



CLYDE H. PARRY  
CHIEF OF POLICE

## GENERAL ORDER

### BAKER ACT

Implementation Date: January 7, 2019

Revokes: None (Previously issued in GO 10)

### GENERAL ORDER – 66A

#### 66A.1 INTRODUCTION

It is the policy of the Department that individuals in mental crisis be treated with dignity and the utmost concern for their safety and well being, in compliance with the Florida Mental Health Act, also known as the Baker Act (F.S.S. 394).

#### 66A.2 DEFINITIONS

See General Order 66

#### 66A.3 POLICY/PROCEDURE

##### 66A.3.1 Baker Act Procedures

A. If a sworn member observes a person exhibiting actions defined as "Mental Illness" in F.S.S. 394.455(18), the member will immediately conduct an investigation to determine:

1. If there is substantial likelihood that in the near future without care or treatment, the person poses a threat to himself or others, and/or
2. Without care or treatment said person is likely to suffer from neglect or refuse to care for himself and such neglect or refusal poses a real and present threat of substantial harm to his or her well-being and it is not apparent that such harm may be avoided through the help of willing family members or friends or the provision of other services.

B. If it is determined by the member that the mentally ill individual wants medical or mental health treatment but DOES NOT meet the above

criteria for a Baker Act, the officer may arrange for or provide transportation to the appropriate closest receiving treatment facility.

C. If the subject DOES meet either or both of the above criteria, the member will initiate an involuntary commitment in compliance with the Florida Mental Health Act, also known as the Baker Act (F.S.S. 394).

1. The member must complete the necessary incident report, CIT/Special Needs Tracking Form, and the following mandatory Baker Act Forms.

a. "Report of Law Enforcement Officer Initiating Involuntary Examination" (CF-MH 3052A).

b. "Transportation to Receiving Facility" (CF-MH 3100).

2. The subject should be taken to the nearest receiving facility (University Hospital Pavilion), or another private or public mental health facility.

D. Medical stabilization clearance from a physician at a local medical facility is only needed if the subject is injured or complains of injury or illness. If not, the subject may be transported directly to a mental health facility.

E. If the subject is taken for medical clearance, the member may, if the subject is not violent, leave the subject in the custody of the medical facility. It is the medical facility's responsibility to

make arrangements to have the subject transported to a mental health facility. Members should take into consideration the subject's demeanor, violent tendencies, and the request of the medical facility before leaving the subject unattended.

**F.** It is the transporting member's responsibility to ensure that all paperwork for admission is complete prior to leaving the medical stabilization facility.

**APPROVED**

  
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Clyde H. Parry  
Chief of Police