

Emergency Detention

Instructions for Friends and Family of a Person with an Emergency Psychiatric Problem Requiring Immediate Detention.

In an emergency, call 911.

When the Officers determine that a person meets the criteria for emergency detention without a warrant, they will transport the person to the nearest in-patient mental health facility for further evaluation. The required criteria for the detention of a mentally ill person, with or without a warrant, are that the person must evidence an imminent, substantial risk of serious harm to self or others.

It is possible for a magistrate to issue an Emergency Detention Warrant. However, it would be under unusual circumstances for a magistrate to issue an emergency detention warrant after an officer did not do a warrantless emergency detention. This is not only because the detention criteria is the same but also because the magistrate relies heavily on the evaluation of the officers who are trained in mental health.

If the person is picked up under the emergency detention provisions, the mental health facility, upon evaluation, will either issue a physician's certificate for mental illness or discharge the proposed patient unless some other arrangement is made. The physician's certificate is essential for further detention of the person under the temporary mental health commitment laws of Texas.