

# My Family Member with a Mental Illness Has Been Arrested!

## What Do I Do?

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

### 1. SUPPORT YOUR RELATIVE

Help your relative or friend stay calm and offer them support if they call you about their arrest. Tell them that they can expect to be interviewed by jail medical and mental health staff. Reassure them: it's OK to discuss their physical and mental condition, diagnoses, medications, etc. Jail medical staff will not share this information with the District Attorney or law enforcement investigating their case. Feeling safe to speak openly about their medical and mental condition is important for their safety and health.

### 2. CONTACT THE MAIN JAIL

**Call: 805-654-3335**

**After Arrest:** Ask for 1) the court arraignment date and address, 2) booking number, 3) location of your relative, and 4) the dates and times when visits are permitted.

**IMPORTANT: *If you know or suspect that your relative/friend has had recent suicide attempts or thoughts, call the Jail. Ask to speak with the Watch Commander. Give him/her all the information you have!***

**Before Release:** If he/she is going to be released, ask for the best time to arrive to pick them up. If your relative/friend is severely ill, ask the Sheriff's Department to take him/her to the Hillmont Psychiatric Unit to be screened for a "5150" involuntary three-day hold for treatment and evaluation.

### 3. CONTACT THE JAIL MEDICAL DEPARTMENT

**Call: 805-650-4088** and ask to speak with the Manager or a Mental Health Nurse. After business hours, **Call 805-654-3343** and ask to speak with the Booking or Special Housing Nurse. Due to patient confidentiality laws, the staff will not be able to give you information about your family member's medical or mental condition without a signed consent, but they are able to accept information from you.

### 4. PROVIDING HEALTH INFORMATION

To provide Jail medical staff with medical, including mental health, information:

**The Form:** Complete the Inmate Mental Health Information Form. You can also print out a copy of this form from our web site; go to [www.namiventura.org](http://www.namiventura.org), select Resources. Deliver the form to the Jail by hand or by faxing it to **(805) 477-1593**. (Mail works if you see no urgency.) If you provide information without using a form, identify yourself and sign the document. Before faxing, always call to verify the accuracy of the fax number; fax numbers sometimes change. Also, give notice to the Jail Liaison for Ventura County Behavioral Health Dept. by sending information by email to [heather.johnson@ventura.org](mailto:heather.johnson@ventura.org) or by fax to **(805) 477-7170**.

**Professional Assistance to Transmit Necessary Information.** If your act of providing essential mental health information to the Jail may unduly upset your loved one, consider enlisting a professional (like VCBH staff or his or her conservator) to send the information.

**Written Confidentiality Waiver:** If available, include a copy of any current confidentiality waiver for mental health information. If you have no written confidentiality waiver, ask the Jail to try to seek a waiver from your loved one so that Jail medical staff can communicate with you if necessary. Without a consent, medical staff cannot disclose information to you, but can only receive information from you.

**Important: Do NOT address any impending charges against your relative/friend in communications to the Jail. Medical information only!**

## **5. BRINGING MEDICATIONS TO JAIL**

Jail physicians may not evaluate and prescribe medications immediately after arrival. Consider bringing to the Jail your relative/friend's prescribed medications in their original containers. Medications you bring might be accepted to prevent interruption. Medications may be returned if they are available in jail or if they were changed by a jail physician due to your loved one's current symptoms.

## **6. GENERAL JAIL INFORMATION**

The Main Jail is located on the campus of the County Government Center at 800 S. Victoria Ave in Ventura. The Todd Road Jail is located at 600 South Todd Road, Santa Paula. Visiting hours vary; check the Sheriff's Department web site at [www.vcsd.org](http://www.vcsd.org) and select "Inmate Information" for more details on your family member's location. TIP: When visiting, purses, wallets, cell phones and other items are not allowed in; you must have valid photo ID.

## **7. MENTAL HEALTH ADVOCACY**

**Call: 805-477-5731** for assistance from County Behavioral Health Department's Office of Patient's Rights 1) to learn the requirements of detention facilities regarding mentally ill inmates, or 2) to ensure needed mental health treatment services are provided to your loved one.

## **8. LEGAL REPRESENTATION**

Assist your loved one, as needed, to obtain proper legal representation. Remind them of their right to an attorney present if being questioned by police officers or detectives related at all to past, existing or any potentially new charges.

Your relative/friend may have a choice of 1) using an attorney in the Public Defender's Office or 2) retaining a private attorney. Do not be afraid to use the Public Defender. Deputy Public Defenders often have knowledge of the "system" as it pertains to those who need mental health services. If your relative does not have or cannot afford a private attorney, a Public Defender will be assigned at arraignment. Note that the arraignment attorney will not usually be the attorney handling the case for the Public Defender's Office. Call the Ventura County Public Defender's Office at **805-654-2201** for the name of the Deputy Public Defender assigned to the case. It may take several days for an attorney to be assigned and police reports, etc. obtained. Once you identify the assigned attorney, direct your phone calls to that assigned attorney. Similarly, address any written communication (including faxes to 805-648-9220) to the specific attorney. Provide an extensive history on your relative/friend (medical, psychiatric, social, educational). This history will be very useful in pursuing the best outcome. Information provided to the attorney will be available to your loved one. Again, consider enlisting someone else to provide the information if your involvement will create undue strain. The Public Defender's website is at [www.pubdef.countyofventura.org](http://www.pubdef.countyofventura.org). Remember, your loved one is the client, not you, so the attorney may not be able to share all information with you.

A private attorney may grant you more time, but you pay for that access. If your family member decides to retain a private attorney, find a private attorney who is well versed in representing people with mental illness and understands not only the law, but also how to access available treatment facilities and mental health services.

## **9. BAIL**

### **IMPORTANT: Think carefully about posting bail.**

No one wants a loved one to remain incarcerated for any length of time. It is an unpleasant experience for them, as well as for the family. However, ask yourself: Will your loved one be able to comply with the terms of the bail and appear in court when required? Also, as hard as it may seem, for a person in crisis with severe mental illness, jail may be safer than wandering the streets with no help at all. At least in jail they will have food, shelter and access to medications.

*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.*

**NAMI Ventura County ■ National Alliance on Mental Illness**

1339 Del Norte Road, P.O. Box 1613, Camarillo, CA 93011

Tel: 805.641.2426 ■ Fax: 805.275.2188 ■ Email: [namiventura@gmail.com](mailto:namiventura@gmail.com) ■ Website: [www.namiventura.org](http://www.namiventura.org)