



August 8, 2017

The Honorable Judge Kelly V. Simmons  
Marin County Superior Court  
P.O. Box 4988  
San Rafael, CA 94913-4988

CHAIRPERSON  
Susan Wilson

EXECUTIVE OFFICER  
Jane Adcock

The California Mental Health Planning Council (CMHPC) was established in state law in 1993. The CMHPC is mandated by federal and state law to advocate for children with serious emotional disturbances and adults and older adults with serious mental illnesses and to review, report and advise on the policies and priorities for the public mental health system.

The Council appreciates your invitation to provide a response to the 2016-2017 Marin County Civil Grand Jury, *Care of Mentally Ill Inmates in Marin County Jail* Report dated June 8, 2017. The report is of immense interest to the Council, as an estimated 10 to 15 percent of individuals incarcerated are seriously mentally ill. While the Council recognizes the complexity of providing an adequate level of care, the lack of progress made over the course of the reviews of the Marin County Jail is alarming.

➤ **Advocacy**

➤ **Evaluation**

➤ **Inclusion**

The key findings by the Council are outlined below:

- There continues to be a lack of formal treatment planning available to mentally ill inmates. Medication is currently the only form of treatment available. Furthermore, inmates willing to take medication, are given only the jail's drug formulary regardless of their success with their own prescribed medication prior to being incarcerated.
- There are no alternatives to keeping inmates in a safety cell if they refuse to take medication or are violent or suicidal. Additionally, there are no limits to the timeframe an inmate can be confined in a safety cell.
- The county spent millions (over \$466,000 per year for 3 years) on a contract with Santa Clara County Jail to house inmates requiring involuntary administration of medication through 2015.
- Marin County's new contract with California Psychiatric Transitions (CPT) will cost the county \$1,450,000 per year to house inmates requiring involuntary administration of medication. This private facility is not designed to care for inmates and is located over 100 miles away from the county. Additionally, the Jail does not have procedures in their policy manual to utilize this contract.
- There continues to be an insufficient number of staff to perform the basic requirements of a competent in-custody mental health system. The staffing currently consists of 4.35 Full Time Equivalent (FTE), including less than one full time psychiatrist, two psychiatry fellows working together one day per week and Crisis Specialists that do not have mental health responsibilities.

The Council recognizes that meeting the needs of the county jail population presents unique challenges due to some individuals being in custody for a brief time while others are serving a sentence of a few years. It is also acknowledged that the county has recently begun to make an effort to implement changes by slightly increasing the staffing, as well as participating in the "Stepping Up Initiative." However, there has not been adequate improvement in the conditions

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over the seven year span of the findings, which seems to demonstrate a lack of political will to make improvements. This lack of political will to meet the needs of all citizens in Marin County is further demonstrated in Assembly Bill 121 which aims to limit the growth of affordable housing in the county.

First and foremost, the Council recommends that the County seek consultation from an organization such as the California Forensic Medical Group. The expertise of such an organization, which specializes in ensuring quality care in correctional facilities, could assist Marin County in the effective development, implementation and on-going evaluation of a successful program for mental health services.

The Council believes it is the responsibility of Marin County to develop and implement a new Mental Health Program, which at minimum includes the following:

- Appropriate use of safety cells, including an evaluation by mental health staff prior to placement. Additionally, there should be a limitation of 24 consecutive hours, unless there is no other remedy to prevent harm.
- A contract with a crisis facility within the county (e.g. Novato Community Hospital, Marin General Hospital and/or Kaiser Permanente), rather than sending inmates out of county. The \$1.4 million per year contract could go towards crisis beds in nearby hospitals.
- Sufficient staffing to provide the basic requirements of a competent in-custody mental health system, including a full time psychiatrist and either a Mental Health Crisis Specialist or Psychiatric Nurse 24 hours per day, 7 days per week. Additionally, consideration of involving members of the inmate's family and/or faith community and others the inmate may look to for support.

Thank you again for the opportunity to review your report and provide comment.

Sincerely,



Susan Wilson  
Chairperson

c: Jay Hamilton-Roth, Foreperson, Marin County Grand Jury