

## **DUTY TO WARN -- TARASOFF NOTIFICATION**

### **322.1 PURPOSE AND SCOPE**

The purpose of this order is to set procedures for investigating and reporting threats communicated to a mental health professional, commonly referred to as "Tarasoff Incidents," or in cases where a member of the Department becomes aware of any act or credible threat to injure or harm another person, reasonable efforts shall be made to document and notify the intended victim, as well as provide assistance that may be reasonably available for that person's safety.

### **322.2 DEFINITIONS**

Tarasoff Notification (pursuant to *Tarasoff v. The Regents of the University of California of California* (551 P. 2d334 (Cal 1976)) - a notification from a licensed psychologist/counselor to the police and targeted people regarding death threats.

### **322.3 NOTIFICATION**

When an imminent or credible threat to a person is received, the following will be implemented:

- (a) Immediate notification to the on-duty supervisor, as well as the intended victim. The matter will be initially handled by Patrol Officers.
- (b) Documentation of notifications or attempted notifications in a case report by time and date.
- (c) When the threat is not imminent and personal contact cannot be made, a letter detailing the threat and attempt to contact will be drafted by the watch commander and submitted through the chain of command to the Chief of Police for signature.
- (d) The letter will be sent to the intended victim by registered mail, requesting return receipt. The return receipt will be filed with the case report.
- (e) In the event that contact cannot be made and there is no proof of mail service, the investigating officer will notify their supervisor to determine the next appropriate course of action. To demonstrate due diligence, this information will be documented in the case report.

#### **322.3.1 SUPERVISOR RESPONSIBILITY**

The on-duty supervisor is responsible for:

- A. Ensuring that the entire notification procedure is completed.
- B. Coordinating with other departments and agencies as necessary to accomplish the notification and documentation.
- C. Ensuring proper notification is made to the Chief of Police or designee.