

## **Directed and Recommended Referrals to the SFPD Behavioral Science Unit**

### **11.13.01 PURPOSE**

The San Francisco Police Department (SFPD) stands for Safety with Respect for all. We will engage in just, transparent, unbiased, and responsive policing, as we commit to supporting the mental health and wellness of all employees and their families.

The duties and responsibilities of the law enforcement profession (sworn and professional staff) are often emotionally demanding and difficult, and employees are at risk of experiencing stress and related difficulties. Emotional challenges can have a negative impact on personnel performance and may endanger the welfare and safety of officers, their families, the public, and other members.

The purpose of this policy is to give guidance on when and how to make a referral to the Behavioral Science Unit (BSU), because Department employees may not always recognize their need for assistance. The Department supports and encourages employees in securing high quality, confidential assistance.

### **11.13.02 DEFINITIONS**

- A. **Directed Referral** - A mandatory requirement to meet with the BSU, directed by an employee's Commanding Officer.
- B. **Recommended Referral** - A Commanding Officer recommends that employee meet with the BSU. Participation by the employee is voluntary and encouraged, but not required.

### **11.13.03 POLICY**

A referral to the SFPD BSU is not punitive or disciplinary in nature, nor is it a fitness for duty evaluation. However, noncompliance with this order could lead to the Department taking punitive action. Nothing in this Order precludes an employee from reaching out to the BSU directly.

A Commanding Officer, when contacting the BSU about another employee, shall utilize the following guidelines:

- A. An employee's Commanding Officer may contact the Officer-In-Charge (OIC) of the BSU, or their designee, to seek advice regarding an employee's behavior that is affecting job performance or the safety of themselves or others.

- B. The commanding officer must verbally explain the known facts regarding the employee's behavior which have led to the belief that the employee may require the assistance of BSU.
- C. The BSU will evaluate the request and advise the Commanding Officer whether a Directed or Recommended Referral to BSU is appropriate. BSU will not keep any written records of Directed or Recommended Referrals.
- D. Commanding Officer is only required to document if the employee violates or does not comply with Department policies.
- E. Nothing in this DGO supersedes or nullifies other DGOs or other legal or administrative authorities in addressing the behavior or conduct of personnel (e.g., EEO violation, criminal conduct, or administrative violations).

#### **11.13.04 DIRECTED REFERRAL TO THE BEHAVIORAL SCIENCE UNIT**

- A. When the BSU recommends a directed referral, the Commanding Officer shall meet with the employee and explain the rationale for the directed referral.
- B. The Commanding Officer (or Supervisor/Manager in case of an emergency) shall inform the employee that the Directed Referral to BSU is not disciplinary or punitive in nature, and that the referral is completely confidential. If a Supervisor/Manager initiates a Directed Referral in an emergency, they shall notify the employee's Commanding Officer as soon as practicable.
- C. The Commanding Officer shall contact the BSU and schedule an appointment with the employee.
- D. An employee's attendance at BSU sessions resulting from a Directed Referral is mandatory and shall be conducted as soon as possible, including when the employee is on-duty. If appropriate, the BSU will facilitate a psychological counseling visit with the on-call licensed mental health professional contracted with the BSU. If an employee attends a mandated referral session outside of on-duty work hours, applicable Fair Labor Standards Act (FLSA) guidelines regarding overtime compensation apply.
- E. The BSU will contact the Commanding Officer to verify the employee's attendance.
- F. With the employee's permission, the clinician or the BSU can make recommendations regarding the need for time off which may include FMLA,

modified duty, or an additional treatment recommendation such as residential treatment for substance abuse and/or trauma treatment, intensive outpatient, or any other recommendation that is appropriate. This is not a fitness for duty evaluation.

- G. Sworn officers involved in a shooting (OIS) or an In Custody Death shall attend three (3) mandatory, on-duty psychological counseling visits with a licensed mental health professional contracted with the BSU. The first session shall be scheduled within seventy-two (72) hours of the incident or as soon as practical, the second session four (4) to eight (8) weeks after the incident, and the third session within the first six (6) months after the incident. The officer must attend the first counseling session before returning to field duty.
- H. The BSU Directed Referral is confidential. But for subsection 11.13.04.E, BSU shall not provide information to a referring Commanding Officer unless the employee authorizes the BSU to do so, or when disclosure is specifically authorized or required by law.

### **11.13.05 Recommended Referral to the Behavioral Science Unit**

- A. When a Commanding Officer contacts the BSU for advice and a Recommended Referral is deemed to be appropriate, the Commanding Officer shall meet with the employee to discuss the rationale for the recommended referral.
- B. The Commanding Officer shall inform the employee that the Recommended Referral is not disciplinary or punitive in nature, that the employee's attendance is voluntary, and that the referral is completely confidential.
- C. At the employee's request, the Commanding Officer may assist the employee in scheduling the appointment with the BSU.
- D. The BSU Recommended Referral is confidential. The BSU shall not provide information to a referring Commanding Officer unless the employee authorizes the BSU to do so, or when disclosure is specifically authorized or required by law.

#### **References**

- DGO 2.01 General Rules of Conduct
- DGO 2.02 Alcohol Use by Members
- DGO 2.03 Drug Use by Members
- DGO 2.07 Discipline Process for Sworn Officers
- DGO 11.09 Employee Assistance Program / Stress Unit