



Emergency Detention Pilot Program

Background

Under the emergency detention process, individuals [may be involuntarily detained](#) if they are believed to be a danger to themselves or others because of suspected mental illness, drug dependence, or developmental disability. The first step of the emergency detention process generally occurs when a law enforcement officer decides to take an individual into custody for emergency detention. The individual in custody must then be assessed by a mental health professional who determines whether to hold the individual in a treatment facility.

The Emergency Detention Pilot Program created by 2013 Wisconsin Act 235 granted certain mental health professionals in Milwaukee County the authority to take individuals into custody for emergency detention. The pilot program was administered by the Behavioral Health Division (BHD) of the Milwaukee County Department of Health and Human Services and was in operation from November 10, 2014, through June 30, 2017. Too few individuals were assessed and too few emergency detentions were conducted through the pilot program in Milwaukee County to allow for meaningful comparison with those conducted before the pilot program.

Key Findings

During our audit, we found:

- The statutory process established for emergency detention is [somewhat different in Milwaukee County](#) than it is in other counties.
- In Milwaukee County, [BHD operates a psychiatric hospital](#) with an emergency room that is open 24 hours every day of the year, and an individual taken into custody by a law enforcement officer for emergency detention is typically transported to BHD's emergency room. Within 24 hours of being taken into custody, [BHD must conduct an assessment](#) to determine whether an individual meets the statutory criteria for emergency detention.
- Under the pilot program, BHD assessed 66 individuals for a potential emergency detention and initiated [7 emergency detentions, or 0.1 percent of the 11,841](#) emergency detentions in the county that involved assessments conducted in BHD's emergency room from November 10, 2014, through June 30, 2017. Therefore, extending the pilot program in Milwaukee County or making it permanent is unlikely to result in a significant decrease in the number of emergency detentions initiated by law enforcement officers.
- In counties other than Milwaukee County, beginning in July 2016, a mental health professional is required to [conduct a crisis assessment](#) of an individual after the individual is taken into custody. The mental health professional must agree that detention is appropriate before the individual may be held in a treatment facility. Due to the role of mental health professionals in these counties, the utility of expanding the pilot program outside of Milwaukee County is likely limited.