policy 120A-C for domestic violence offenses.
4. If jail personnel refuse to accept a subject that an officer reasonably believes does not require treatment, contact a shift commander or the Staff Duty Officer. Jail personnel are required to complete the appropriate affidavit for emergency detention.

**REFERENCES:**

116A, *Adult in Need of Mental Health Treatment/Non-Criminal*