

THE STATE OF TEXAS §
COUNTY OF FORT BEND §

**RESOLUTION REGARDING PEACE OFFICER TRANSPORTS
DURING MENTAL HEALTH CRISIS**

WHEREAS, law enforcement personnel across the state have increasingly become the first responders to individuals in serious mental health crises;

WHEREAS, the Texas Legislature has granted peace officers unique authority and responsibility under the Texas Health and Safety Code, Subtitle C, the Mental Health Code;

WHEREAS, under that authority peace officers are authorized to apprehend and transport individuals in need of immediate restraint due to the substantial risk of harm to self or others and deliver the individual to the nearest appropriate inpatient mental health facility or a mental health facility deemed suitable by the local mental health authority, if an appropriate inpatient mental health facility is not available;

WHEREAS, the individual who has been transported by a peace officer for this reason may be held for up to 48 hours for observation and evaluation;

WHEREAS, upon examination a determination may be made by a medical professional that the individual in crisis requires a level of care that is not provided at the current facility and should be transported to a location that is more appropriate for their needs;

WHEREAS, the current provisions of the Mental Health Code do not authorize a peace officer to make additional transports after the individual has been admitted to the nearest location, even if an additional transport would deliver the individual to a more appropriate location.

NOW, THEREFORE BE IT RESOLVED BY THE COMMISSIONERS COURT OF FORT BEND COUNTY, TEXAS, THAT:

This 7th day of February 2023, the Fort Bend Commissioners Court, meeting as a body in Fort Bend County, Texas:

The Fort Bend Commissioners Court, by affirmative vote, seeks passage of legislation that will authorize peace officers to make additional transports of a person accepted or admitted as described in Texas Health and Safety Code Section 573 so that during the time period allowed for emergency detention individuals may be evaluated and receive the care most appropriate for their needs.

Adopted by the Fort Bend County Commissioner's Court this 7th day of February, 2023.

By: KP George
KP George
County Judge

By: Vincent Morales
Vincent Morales
Commissioner Pct. 1

By: James "Grady" Prestage
James "Grady" Prestage
Commissioner Pct. 2

By: W. A. "Andy" Meyers
W. A. "Andy" Meyers
Commissioner Pct. 3

By: Dexter L. McCoy
Dexter L. McCoy
Commissioner Pct. 4

ATTEST:

Laura Richard
Laura Richard, County Clerk

