

**NAMI Orange County**  
1810 East 17<sup>th</sup> Street  
Santa Ana, CA 92705  
Telephone: 714-544-8488  
Fax: 714-544-0791  
[www.namioc.org](http://www.namioc.org)  
[info@namioc.org](mailto:info@namioc.org)

## **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 Orange County, California when a family member who suffers from a brain disorder (mental illness) is arrested.*

#### **STEP ONE: SUPPORT YOUR RELATIVE**

- If your family member/friend calls you and says that he/she has been arrested, help him/her stay calm and let him/her know you are there to help.
- If your relative is being held in a city jail, remind him/her that he/she has a right to have an attorney present when being questioned by police officers or detectives.
- If your mentally ill relative is already at the Orange County Sheriff Department Central Jail Complex, **he/she can expect to be interviewed by the Mental Health Evaluation Team**. If the Medical Evaluation Team determines that there are mental health issues, your relative will be referred to Correctional Mental Health.
- It is OK for your mentally ill family member to discuss his/her physical and mental condition, diagnosis, medications, etc. with Medical Evaluation Team members. It is important that he/she feels safe and to speak openly with mental health screeners.

#### **STEP TWO: CONTACT THE JAIL**

- If your family member is being held in a city jail, call that jail (not the County Jail) and ask for the Watch Commander. Notify the jail that your family member suffers from a mental illness and describe the diagnosis and any other concerns you might have. Inquire about the family member's status and estimated length of stay at this facility. Ask if he/she is expected to be released directly from the city jail. If he/she is going to be released directly from the city jail (which sometimes occurs for minor offenses), ask for the time and place so that you can be there to pick him/her up. If your relative is severely ill, request the city police to take him/her to a psychiatric hospital for a "5150" involuntary three day hold for evaluation and treatment.
- Be sure to ask for the following information:
  - The expected date and time of departure from the City Jail.
  - The court arraignment date and address.
- Medication probably will not be accessible until your relative arrives at County Jail, but you might inquire if the holding facility can secure needed medication.

### **STEP THREE: COUNTY JAIL INFORMATION**

- Upon arrival of your mentally ill relative at the Intake and Release Center of the Orange County Jail, call **714-647-4666** and ask for the following information:
  - Booking number.
  - County jail in which the person is being held.
  - Charges.
  - Court Date.
  - Visiting Hours.
- This information also is available on the Internet at **www.ocsd.org**. Click on “eServices”; then click on “Who’s in Jail”. Enter the mentally ill family member’s complete legal name to bring up the booking number. Note the information for future reference.

(Tip: Inmates sometimes are booked with/without a middle name. If you are unable to locate him/her, try any names your relative has used.)

### **STEP FOUR: SEND A FAX (714) 647-7496**

- Immediately prepare a fax requesting that your relative be evaluated for mental health treatment. Head this fax with your relative’s:
  - Full legal name.
  - Date of birth.
  - Booking number.
  - Location.
- In the body of the fax:
  - State his/her diagnosis.
  - Provide his/her psychiatrist’s name, telephone number, and address.
  - **Indicate the medications that are prescribed for your family member by name, dosage, and the time of day to be administered.**
  - Note if a particular medication has proven to be ineffective, or has dangerous and/or uncomfortable side effects.
  - Caution if a suicide attempt is a possibility or if you have other serious concerns.
  - Describe any other urgent medical conditions that might require immediate attention such as diabetes, high blood pressure, seizures, heart problems, etc. and note the necessary medications to be given. Include his/her medical doctor’s name, address, and phone number for verification purposes.
  - List (to the best of your recollection) in chronological order:
    - When he/she first became ill.
    - Any “5150” detainments.
    - Hospitalizations.

- Prior psychiatric evaluations.
- Prior arrests.
- **IMPORTANT: Do NOT address any impending charges against your family member in this fax. Provide only medical information!**
- 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.
- Fax the document to **714-647-7496**. **This number is for mental health information only.** Faxes can be sent 24 hours a day.
- Without a signed release of information form, confidentiality requirements prevent Correctional Medical Health staff from providing you any information. This release of information form must be signed by your mentally ill relative while he/she is at the facility. Correctional Mental Health staff routinely ask an inmate if he/she wants to sign a release form.
- Communication with staff can be improved by designating one person or family member as the contact person.

#### **STEP FIVE: DECIDING ON LEGAL REPRESENTATION**

- Your family member may want to retain a **private attorney** or use the **Public Defenders Office**.
- **Provide information.** Provide the attorney with an extensive medical/psychiatric/social/educational history of your family member. This information presented in writing will be very useful in pursuing the best outcome for your loved one.
- **Private Attorney.**
  - If your relative has a private attorney, contact him/her and provide him/her pertinent information regarding your relative's case and mental health condition.
  - If your family member decides to retain a private attorney, be sure to select one that is well versed in helping people with mental illness. He/she must understand not only the law, but also how to access the treatment facilities and mental health services that are available.
  - A private attorney will grant you more time, but remember you are paying for that access.
- **Public Defenders Office.**
  - If your relative does not have, or cannot afford an attorney, a **Public Defender** will be assigned to him/her at the arraignment.
  - Do not be afraid to use the Public Defender. Public Defenders often have knowledge of "the system" as it pertains to those who need mental health services.
  - At the arraignment you can provide to the Public Defender pertinent information concerning both the legal issues and mental health matters.
  - This should be a brief statement (preferably written) concerning the current circumstances, diagnosis, and relevant history of your relative's mental illness.

- The more information the better—but be concise and to the point.
  - Public Defenders are extremely busy and do not have much time for telephone calls. He/she will appreciate written or faxed correspondence. Remember, it is the inmate, not you, who is the attorney's client.
- **Bail.**
    - Consider carefully the posting of bail for your family member. No one wants a loved one to remain in jail.
    - Being in jail is an unpleasant experience for them as well as the family. However, you must ask yourself the following question: Will my family member be able to comply with the terms of the bail and appear in court when required?
    - Also, jail may be a safer place for a person with severe mental illness who is in crisis rather than having him/her wandering the streets with no help at all. At least in jail he/she will be fed, will have shelter and will be given access to medication treatments.

#### **STEP SIX: ALTERNATIVE COMMUNITY TREATMENT PROGRAM**

The **Alternative Community Treatment Program** may be able to provide additional case management to your mentally ill relative. For more information, call **714-568-4744**.

#### **STEP SEVEN: FAMILY ADVOCATE**

The Family Advocate of the Orange County Health Care Agency is available to assist you with consultation, education and support. Call **714-834-3697**.

#### **CONCLUSION**

Supporting and coping with a loved one who suffers from a brain disorder can be extremely challenging and stressful. Knowledge, as well as your love and fortitude, will be instrumental in helping you to provide strong and effective support to your family member. For information about support groups and educational programs provided free of charge in your Orange County contact NAMI Orange County, the Community's Voice on Mental Illness, at **714-544-8488** or on the internet at [www.namioc.org](http://www.namioc.org) or via email to [info@namioc.org](mailto:info@namioc.org).

This guide is based on a draft prepared for the Los Angeles County Jail System by Mark Gale and Jim Randall of the Los Angeles NAMI Criminal Justice Committee. Carla Jacobs deserves special thanks for her help with this project.

The specific procedures to help families navigate the "system" in Orange County were prepared by NAMI Orange County Coordinator of Family Education and Support William Benton Harwood, Ed.D. with the assistance of NAMI Orange County Criminal Justice System Mentor Howard Black, M.A. We are not attorneys. This paper is not intended as a substitute for professional legal advice. Please assist your family member in obtaining proper legal representation.

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## **INMATE MEDICATION INFORMATION FORM**

### **INMATE INFORMATION**

FULL LEGAL NAME OF INMATE: \_\_\_\_\_  
STREET ADDRESS: \_\_\_\_\_ CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_  
DOB: \_\_\_\_\_ BOOKING #: \_\_\_\_\_  
JAIL LOCATION: \_\_\_\_\_ FLOOR/CELL no.: \_\_\_\_\_

### **FAMILY CONTACT INFORMATION**

FAMILY CONTACT NAME: \_\_\_\_\_ RELATIONSHIP \_\_\_\_\_  
STREET ADDRESS: \_\_\_\_\_ CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_  
DAYTIME PHONE: \_\_\_\_\_ EVENING PHONE: \_\_\_\_\_  
CONTACT SIGNATURE: x \_\_\_\_\_

### **PSYCHIATRIST/TREATMENT FACILITY INFORMATION**

PSYCHIATRIST/LAST TREATMENT FACILITY: \_\_\_\_\_ DATE LAST TREATED: \_\_\_\_\_  
STREET ADDRESS: \_\_\_\_\_ CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_  
PHONE: \_\_\_\_\_ FAX: \_\_\_\_\_

### **MEDICAL INFORMATION**

DIAGNOSIS: \_\_\_\_\_  
DAYTIME MEDICATIONS: \_\_\_\_\_  
\_\_\_\_\_  
NIGHTTIME MEDICATIONS: \_\_\_\_\_  
\_\_\_\_\_  
PRIOR ADVERSE MEDICATION EFFECTS (i.e. side effects, allergies, poor efficacy): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
IS SUICIDE A CONCERN? NO \_\_\_\_\_ YES \_\_\_\_\_ IF YES, WHY? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
OTHER MEDICAL CONCERNS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
MEDICAL DOCTOR'S NAME: \_\_\_\_\_ OFFICE PHONE: \_\_\_\_\_  
STREET ADDRESS: \_\_\_\_\_ CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

Correctional Mental Health provides a wide range of psychiatric and crisis intervention services to the inmates in the Orange County Jail System:

If a family member or friend is in custody at an **Orange County jail facility**, and you are uncertain whether we are aware of an important mental health condition, please contact **Correctional Mental Health (CMH) Administration** at **714-647-4164** Monday through Friday from 8am-5pm. If this is an urgent after-hours matter, please contact the **CMH triage desk at: 714-647-6030**