



MARIN COUNTY SHERIFF'S OFFICE

1600 Los Gamos Drive, Suite 200, San Rafael, CA 94903

ROBERT T. DOYLE
Sheriff - Coroner
MICHAEL J. RIDGWAY
Undersheriff

April 16, 2018

Ron Brown, Foreperson
Marin County Civil Grand Jury
3501 Civic Center Drive #275
San Rafael, CA 94903

Reference: Response by Sheriff-Coroner Robert T. Doyle to the 2017-2018 Civil Grand Jury Report Titled, "Mental Health Care in Marin County Jail, Follow up Report."

Dear Mr. Brown,

As required by Penal Code Section 933.05, I offer the following response to the 2017-2018 Civil Grand Jury Report titled, "Mental Health Care in Marin County Jail, Follow up Report."

This letter will serve as my response in my official capacity as the Sheriff-Coroner of Marin County.

Recommendations:

Recommendation 1: The Marin County Jail, together with the Board of Supervisors and the Department of Health and Human Services, should ensure that mentally ill inmates are not kept in a safety cell longer than 24 consecutive hours unless the Jail psychiatrist certifies that no other remedy is available to prevent the inmate from harming themselves or others.

This recommendation has been implemented. Sheriff's Office jail staff collaboratively works to communicate with jail medical and mental health staff immediately after any inmate is placed into a safety cell. Mental health inmates who are placed in a safety cell are regularly monitored by Sheriff's Office staff via direct visual observation at least twice every 30 minutes. In addition, jail medical staff monitors and reviews the inmate's placement status and conducts a visual observation at least twice every 30 minutes. On-site psychiatrist coverage has been increased to 28 hours per week, with 24-hour a day on-call response available as needed. The resulting increase in psychiatric coverage allows for the 24 hour review recommended by the Grand Jury.

AREA CODE 415

24-HOUR NUMBER
479-2311

FAX
473-4126

ADMINISTRATION
473-7250

CIVIL
473-7282

COMMUNICATION
SERVICES
473-7243

CORONER
473-6043

COURTS
473-7393

EMERGENCY
SERVICES
473-6584

INVESTIGATIONS
473-7265

JAIL
473-6655

MAJOR CRIMES
TASK FORCE
884-4878

PATROL
473-7233

RECORDS
473-7284

WARRANTS
473-7297

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Recommendation 2: Safety cells should never be used for mentally ill inmates as a substitute for adequate medication and/or other psychiatric treatment.

This recommendation has been implemented. Safety Cells have never been used for mentally ill inmates as a substitute for adequate medication and/or other psychiatric treatment. Safety cells are, by policy, used only for an inmate whose behavior jeopardizes themselves, custody staff, other inmates, and/or the security of the jail facility. At no time will the safety cell be used as a form of discipline or punishment, nor will there be more than one inmate in a safety cell at a time. As mentioned in our response to Recommendation 1, mental health inmates will have their safety cell placement status reviewed by a jail mental health crisis specialist, in consultation with a jail psychiatrist, within 24 hours of that placement to confirm there is no other remedy available to prevent the inmate from harming himself or others.

Recommendation 3: Any inmate placed in a safety cell should be evaluated by mental health staff within four hours for the appropriateness of the placement and the evaluation of possible alternative placements.

This recommendation has not been implemented but will be in the future. The Sheriff's Office and HHS are currently working to provide 20 hours of mental health staff coverage per day. Once implemented, these 20 hours a day of mental health staff coverage will ensure that inmates placed in a safety cell can be evaluated by mental health staff within four hours of that placement. This will be implemented within six months.

Recommendation 4: The Board of Supervisors should, within 6 months, establish or contract with a local facility where sentenced inmates can receive involuntary administration of psychiatric medication.

This recommendation requires further analysis. There has been extensive research already conducted into locating local facilities where sentenced inmates can receive involuntary administration of psychiatric medication. Currently, no such local facility exists, so sentenced inmates in need of involuntary administration of psychiatric medication are transported to California Psychiatric Transition (CPT). That said, the Sheriff's Office and the Department of Health and Human Services are keenly interested in finding a more local solution and monitor, on an on-going basis, any discussions taking place within the 9 Bay Area Counties to develop such a facility so we can avail ourselves of the opportunities such a site could offer.

Recommendation 5: As provided in the joint settlement agreement regarding the Los Angeles County Jails, the Marin County Jail should identify and adopt, within 6 months, policies that ensure mentally ill inmates are provided with 10 hours of unstructured out-

of-cell time as well as 10 hours of structured therapeutic or programmatic time per week.

This recommendation will not be implemented. Any voluntary agreement entered into by the Los Angeles County Sheriff's Office is informed by the specific challenges and opportunities faced by that agency. They do not establish precedent and, while they may work for a jail system that houses more than 19,000 inmates per day, it may not for an agency like ours who houses less than 300. That said, the Sheriff's Office recognizes the importance of out of cell time for mental health inmates and has already made changes to increase that time on a regular basis. Mental health inmates now receive approximately 8 hours per week of out of cell time, 88% more out of cell time than minimum statewide standards requires. Additionally, the Sheriff's Office has identified one hour a day where the Special Housing Pod can be staffed with an extra deputy which will allow multiple mental health classified inmates out at the same time for structured therapeutic and socialization time.

Recommendation 6: The Marin County Jail, together with the Board of Supervisors and the Department of Health and Human Services, should ensure that a psychiatrist be available at the Jail 8 hours per day, 5 days per week, and be available by telephone 24 hours per day, 7 days per week.

This recommendation will not be implemented because it is not feasible or necessary. The Department of Health and Human Services has contracted with a medical group to provide 28 hours per week of on-site psychiatric coverage, a 40% increase in staffing hours over that previously provided to the jail. Off-site emergency psychiatric evaluation is available at all other times of the day or night. Requiring on-site coverage 24 hours a day is not feasible or necessary.

Recommendation 7: The Marin County Jail, together with the Board of Supervisors and the Department of Health and Human Services, should ensure that a Mental Health Crisis Specialist or a psychiatric nurse be available at the Jail 24 hours per day, 7 days per week.

This recommendation will not be implemented because it is not feasible or necessary. However the Sheriff's Office is working with HHS to ensure that an on-site mental health crisis specialist or psychiatric nurse will be available 20 hours per day 7 days a week, a 54% increase in coverage over what was previously provided.

Recommendation 8: The Marin County Jail, together with the Board of Supervisors and the Department of Health and Human Services, should immediately institute programs to provide appropriate professional (non-pharmacological) mental health therapy to all mentally ill inmates, particularly those incarcerated for longer than 7 days.

This recommendation requires further analysis. The Sheriff's Office is engaged and collaboratively working with representatives of the Marin County Board of Supervisors, the District Attorney's Office, the Public Defender's Office, the Probation Department and Health and Human Services to implement the Stepping Up Initiative. The goal of this initiative is to reduce the number of people with mental illness in jails, reduce the length of incarceration for those individuals who must be in jails, reduce their recidivism, and provide for their appropriate behavioral health treatment. Additionally, the Department of Health and Human Services has recently committed to add 1 FTE Jail Mental Health Supervisor and crisis specialist to staff the jail 20 hours per day, 7 days a week. This will allow for the development of programs that provide enhanced mental health therapy to all mentally ill inmates incarcerated for longer than seven days.

Recommendation 9: The Marin County Jail, together with the Board of Supervisors and the Department of Health and Human Services, should ensure that classification of inmates as mentally ill be reviewed by a member of the mental health staff within four hours of booking.

This recommendation has not been implemented but will be in the future. The Sheriff's Office and the Department of Health and Human Services are working to increase on-site mental health coverage within the jail to 20 hours per day. Having that additional coverage will allow us to ensure any inmate classified as mentally ill will have that classification reviewed by a member of the mental health staff within four hours of booking. This will be implemented within six months.

Recommendation 10: All policies and procedures in the Sheriff's Manual related to the care of inmates should be reviewed and updated within the next 6 months. As required by law, they should be reviewed and updated biennially thereafter. An immediate review should take place whenever code changes are made.

This recommendation has been implemented. The Sheriff's Office has identified 37 policies and procedures relating to inmate care that will be reviewed, and revised as necessary, within six months. Those same policies and procedures will then be reviewed and revised as necessary on a rotating biennial basis.

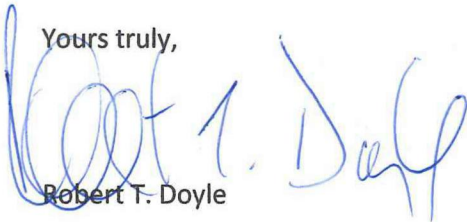
Recommendation 11: The County should provide adequate funding to implement these recommendations.

This recommendation has been implemented. The County has committed to funding 1 FTE Jail Mental Health Supervisor and sufficient Mental Health Crisis Specialists to provide 20-hour per day coverage within the Jail. Additional funds have been provided to increase on-call and on-site psychiatric services as well.

Recommendation 12: The Jail should inform HHS of procedural changes that affect HHS policies and procedures in the Jail.

This recommendation has been implemented. The Sheriff's Office works with the jail's medical and mental health staff on a daily basis and holds weekly leadership meetings to ensure procedural and policy changes made by the Sheriff's Office are clearly communicated so medical and mental health policies affected by those changes can be updated as well.

Yours truly,

A handwritten signature in blue ink, appearing to read "Robert T. Doyle". The signature is stylized and written in a cursive-like font.

Robert T. Doyle

Sheriff-Coroner