



National Alliance on Mental Illness

NAMI Santa Cruz County

My Family Member Has Been Arrested What Do I Do?

The National Alliance on Mental Illness (NAMI) put together this guide to help families cope with the criminal justice system in Santa Cruz County when a family member who suffers from a mental illness is arrested.

STEP ONE: SUPPORT YOUR RELATIVE

- If your family member calls you and says that they have been arrested, help them stay calm and let them know you are there to help.
- If your relative is being held in the County Jail remind them that they have a right to have an attorney present if being questioned by police officers or detectives. (Refer to the Miranda Ruling for more information.)
- If they are already at the County Jail, tell them to ask for nursing and/or the crisis team and that it is OK to talk about their physical and mental condition, diagnosis, medications, etc. It is important that they feel safe to speak.
- If you know that your family member is conserved through the Santa Cruz County Public Guardian office, notify the deputy Public Guardian. Call the Public Guardian's office at (831) 454-4160. Messages may be left on this phone 24 hours a day, even though the office hours are 8 to 5 during the week, someone will get the message. Provide them with the name of the mentally ill person, date incarcerated and plan for release (if known), your name, relationship and your telephone number.

STEP TWO: CONTACT THE JAIL

- Please be aware that no visits are allowed until 72 hours after the arrest.
- If you are aware that your relative is in jail, notify the County Jail Booking Office at 454-2420, ask to speak with Nursing and/or the Crisis Team, saying that your relative is a consumer and ask for a Mental Health Screening. Remember their hours are from 8:00 a.m. to 5:00 p.m. Tuesday through Saturday and from 8:00 a.m. to 12:00 noon on Sunday and Monday. Tell them that your family member suffers from a mental illness and describe the diagnosis and any other concerns you might have.
- Inquire as to their status and length of stay at this facility. If this is a book & release offence, which sometimes occurs for minor offenses, ask for the time and place of their release so you can be there to pick them up.
- Medication may not be accessible until your relative arrives at the County Jail, but if you know your relative has meds make sure to include them in *Step Four: Send a FAX information.*

- *If your relative is going to be booked and released and is severely ill, ask to speak with the Detention Staff and request that he/she be taken to the Dominican Behavioral Health Unit for a “5150” assessment, which is an involuntary three day hold for treatment and evaluation. The shift sergeant can do this.*
- If you have your relative's meds, contact the Mental Health Crisis Team at 454-2865 during their working hours – Tuesday through Saturday 8 to 5, Sunday and Monday 8 to 12 noon.

STEP THREE: COUNTY JAIL INFORMATION

- Upon their arrival at the County Jail, call the Booking Office at 454-2420 and inquire as to his/her location, visiting hours and mailing address. (Tip: Inmates are sometimes booked in with/without middle name. If you are unable to locate him/her, try any names your relative has used.)
- Important: Have your family member sign a release form.
- When you visit the County Jail, always bring a few quarters for a locker to store your personal belongings while you visit your family member. A photo ID is required (California ID/Drivers license – Matricula (Mexico) - Adults only).
- If your relative needs money, call the Jail Front Desk at 454-2833 and ask how to get money on the books for the commissary.
- Any minor child (17 years and under) wishing to visit must be accompanied by a parent or legal guardian appointed by the court.
- As the County Jail is a maximum-security facility, all visitors must be cleared in advance by the Jail administration. If you, or other relatives, will be requesting visitation rights with your family member while they are in jail, you must present to the Jail Front Desk your driver's license number and the driver's license number of any other family member, or friend, wishing to have visitation privileges.
- Your family member should also know that, while in jail, he or she will have to make a written request designating specific individuals who they wish to have visitation rights, including minor children. All visitors will be screened for clearance.

STEP FOUR: SEND A FAX:

If your friend or relative is going to be booked and released, request that your relative be screened for placement in the **Santa Cruz Psychiatric Health Facility** 2250 Soquel Avenue, Suite 150, Santa Cruz, CA 95062 **831-600-2801**.

Once your relative has been booked, FAX the below document to the appropriate number below. **The Jail Medical FAX number is for mental/physical health information only. The FAX can be sent 24 hours a day, seven days a week.**

Jail Medical FAX: (831) 454-3144
 Crisis Team Phone Number: **(831) 454-2865**

Cover Page:

On the cover page, indicate whether your relative has provided you with a written confidentiality waiver within the Santa Cruz County system. If your relative has not previously done so, ask that he/she be asked to sign one while in jail.

Heading of Fax

1. Your relative's full legal name
2. Date of birth
3. Address

Body of Fax

1. His/her diagnosis.
2. Their psychiatrist's name, phone number and address.
3. Indicate the medications that are prescribed for your relative by name, dosage, and time of day to be administered.
4. Note if a particular medication has proven to be ineffective, or has dangerous and/or uncomfortable side effects.
5. Note if a suicide attempt is a possibility or if there are any other serious concerns.
6. Describe any other urgent medical conditions, apart from mental illness, that might require immediate attention, such as diabetes, high blood pressure, seizures, heart problems, etc. and the necessary medications to be given. Include their medical doctor's name, address, and phone number for verification purposes.
7. Indicate if your relative has been off his/her meds and for how long.

IMPORTANT: Do NOT address any impending charges against your family member in this fax. Give medical/mental information that relates to their health only.

Keep a copy of this FAX for future reference. If your family member is transferred to a different facility, you will need to FAX this information again.

STEP FIVE: JAIL MENTAL HEALTH DISCHARGE PLANNER

- Call the Jail Mental Health Discharge Planner, who is liaison to the courts, and may assist the defense attorney, prosecutor, and the judge in implementing an alternative sentence, from jail or prison, to a mental health treatment facility.
- Jail Discharge Planner Phone Number – (831) 454-5171
- Advise them of your family member's arrest and where he/she is being held.

STEP SIX: FRIENDS OUTSIDE

- If you have any difficulty with this process call "Friends Outside" at (831) 427-5070.

STEP SEVEN: DECIDING ON LEGAL REPRESENTATION

- If your relative has a private attorney, contact him/her with this information.
- If your relative does not have an attorney, a public defender will be assigned at the arraignment and you can provide this information at that time. Then call his/her case worker/coordinator yourself. Provide them with the following:
 1. The attorney's name and telephone number
 2. Briefly state the current circumstances, diagnosis, and relevant history of your relative. The more information they have the better, but be concise and to the point.
- Your family member may want to retain a private attorney or use the Public Defenders Office. A Public Defender will be assigned at arraignment if your relative does not have or cannot afford a private attorney. Do not be afraid to use the Public Defender. Public Defenders often have knowledge of the "system" as it pertains to those who need mental health services.
- If your family member decides to retain a private attorney, be sure to find one that is well versed in helping people with mental illness and understands not only the law, but also how to access the treatment facilities and mental health services that are available.

IMPORTANT CONSIDERATIONS

- Bail: Think carefully about posting bail for your family member. No one wants a loved one to remain incarcerated for any length of time. It is an unpleasant experience for them as well as the family. However, you must ask yourself the following question: Will your family member be able to comply with the terms of the bail and appear in court when required? Also, as hard as it may seem, jail may be a safer place for a person with severe mental illness who is in crisis rather than wandering the streets with no help at all. At least in jail they will be fed, will have shelter, and be given access to medication treatments.
- Working with an attorney: Public Defenders are extremely busy and do not have much time for phone calls. They will appreciate written or faxed correspondence. Remember, it is the inmate, not you, who is his client. A private attorney will grant you more time, but remember you are paying for that access. Provide the attorney with an extensive medical / psychiatric / social / educational history of your family member. This written information will be very useful in pursuing the best outcome for your loved one.

Supporting and coping with a loved one who suffers from a brain disorder can be extremely challenging and stressful. Knowledge, as well as your love and fortitude, will be key in helping you to become a strong and effective support system for your family member. For information about support groups and

educational programs provided free of charge in Santa Cruz County call NAMI of Santa Cruz County at (831) 427-8020. If you live outside of Santa Cruz County contact NAMI California in Sacramento at (916) 567-0163 or on the internet at www.namicalifornia.org.

Outside of California NAMI has a Help Line (800) 950-6264.

This informational guide was written by NAMI volunteers based on their own personal experience to help families navigate the system. We are not attorneys, and this is not intended as a substitute for professional legal advice. Please assist your family member in obtaining proper legal representation.

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