

My Family Member has been Arrested. What Do I Do?

A step by step guide to help families cope with the criminal justice system in Kern County when a family member who suffers from a brain disorder (mental illness) is arrested.

Step One: Support you relative

- If your family member/friend calls you and says he/she has been arrested, help him/her stay calm and offer your help and support
- If your family member/friend is being held in jail, remind him/her of their right to have an attorney present if being questioned by police officers/detectives
- If he/she is already at the Central Receiving Facility (CRF), the downtown jail in Kern County, he/she will be screened for mental illness as well as other health concerns, upon arrival. It is very important that they be direct and honest to benefit as much as possible from this screening process. Assure your family member it is OK to discuss his/her physical and mental condition, diagnosis, medications, etc., with the nursing staff conducting the screening. It is important your family member feels safe to speak openly with the screeners.

Step Two: Contact the Downtown Jail (Central Receiving Facility)

- To contact the **Central Receiving Facility (CRF)** call (661)868-6850
- Ask for your family member's booking number. Infor jail staff that your family member suffers from mental illness and describe the diagnosis and other concerns. Inquire as to your relative's status and estimated length of stay at this facility. Ask if he/she is expected to be released directly from CRF (this sometimes occurs for minor offenses), ask for the time and place so you can be there to pick them up. If you relative is severely ill, ask if the mental health worker could make an application for him/her to go to the Crisis Stabilization Unit (CSU) for crisis intervention or evaluation of the need for "5150" (the need for involuntary treatment).
- If your relative is not going to be released directly from CRF, ask that he/she be transferred as quickly as possible to the Lerdo Detention Facility.
- Medication will probably not be accessible until you relative arrives at Lerdo, but you might inquire if CRF can obtain the need mediation.

Step Three: County Jail Information

- Record his/her booking number. Note this information for future reference.
- **TIP: Regarding money for commissary and sending gifts**
 - TOUCHPAY: Allow family and friends the ability to place money on an inmate account. Website: www.touchpayonline.com. Click on the CORRECTIONS options. Money can be placed on inmate accounts via Touchpay websites or on one of their kiosks located at the Central Receiving Facility or Lerdo Max-Med Facility lobby areas. Online user must set-up/register an account. Creating/registering an online account is free.
 - ACCESS SECUREPAK: Allows family and friends to place online commissary orders for inmates incarcerated in the Kern County Jail. Order limits are \$75/week. Website: www.kerncountypackages.com. First time users will need to setup/register an account. LiveChat is available on this website to assist and answer questions. Creating and/or registering an online account is free.

- **TIP:** When visiting Lerdo or CRF (downtown) Jail, bring your identification. A Photo ID is required.

Step Four: Send a FAX

If the attached information is not available:

- Immediately prepare a FAX requesting that your relative be screened for treatment and possible placement in the mental health unit. Begin this FAX with your relative's:
 - ◇ Full legal name
 - ◇ Date of Birth
 - ◇ Booking number
 - ◇ Location
- In the body of the FAX, include:
 - ◇ His/her diagnosis
 - ◇ His/her psychiatrist's name, phone number and address
 - ◇ The medications prescribed for your family member by name, dosage, and time of day to be administered
 - ◇ Whether a particular medication has proven to be effective or has dangerous and/or uncomfortable side effects
 - ◇ Any history of suicide attempts/threats or other violent intentions in the recent pasts. Briefly describe the events and when they occurred
 - ◇ Any other urgent medical conditions that might require immediate attention, such as diabetes, high blood pressure, seizures, heart problems, etc., and medications currently prescribed for those conditions. There is a clear preference for maintaining effective current treatment. However, the correctional mental health staff must conduct its own assessment of you relative's conditions and may not necessarily prescribe the exact same medication.
- **IMPORTANT: Do NOT** address any impending charges against your family member in this FAX. Medical information 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.
- If your family member has not previously done so, ask that he/she sign a "Release of Information" form for you while in jail. The Correctional Mental Health staff are prohibited by law from giving anyone information about a client's status unless they have the client's consent.
- As soon as you are notified that your family member is in jail, FAX the document described in STEP Four to the appropriate numbers below.
- FAXES can be sent 24 hours a day, seven days a week.
 - ◇ CRF (Downtown Jail) FAX 661-868-6859
 - ◇ Call (661)868-6850 to confirm receipt of the FAX
 - ◇ Correctional Mental Health (Lerdo): FAX: 661-391-7978
- **Remember:** If sending mental health information only, please FAX to the Lerdo Correctional Mental Health FAX number. If you are sending mental health and medical information, you must FAX the information to CRF and the Lerdo Mental Health FAX numbers.

STEP Five: Family Advocate

- If you have difficulty with this process, call the Family advocate at 844-360-8250
- Don't forget to provide your family member's name, location and booking number.

STEP Six: Deciding on Legal Representation

- Your family member may want to retain a private attorney or use the Public Defender's office. A Public Defender will be assigned at arraignment if you relative does not have or cannot afford a private attorney. Do not be afraid to use a 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 select one that is well versed in mental illness and understands how to access the treatment facilities and mental health services that are available.

Step Seven: 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 you family member be able to comply with the terms of bail and appear in court when required?

Also, as hard as it may seem, jail may be the safer place for a person with a severe mental illness who is in a crisis, rather than having your loved one wander the streets with no help at all. At least in jail, they will be fed, have shelter and be given access to medication and/or treatments.

STEP Eight: Treatment After Release from Jail

Medications:

- Individuals released from Lerdo Jail, who are on Psych meds, may obtain a BRIEF supply to continue their medications on an interim basis by calling (661)868-6790 during normal business hours. Individuals must call within 4 days of release. Encourage your loved on to seek treatment and medication immediately. Discourage your loved one from waiting a month or two until they are in crisis before seeking help.

Geographic Providers

- The Mental Health System of Care has teams in outlying areas of the county, including Delano, Wasco, Taft, Frazier Park, Lamont, Tehachapi, Rosamond, California City, Ridgecrest and Lake Isabella. For more information call the [Access Unit at \(661\)868-8111](tel:6618688111)

Laura's Law (Assisted Outpatient Treatment)

AOT as permitted by Laura's Law is designed to prevent persons at risk who are not receiving mental health treatment from deteriorating into states where they are dangerous to themselves or others. It does so by directing such persons into compulsory treatment in hopes that the person's condition will improve and he/she will seek subsequent treatment voluntarily.

Who is AOT for:

- Individuals who have been offered the opportunity to participate in treatment in Kern County Mental Health, but failed to engage in treatment, and
- Their condition is presently substantially deteriorating

Who can request AOT:

- Immediate adult family members
- Persons 18 years of age or older residing with the individual
- Director of treating agency, charitable organization, licensed residential care facility or hospital
- Peace officer, parole or probation officer supervising the individual

What to expect if you make a referral:

- Kern County Mental Health will contact you to learn more about your concerns
- They will also attempt to meet with the mentally ill adult to encourage him/her to receive their services voluntarily
- If the person does not immediately agree to treatment, KCMH will continue to make attempts for no less than 30 days
- If KCMH does not succeed during that time, they may file an AOT action with the Kern County Superior Court.

For additional information call [\(661\)868-1753](tel:6618681753)

STAR Court (Sustained Treatment and Recovery)

- Is a collaborative between Kern County Mental Health, Public Defender, District Attorney and Probation Department
- Capacity to handle a total of 40 clients at any one time
- Clients are referred by the defense attorneys
- Clients must be examined by Kern County Mental Health and Probation
- Mental illness must be shown as the main factor underlying their criminal behavior
- Clients must have committed a felony. Some felonies, such as a significantly violent or sexual crimes may not be allowed. Each case is considered individually.
- Clients may also be excluded for certain pending or prior convictions, including previous "strikes," sexual misconduct, significant violence, gang activity or drug sales.

Definitions

Arraignment:

- Usually the first court appearance by the defendant, where he/she will be formally charged and plead (respond to the charges or charges) by answering “guilty,” “not guilty,” or “no contest.” The appointment of counsel and the setting of bail, as well as conditions of release (if any) also takes place at the arraignment. If the suspect has remained in custody, any arraignment will usually be held within 48 hours of arrest (excluding weekends or holidays).

Arrest:

- The detention of a person (usually by a police officer) in a manner that makes clear that the person is not free to leave and the continued holding of that person for the purposes of bringing criminal charges against him.

Arrest Report:

- The report prepared by the arresting police officer, which summarizes the circumstances leading to the arrest. This report (and other relevant documentation) is filed with the District Attorney’s office, which acts as the prosecutor.

Bail:

- Money paid to the court to help ensure that the arrested person make all required court appearances. The amount of bail will depend on the crime charged as well as factor, which the court deems relevant. Failure to make court appearances will usually result in the forfeiture of bail.

Bench Warrant:

- A warrant issued by the court itself for the arrest of an individual, usually, because the individual has been found to be in contempt because he /she has failed to appear in court as required.

Booking

- The procedure which creates an official arrest record, usually conducted in jail, following an arrest. The procedure usually includes: recording the suspect’s name and the crime for which they were arrested, taking “mug shot,” taking a suspect’s clothing and personal property into police custody, taking a suspect’s fingerprints, conducting a body search of the suspect, checking for warrants and conducting health screening of the suspect.