

**AGENDA COVER MEMO**

---

Agenda Date: October 1, 2003  
To: Board of County Commissioners  
Department: Health & Human Services  
Presented By: Rob Rockstroh



Agenda Title: **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**

TO APPOINT 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. Board Order 00-1-19-3 appointed designees to perform this function. Since that last Board Order, personnel changes at Lane County Mental Health require that an updated list of designees be appointed.

**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 00-1-19-3 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>
Charles Areford	Mental Health Specialist	Health & Human Services
Ira Aronin	Mental Health Specialist	Health & Human Services
Colleen Bell	Mental Health Specialist	Health & Human Services
Michael Boggs	Mental Health Specialist	Health & Human Services
Cherie Bynum	Mental Health Specialist	Health & Human Services
Tim Danforth	Mental Health Specialist	Health & Human Services
Dean DeHeer	Mental Health Supervisor	Health & Human Services
Jim Emory	Mental Health Specialist	Health & Human Services
Nonie Ganakis	Mental Health Specialist	Health & Human Services
Mary Gent	Mental Health Supervisor	Health & Human Services
Valerie Hamby	Mental Health Specialist	Health & Human Services
Deb Hrycyk	Mental Health Specialist	Health & Human Services
Mari Jones	Mental Health Specialist	Health & Human Services
Roger Kalman	Mental Health Specialist	Health & Human Services
Susan Kerr	Mental Health Specialist	Health & Human Services
Lucy Kingsley	Mental Health Specialist	Health & Human Services
Karyn Klotz	Mental Health Specialist	Health & Human Services
Debra Lawrence	Mental Health Specialist	Health & Human Services
Al Levine	Program Manager	Health & Human Services
Rebecca McAlexander	Mental Health Specialist	Health & Human Services
Patty Nadel	Mental Health Specialist	Health & Human Services
Patricia Norberg	Mental Health Specialist	Health & Human Services
Bryan Phillips	Mental Health Specialist	Health & Human Services
Daisy Rothgery	Mental Health Nurse	Health & Human Services
Joanne Scheck	Senior Mental Health Specialist	Health & Human Services
Marianne Shaw-Trapp	Mental Health Specialist	Health & Human Services
Richard Sherman	Senior Mental Health Specialist	LCSO
Nanci Smith	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

Marcia \ MH Board Order \ Appointing Designees

**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 00-1-19-3 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.

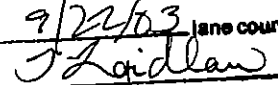
<b><u>EMPLOYEE NAME</u></b>	<b><u>POSITION</u></b>	<b><u>DEPARTMENT</u></b>
Charles Areford	Mental Health Specialist	Health & Human Services
Ira Aronin	Mental Health Specialist	Health & Human Services
Colleen Bell	Mental Health Specialist	Health & Human Services
Michael Boggs	Mental Health Specialist	Health & Human Services
Cherie Bynum	Mental Health Specialist	Health & Human Services
Tim Danforth	Mental Health Specialist	Health & Human Services
Dean DeHeer	Mental Health Supervisor	Health & Human Services
Jim Emory	Mental Health Specialist	Health & Human Services
Nonie Ganakis	Mental Health Specialist	Health & Human Services
Mary Gent	Mental Health Supervisor	Health & Human Services
Valerie Hamby	Mental Health Specialist	Health & Human Services
Deb Hrycyk	Mental Health Specialist	Health & Human Services
Mari Jones	Mental Health Specialist	Health & Human Services
Roger Kalman	Mental Health Specialist	Health & Human Services
Susan Kerr	Mental Health Specialist	Health & Human Services
Lucy Kingsley	Mental Health Specialist	Health & Human Services
Karyn Klotz	Mental Health Specialist	Health & Human Services

Debra Lawrence	Mental Health Specialist	Health & Human Services
Al Levine	Program Manager	Health & Human Services
Rebecca McAlexander	Mental Health Specialist	Health & Human Services
Patty Nadel	Mental Health Specialist	Health & Human Services
Patricia Norberg	Mental Health Specialist	Health & Human Services
Bryan Phillips	Mental Health Specialist	Health & Human Services
Daisy Rothgery	Mental Health Nurse	Health & Human Services
Joanne Scheck	Senior Mental Health Specialist	Health & Human Services
Marianne Shaw-Trapp	Mental Health Specialist	Health & Human Services
Richard Sherman	Senior Mental Health Specialist	LCSO
Nanci Smith	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 October 2003.

---

Peter Sorenson, Chair  
Lane County Board of Commissioners

APPROVED AS TO FORM  
 Date 9/22/03 Lane County  
  
 OFFICE OF LEGAL COUNSEL

**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.**