



SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



538.03 TARASOFF REPORTING 05-15-2025

PURPOSE

The purpose of this order is to establish procedures for investigating and reporting serious threats of physical violence against a reasonably identifiable person received from a licensed psychotherapist and to comply with Welfare and Institutions Code § 8105(c) and California Education Code § 49394(c).

POLICY

It shall be the policy of the Sacramento Police Department (SPD) to investigate threats of physical violence against a reasonably identifiable person reported by licensed psychotherapists and to comply with reporting procedures mandated by California law.

PROCEDURE

A. DEFINITION

1. **TARASOFF REPORT** - A report made by licensed psychotherapist conveying a serious threat of physical violence against a reasonably identifiable person made by a client.
2. **LICENSED PSYCHOTHERAPIST** - Mental health care workers including clinicians, psychiatrists, psychologists, marriage and family therapists, social workers, and psychiatric nurses (according to California Evidence Code §1010 [a]-[e]).

B. GENERAL

1. Welfare and Institutions Code § 8105 mandates that licensed psychotherapists report to law enforcement, within 24 hours, the identity of a client who communicates a serious threat of physical violence against reasonably identifiable third parties (e.g., if a patient threatens to harm a specific relative during an appointment, the psychotherapist must notify law enforcement).
2. SPD is mandated to:
 - a. Receive Tarasoff reports.
 - b. Submit information to the Department of Justice (DOJ) using Bureau of Firearms (BOF) form 4074 (Law Enforcement Report of Firearm Prohibition) within 24 hours of receipt.

C. OFFICER RESPONSIBILITIES

1. Officers dispatched to investigate a Tarasoff report shall:
 - a. Contact the reporting party and obtain a statement minimally including, but not limited to, the following:
 - (1) The patient's identifying information (e.g., name, date of birth, address, phone number, etc.).
 - (2) The patient's access to weapons.
 - (3) The nature of the threat.
 - (4) Any identifying information of the intended victim that the psychotherapist has knowledge.
 - b. Take the following actions:
 - (1) Confirm that the reporting party is providing assessment or treatment of the patient's mental health.
 - (2) Conduct records check for firearms registered to the patient. As allowed by law and when safe, officers should seize any firearms or deadly weapons owned, possessed, or controlled by the patient and book them for safekeeping.
 - (3) Make a reasonable attempt to contact the intended victim and ensure notification is made of the threat.
 - (4) Determine if any crime has occurred (e.g., domestic violence, stalking, terrorist threats) and take appropriate enforcement actions.
 - (5) Fax or email (mhrs-support@doj.ca.gov) a completed BOF 4074 within 24 hours of contacting the reporting psychotherapist. A five-year firearm prohibition begins on the date the psychotherapist reports the identity of the patient to law enforcement.



SACRAMENTO POLICE DEPARTMENT

GENERAL ORDERS



(6) Submit the completed form and any receipt received by DOJ to the Records Division to be attached to the report.

2. If the patient is not under a 72-hour mentally disordered persons evaluation and treatment period (in accordance with Welfare and Institutions § 5150), officers shall attempt to locate the patient and conduct an evaluation, if appropriate.
3. Officers should also consider the issuance of a Gun Violence Restraining Order.
4. Officers shall complete a "Tarasoff Information Report" and submit for approval before end of watch.
5. Officers shall confer with their supervisor to evaluate what notifications may be necessary.

D. DISPATCHER RESPONSIBILITIES

1. If the incident occurred in the city limits, a call for service shall be entered at a minimum of priority 5.
 - a. "Tarasoff Report" shall be indicated in the call notes.
 - b. The district supervisor shall be notified.
 - c. If response is delayed due to unit availability, an expeditor may take the report.
 - d. If the threat was made outside city limits, but the intended victim lives or works in the city, the report should be referred to the law enforcement with jurisdiction over the incident location. If the outside agency refuses to accept the report, the on-duty watch commander shall be notified.
2. Communications Division personnel shall not contact the intended victim to advise them of the threat.
3. If it is apparent that the victim is in imminent danger of physical harm:
 - a. The call shall be entered at a minimum of priority 3.
 - b. Officers shall be dispatched to the intended victim's location.
 - c. The district supervisor shall be notified.
4. If the threat involves any school, appears to be credible and imminent, and regardless of if the school in or out of session:
 - a. An officer shall be dispatched.
 - b. The district supervisor shall be notified.
 - c. If there is reasonable suspicion that it would produce evidence related to the threat or perceived threat, as appropriate, with the support of the local educational agency, a school-site search shall be conducted (California Education Code § 49394[c]) and a crime or information report shall be completed (California Education Code § 49393[c]).

E. SUPERVISOR RESPONSIBILITIES

1. When reviewing a "Tarasoff Information Report," supervisors shall ensure that the report indicates that BOF 4074 form has been completed and forwarded to the SPD Records Division.
2. Evaluate whether notifications to the Criminal Intelligence Unit or School Resource Officers may be necessary.