

W.3.D.1.

## AGENDA COVER MEMO

---

Agenda Date: December 10, 2008

To: Board of County Commissioners

Department: Health & Human Services

Presented By: Rob Rockstroh



Agenda Title: ORDER/\_\_\_\_\_IN THE MATTER OF APPOINTING  
DESIGNEES OF THE COMMUNITY MENTAL HEALTH DIRECTOR TO  
DIRECT A PEACE OFFICER TO TAKE A MENTALLY ILL INDIVIDUAL  
INTO CUSTODY ACCORDING TO ORS 426.233.

---

### I. MOTION

In the Matter of Appointing Designees of the Community Mental Health Director to Direct a Peace Officer to Take a Mentally Ill Individual into Custody According to ORS 426.233

### II. ISSUE OR PROBLEM

The peace officer hold statute (ORS 426.233), as amended by the 1997 Legislative Assembly, permits a Community Mental Health Director, or his/her designee, to direct a peace officer to take an allegedly mentally ill person who the director or his/her designees has probable cause to believe is dangerous to self or any other person and who the director or designee has probable cause to believe is in need of immediate care, custody or treatment of mental illness into custody. The law states that a designee must be recommended by the Community Mental Health Director, and be approved by the county governing body before assuming the authority permitted under this statute.

### III. DISCUSSION

#### A. Background / Analysis

Oregon Revised Statute 426.233, as amended by the 1997 Legislative Assembly, permits the local Community Mental Health Director or his/her designees to direct a peace officer to take into custody a person who the Director or designee has probable cause to believe is in need of immediate care, custody or treatment for mental illness. This authorization is valid for the term of employment as a Mental Health Specialist with Lane County, or until the designation: is removed upon the recommendation of the Community Mental Health Director and approval of the Board of County Commissioners.

Board Order 07-11-28-2 appointed designees to perform this function. Since this last Board Order, personnel changes at Lane County Mental Health require that an updated list of designees be appointed.

Below is a complete list of current Lane County Mental Health employees that are recommended to be appointed designees by the Community Mental Health Director.

<u>EMPLOYEE NAME</u>	<u>POSITION</u>	<u>DEPARTMENT</u>
Randy Anderson	Mental Health Specialist	Health & Human Services
Charles Areford	Mental Health Specialist	Health & Human Services
Ira Aronin	Mental Health Specialist	Health & Human Services
Ruth Braun	Mental Health Specialist	Health & Human Services
Pamela Camblin	Mental Health Specialist	Health & Human Services
Elizabeth Chandler	Mental Health Specialist	Health & Human Services
Jeffrey Christensen	Mental Health Specialist	Health & Human Services
Gary Cornelius	Mental Health Specialist	Health & Human Services
Dean DeHeer	Mental Health Supervisor	Health & Human Services
Chris Eilers	Mental Health Specialist	Health & Human Services
Jim Emory	Mental Health Specialist	Health & Human Services
Terry Fields	Mental Health Specialist	LCSO
Tanya Fish	Mental Health Specialist	Health & Human Services
Nonie Ganakis	Mental Health Specialist	Health & Human Services
Mary Gent	Mental Health Supervisor	Health & Human Services
Carla Gerber	Mental Health Specialist	Health & Human Services
Valerie Hamby	Mental Health Specialist	Health & Human Services
Paul Helms	Psychiatrist	Health & Human Services
Karen Howell	Mental Health Specialist	Health & Human Services
Deb Hrycyk	Mental Health Specialist	Health & Human Services
Roger Kalman	Mental Health Specialist	Health & Human Services
Lucy Kingsley	Mental Health Specialist	Health & Human Services
Rich Klotz	Mental Health Specialist	Health & Human Services
Al Levine	Division Manager	Health & Human Services
Catherine Meeks	Mental Health Specialist	Health & Human Services
Faith Morales	Mental Health Specialist	Health & Human Services
Carla Newbre	Mental Health Specialist	Health & Human Services
Patricia Norberg	Mental Health Specialist	Health & Human Services
Barbara Paris	Mental Health Specialist	Health & Human Services
Bryan Phillips	Mental Health Specialist	Health & Human Services
Lisa Rapsey	Mental Health Specialist	Health & Human Services
Susan Richards	Mental Health Specialist	Health & Human Services
Walter Rosenthal	Mental Health Supervisor	Health & Human Services
Daisy Rothgery	Mental Health Nurse	Health & Human Services
Jonathan Schwartz	Mental Health Specialist	Health & Human Services
Gina Tormohlen	Mental Health Specialist	Health & Human Services
Ivan Sumner	Mental Health Specialist	Health & Human Services
Michael Wadsworth	Mental Health Specialist	Health & Human Services
Dan Willis	Mental Health Specialist	Health & Human Services

The ability of the Community Mental Health Director or his designee to place an allegedly mentally ill person on a hold has, and can, save the individual and the community from the negative consequences of acts conducted while an individual is actively mentally ill and dangerous to themselves or others.

B. Alternatives / Options

1. Approve the Community Mental Health Director's recommended designees to use the authority provided in ORS 426.233.
2. Do not approve the Community Mental Health Director's recommended designees to use the authority provided in ORS 426.233.

C. Recommendation

It is recommended that the Board of County Commissioners approve the Community Mental Health Director's designees.

**IV. IMPLEMENTATION**

With approval of the Board, all Lane County law enforcement agencies will be notified of the current list of designees and the Director's designees will exercise the authority granted by statute.

**V. ATTACHMENTS**

Board Order

## **THE BOARD OF COUNTY COMMISSIONERS, LANE COUNTY, OREGON**

**ORDER:**        ) **IN THE MATTER OF APPOINTING DESIGNEES OF THE**  
                  ) **COMMUNITY MENTAL HEALTH DIRECTOR TO DIRECT A**  
                  ) **PEACE OFFICER TO TAKE A MENTALLY ILL INDIVIDUAL INTO**  
                  ) **CUSTODY ACCORDING TO ORS 426.233.**

WHEREAS, Lane County regards community safety as a high priority, and

WHEREAS, the 1997 Legislative Assembly amended ORS 426.233 to permit the local Community Mental Health Director or his/her designees to direct a peace officer to take an allegedly mentally ill individual into custody; and

WHEREAS, a designee must be recommended by the Community Mental Health Director and be approved by the county governing body; and

WHEREAS, Board Order 07-11-28-2 appointed designees to perform that function and since the last Board Order, personnel changes at Lane County Mental Health require that an updated list of designees be appointed.

NOW, THEREFORE, IT IS HEREBY ORDERED that the Lane County Board of Commissioners authorize the updated list of Community Mental Health Director's designees operating under ORS 426.233 to direct peace officers to take into custody a person who the Director or his designee has probable cause to believe is in need of immediate care, custody or treatment for mental illness. This approval is valid for the term of employment or until recommended by the Community Mental Health Director and approved by the Board of County Commissioners to remove the designation.

<b><u>EMPLOYEE NAME</u></b>	<b><u>POSITION</u></b>	<b><u>DEPARTMENT</u></b>
Randy Anderson	Mental Health Specialist	Health & Human Services
Charles Areford	Mental Health Specialist	Health & Human Services
Ira Aronin	Mental Health Specialist	Health & Human Services
Ruth Braun	Mental Health Specialist	Health & Human Services
Pamela Camblin	Mental Health Specialist	Health & Human Services
Elizabeth Chandler	Mental Health Specialist	Health & Human Services
Jeffrey Christensen	Mental Health Specialist	Health & Human Services
Gary Cornelius	Mental Health Specialist	Health & Human Services
Dean DeHeer	Mental Health Supervisor	Health & Human Services
Chris Eilers	Mental Health Specialist	Health & Human Services
Jim Emory	Mental Health Specialist	Health & Human Services
Terry Fields	Mental Health Specialist	LCSO
Tanya Fish	Mental Health Specialist	Health & Human Services
Nonie Ganakis	Mental Health Specialist	Health & Human Services
Mary Gent	Mental Health Supervisor	Health & Human Services
Carla Gerber	Mental Health Specialist	Health & Human Services
Valerie Hamby	Mental Health Specialist	Health & Human Services

Paul Helms	Psychiatrist	Health & Human Services
Karen Howell	Mental Health Specialist	Health & Human Services
Deb Hrycyk	Mental Health Specialist	Health & Human Services
Roger Kalman	Mental Health Specialist	Health & Human Services
Lucy Kingsley	Mental Health Specialist	Health & Human Services
Rich Klotz	Mental Health Specialist	Health & Human Services
Al Levine	Program Manager	Health & Human Services
Catherine Meeks	Mental Health Specialist	Health & Human Services
Faith Morales	Mental Health Specialist	Health & Human Services
Carla Newbre	Mental Health Specialist	Health & Human Services
Patricia Norberg	Mental Health Specialist	Health & Human Services
Barbara Paris	Mental Health Specialist	Health & Human Services
Bryan Phillips	Mental Health Specialist	Health & Human Services
Lisa Rapsey	Mental Health Specialist	Health & Human Services
Susan Richards	Mental Health Specialist	Health & Human Services
Walter Rosenthal	Mental Health Supervisor	Health & Human Services
Daisy Rothgery	Mental Health Nurse	Health & Human Services
Jonathan Schwartz	Mental Health Specialist	Health & Human Services
Gina Tormohlen	Mental Health Specialist	Health & Human Services
Ivan Sumner	Mental Health Specialist	Health & Human Services
Michael Wadsworth	Mental Health Specialist	Health & Human Services
Dan Willis	Mental Health Specialist	Health & Human Services

DATED this \_\_\_\_\_ day of December, 2008.

---

Faye Stewart, Chair  
Lane County Board of Commissioners

APPROVED AS TO FORM  
Date 12/1/08 lane county  
[Signature]  
OFFICE OF LEGAL COUNSEL