



## Legislation Text

File #: [20-0636], Version: 1

### Adopt an Involuntary Commitment Transportation Plan.

**Staff:**

Dave Shick, Police Legal Advisor  
Christopher Blue, Chief of Police

**Department:**

Police

**Overview:** The General Assembly mandated that local governing bodies adopt an involuntary commitment transportation agreement or plan for the custody and transportation of respondents involved in involuntary commitment proceedings in their respective jurisdictions. Adoption of the attached Involuntary Commitment Transportation Agreement will bring us into compliance with this mandate.



**Recommendation(s):**

That the Council adopt the attached Involuntary Commitment Transportation Agreement.

**Background:**

- The Senate passed Bill 630 (SL 2018-33), "An Act Revising the Laws Pertaining to Involuntary Commitment in Order to Improve the Delivery of Behavioral Health Services in North Carolina," on June 22, 2018.
- As part of these revisions, the General Assembly mandated that local governing bodies adopt an "involuntary commitment transportation agreement" for the custody and transportation of respondents involved in involuntary commitment proceedings in their respective jurisdictions (codified in N.C.G.S 122C-251(g), attached).
- Members of the Orange County Behavioral Health Task Force (which includes representatives from UNC Health, Chapel Hill Police Department, Orange County Sheriff's Office, the area mental health authority/provider, and other local community and mental health partners) drafted and approved the proposed Involuntary Commitment Transportation Agreement for this requirement.
- Cardinal Innovations (designated area mental health services authority/provider) and other local agencies which are required by law to provide transportation pursuant to this Agreement support the agreement.
- The Orange County Board of County Commissioners adopted the agreement on March 10, 2020 (due to a technical error, its version does not include the language contained in section V-C of the attached proposal. However, this is a legal mandate per NCGS 122C-251 (c)).
- The proposed plan incorporates legal requirements set forth in the NC General Statutes Ch. 122C, pertaining to involuntary commitment transportation in North Carolina.
- Our current procedures are legally compliant, and are consistent with the proposed Agreement; consequently, approval of this written plan will not change the way we operate in practice.

**Key Issues:**

- All cities and counties are required to adopt an involuntary commitment transportation agreement for the custody and transportation of respondents involved in involuntary commitment proceedings in their respective jurisdictions.

**Fiscal Impact/Resources:** None.



**Attachments:**

- Resolution
- Involuntary Commitment Transportation Agreement
- NC General Statute Ch.122C-251 (Custody and transportation)
- DHHS Memorandum dated October 24, 2018

**A RESOLUTION ADOPTING AN INVOLUNTARY COMMITMENT TRANSPORTATION AGREEMENT  
(2020-09-30/R-3)**

WHEREAS, Senate Bill 630 (SL 2018-33), "An Act Revising the Laws Pertaining to Involuntary Commitment in Order to Improve the Delivery of Behavioral Health Services in North Carolina," was passed on June 22, 2018; and

WHEREAS, the General Assembly mandated that local governing bodies adopt an "involuntary commitment transportation agreement" for the custody and transportation of respondents involved in involuntary commitment proceedings in their respective jurisdictions; and

WHEREAS, this agreement is supported by Cardinal Innovations and other local agencies which are required by law to provide transportation pursuant to this Agreement; and

WHEREAS, the proposed Agreement incorporates legal mandates set forth in the NC General Statutes Ch. 122C, pertaining to involuntary commitment transportation in North Carolina.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council adopts the proposed "Involuntary Commitment Transportation Agreement", as provided in the materials for the September 30, 2020 Council meeting.

This the 30<sup>th</sup> day of September, 2020.

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**The Agenda will reflect the text below and/or the motion text will be used during the meeting.**

By adopting the resolution, the Council adopts the proposed "Involuntary Commitment Transportation Agreement."