

RELEASE OF MENTALLY ILL INMATES FROM THE MAIN JAIL

SUMMARY

More than 30 percent of Sacramento County Main Jail (Main Jail) inmates have mental health issues. These inmates are included in the standard protocol for the release of prisoners throughout all 24 hours of the day. No differentiation in the release process occurs for mentally ill inmates.

Insufficient community mental health support services in Sacramento County during the past several years have significantly increased the first-response demands on law enforcement. Jails and prisons have become a primary provider of services to mentally ill individuals who do not receive treatment within the mental healthcare system.

Although Sacramento County is taking steps to strengthen and restructure its mental health support system, mental health staff at the Main Jail and community collaborators agree that gaps in care exist. Inmates who have problems that are not identified as acute can fall through the cracks. Many do not have the capacity to follow through with the list of referrals given to them or keep the appointments arranged for them. It is often the case that mentally ill inmates have exhausted family or other personal support systems.

Research indicates that the first 24 to 72 hours after release of any inmate are critical. Inmates who need mental health treatment are at increased risk for re-incarceration and/or psychiatric hospitalization if they are not linked to mental health services and other community support during this short period of time.

Studies show that discharge planning is a valuable tool for mentally ill inmates and society in general because of its effectiveness in reducing recidivism. Effective discharge planning reduces recidivism by connecting inmates with social services, including mental health treatment and the means to pay for it; housing or shelter; public assistance programs; employment; and friends and families. Decreased recidivism leads to better integration into the community, less jail and prison overcrowding, reduced incarceration cycling costs, and fewer crimes committed by these individuals.

The release of mentally ill inmates from the Main Jail during non-business and nighttime hours increases the risk to not only released inmates but also to the community. Maximizing releases with a direct connection to a service provider, a "Warm Hand-off", will reduce the risk.

BACKGROUND

A series of *Sacramento Bee* (The *Bee*) articles in 2013 described the struggles of two young men who had experienced chaotic lives in and out of psychiatric programs, jails, and prisons. Both had also been released from the Main Jail during hours when support services were not available to ease their transition into regular society. A complaint received by the Sacramento County Grand Jury on July 10, 2015 described a similar history of repeated incarcerations for a young man with mental illness who was released late at night from the Main Jail without transportation options or the ability to make a telephone call. The complainant referred to The *Bee* articles as evidence of the continuing problem of releasing mentally ill inmates from the Main Jail at all hours of the night without a responsive system of support that may avert future crises and re-incarcerations.

Main Jail documents reported a monthly average of 1,577 mental health open cases between June 2014 and May 2015 at both the Main Jail and the Rio Cosumnes Correctional Center (RCCC). On average, 55 percent of those mentally ill inmates received prescribed psychotropic medication. In 2013, mentally ill prisoners made up 30 percent of the prison population in California and jail staff reported that 34 percent of inmates at the Main Jail in 2014 had some form of mental disability.

The Main Jail serves primarily as a pre-sentence and main intake facility for Sacramento County. The majority of inmates there have shorter stays which makes re-entry and discharge planning more difficult than at RCCC. The Operations Order for Release requires Housing Unit officers to check for releases at least once per hour in the Jail Information Management System and to commence release procedures. This means that release orders that are received during the afternoon for the same day or within 24 hours often result in releases after normal business hours. Although inmates are permitted to remain in the release tank until morning, few choose to do so.

Data provided by jail staff indicates that inmates are released around-the-clock from the Main Jail. During a six-month period from July to December 2015, the majority of all releases occurred between 5pm and 8am with the highest number of releases between 9pm and 10pm. High numbers of

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releases also occurred from 10pm to 11pm and from 12am to 1am. Staff was not able to provide the numbers of mentally ill inmates released during non-business hours because their current data system does not identify them.

Discharge planners at the Main Jail provide released inmates with a resource sheet with names, addresses and telephone numbers of key service providers. They may also receive confirmed appointments with caseworkers in community service agencies. A prescription is written for a 30-day free supply of medications if appropriate. However, it is the released inmate's responsibility to pick-up the medication at a designated location.

METHODOLOGY

The Grand Jury toured the Main Jail and RCCC; met with staff from Jail Psychiatric Services* and representatives from Sacramento County Behavioral Health Services, Department of Health and Human Services, TLCS (a contract mental health agency), and Correctional Health Services from the Sheriff's Department; and reviewed documents and data provided by the Main Jail staff. The Grand Jury also examined practices in other communities and studied research papers by both mental health and law enforcement professionals.

DISCUSSION

There are a number of mental health services available within Sacramento County through the collaborative efforts of several service providers and the correctional institutions. Discharge planners can make referrals to a 24-hour respite center, which allows stays of up to 23 hours until more long-term support can be determined. Transportation arrangements can also be provided to take inmates requiring acute or supervised care to the Emergency Departments of local hospitals or a 6-bed respite center.

The Main Jail recently hired three Triage Navigators (Navigators) as part of a coordinated effort across many community service providers. They provide services from 8am until 2am seven days a week. The Navigators work

* Jail Psychiatric Services provides mental health services to inmates at both facilities and is staffed by a multidisciplinary team through a contractual agreement with the University of California-Davis, Department of Psychiatry and Behavioral Sciences

individually with each mentally ill inmate to identify needed community-based services at the time of release, and to arrange for a "warm hand-off" to another service provider to access services and thereby reduce recidivism. To encourage positive outcomes, the Navigators attempt to maintain either face-to-face or telephone interaction until contact is made with a service provider. If the individual is still in need, the Navigator will work to determine what additional services are needed.

Staff expressed particular concern for "Quicks", inmates who are arrested, booked and released within 6 to 12 hours. These inmates often do not receive a medical assessment from Jail Psychiatric Services, even though they may have mental health issues and need such services.

Staff also reported concern for mentally ill inmates released at hours when no services are available and connections cannot be made. In addition, they cited Judges' orders as contributing to inmate releases during non-business hours. It appears to the Grand Jury that both jail practices and Judges' orders contribute to these after-hours releases.

The Navigators represent a positive step forward in creating a better system that integrates mental health services with law enforcement. An informal report from staff at the Main Jail to the Grand Jury reveals that Navigators are providing important linkage to community resources for recently released inmates who report problems such as homelessness; continuing mental health symptoms; and basic human survival needs such as food, clothing, and shelter.

There was a general consensus among jail psychiatric staff, Navigators, and community mental health collaborators that too many inmates needing mental health services upon release are not adequately linked to those services and are without a support system. One current option is the Mental Health Court (MHC). Although the MHC provides these important services, it is limited to a maximum of 90 inmates who qualify for the program.

The MHC clients must meet specified criteria with regard to their offenses and diagnoses. These inmates receive a discharge plan and release time to a service provider or specific individual. Successful completion of a 12 to 18 month program results in case dismissal at graduation.

Data collection system does not specifically identify mentally ill inmates.

There is no release process that identifies and responds to the specific needs of mentally ill inmates. The data system also does not flag those inmates who received mental health services during incarceration. These are inmates who need pre-release planning and follow-up contact from Navigators. Jail staff reports that there is a revolving door of mentally ill inmates whom they see at the Main Jail. A more effective tracking system would provide a clearer picture of the target population, the extent of their incarceration, and the effectiveness of their discharge planning interventions.

Release of mentally ill inmates during non-business hours increases risks.

Reintegrating into society successfully is a challenge for all inmates, but especially so for those suffering from mental illness. The first 24 to 72 hours become even more challenging when inmates are released from the Main Jail without a direct connection to community services. They are at high risk for psychiatric relapse and crisis, homelessness, substance abuse and re-arrest.

The Main Jail's responsibility for the inmate ends at release. The inmates are released in the downtown area and frequently become the responsibility of the Sacramento Police Department. With 34 percent of all Main Jail inmates having mental health issues, potentially 3,100 mentally ill inmates were released outside of business hours in the last six months when services were not readily available to a fragile population. These high risk releases negatively impact intensive city and county efforts to minimize homelessness.

There are efforts underway in other jurisdictions to minimize risk and maximize re-entry success. For example, a court settlement in New York City requires mentally ill inmates to be released during daylight hours. This change is having significant positive effects for released inmates. The number of inmates being re-arrested, often the very night of release, is decreasing.

The Grand Jury learned from jail staff that the Los Angeles County Sheriff's Department opened a Community Re-Entry Resource Center within the lobby of the Twin Towers Correctional Facility in May 2014. It was designed to assist released inmates in their transition to the community. There are a variety of services available Monday through Friday from 5am to 5pm. Although it does not address after-hours needs, it does support direct contacts to a variety of services and providers.

FINDINGS

- F1. Inmates who need mental health services are at an increased risk for re-incarceration and/or psychiatric hospitalization if they are not linked to community mental health services during the critical 24-72 hours after release.
- F2. Mentally ill inmates released during non-business hours and at night when they cannot access services are more at risk for recidivism and exacerbation of mental health symptoms.
- F3. The Mail Jail data system does not flag those inmates who received mental health services during incarceration.

RECOMMENDATIONS

- R1. Expand collaborative efforts to minimize the numbers of mentally ill inmates who are released during hours when services are not available. Key participants are:
- Sacramento County Sheriff's Office
 - Sacramento County Division of Behavioral Health Services
 - Sacramento County Superior Court
 - Sacramento County Probation Department
 - Sacramento Police Department
- R2. Explore the possibility of a transition resource center near the jail where released inmates can connect with service providers, including Triage Navigators, especially after normal business hours.
- R3. Revise the tracking system to incorporate the actual numbers of mentally ill inmates in the system, services provided, and the effectiveness of Triage Navigator services upon release.

REQUEST FOR RESPONSES

Penal Code sections 933 and 933.05 require that the following officials submit specific responses to the findings and recommendations in this report to the Presiding Judge of the Sacramento County Superior Court by September 29, 2016:

Sheriff, Sacramento County Sheriff's Department
All Findings and Recommendations

Mail or hand-deliver a hard copy of the response to:

Kevin R. Culhane, Presiding Judge
Sacramento County Superior Court
720 9th Street, Department 47
Sacramento, California 95814

In addition, email the response to:

Becky Castaneda, Grand Jury Coordinator at castanb@saccourt.com