

To work through families and interagency collaborations to ensure that individuals, with mental illness in the justice system, are given respect, dignity and human rights.

**Justice Systems Committee Meeting
Tuesday, October 27, 2020 ♦ 1:30 pm to 3:00 pm**

Via: Zoom Teleconference:

<https://cchealth.zoom.us/j/6094136195>

Meeting number: 609 413 6195

Join by phone: 1 646 518 9805 US

Access code: 609 413 6195

AGENDA

- I. Call to Order / Introductions - Chair**
- II. Public Comments**
- III. Commissioner Comments**
- IV. APPROVE minutes from the September 22, 2020 meeting**
- V. REVIEW of emails from David Seidner (Program Manager, Forensic Mental Health) and Stephanie Regular (Assistant Public Defender, Supervisor of the Mental Health Unit, Public Defender's Office) as how conservatorship discharges are supposed to proceed versus what actually happens**
- VI. DISCUSSION of Conservatorships. Jan Cobaleda-Kegler (Mental Health Program Chief, Adult/Older Adult Behavioral Health, Contra Costa Behavioral Health Services) will be present to respond to questions.**
- VII. UPDATE on efforts to hire or incorporate mental health workers who respond with or instead of police to:**
 - a) Mental health crisis calls**
 - b) Police calls where mental health or substance abuse is a large factor in the call**
- VIII. UPDATE regarding Walnut Creek Detention and Martinez Detention use of menstrual cups from information received from Jessica Hamilton (Medical Director for both facilities)**
- IX. Adjourn**



Email from Commissioner Geri Stern to David Seidner (Program Manager, Forensics Mental Health) and Response (in blue)

Re: Conservatorship Question from Justice Committee MHC

Hi David,

The Justice Committee has been exploring the questions regarding Conservatorships for people in and out of jail We had a question for you.

Who is responsible for notifying the Conservator of an individual (conservatee) who is going to be released from jail into the community? [DET MH collaborates with the Conservator's Office regarding projected releases when there is a known release date. The coordination of care includes DET MH requesting a PPD, COVID test and release meds to be placed in property. Depending on the individual's presentation during the release, DET MH will initiate a 5150 hold and the individual will be transferred from the facility to CCRMC via ambulance.](#)

Who is responsible for their placement in a group home, board, and care, or hospital. [DET MH collaborates with the Conservator's Office regarding referrals to Crisis Residentials if the individual meets the criteria for Crisis Res. BHS has the final approval on the Crisis Res admission.](#)

Is there is no notification and /or placement arranged and the individual is released to the street, does anyone notify the conservator? [DET MH operates 24/7 so that notification would depend on the time and day of the week that the individual is being released.](#)

We heard from the Public Defenders office that this could be an issue. [Please feel free to refer the Public Defender's Office to me for follow up on this matter.](#)

Please let me know. I spoke to Steve Simpkin about this and he referred me to you. [Thank you for contacting me. Yes, please continue to email me regarding MH services provided by DET MH. Take care.](#)

Thanks,

Geri Stern
Chair, Justice Committee, MHC

Email from Commissioner Geri Stern to Stephanie Regular

Re: Conservatorship Question from Justice Committee MHC

Hi Stephanie

I contacted David Seidner regarding the disposition planning for Conservatees from the jails.

If you could review his responses and let know how the official version that he is giving differs from the reality on the ground.

Thanks

Geri

Email from Stephanie Regular to Commissioner Geri Stern

Re: Conservatorship Question from Justice Committee MHC

Hi Geri,

I cannot confirm whether Detention MH takes the steps below in coordination with the conservatorship office. Assuming that Detention MH takes all steps described below, this still doesn't fix the gap of what happens to the individual upon arrival at CCRMC or crisis residential. If the conservatorship office does not monitor the transition, the individual is still prone to slip through the cracks. If the hospital does not know that the individual is conserved and the conservator does not advocate for admission, the person may walk away or be discharged prematurely.

I reached out to both Detention MH, the conservatorship office, and the sheriff's department to see what goes with the individual from the jail to the hospital. I have been informed that the sheriff's department delivers the court order to the hospital. Going forward, I will make sure that all necessary information regarding the individual's status is in the court order.

I was also informed that the sheriff's department does the transport for a 4011.6 order, but does not make sure the individual goes into the hospital. Because the sheriff's department believes that a 4011.6 order is just an order for transportation, the sheriff's department does not believe it has the authority to detain the individual or compel the individual to enter or remain in the hospital. This means that a person can simply walk away once they get to the hospital even if conserved. I was further informed that if Detention MH evaluated the person for grave disability, the person would be taken by AMR to the hospital on a 5150 hold. The sheriff's department policy is to call AMR for a 5150 transport; it does not transport individuals who have been 5150'd from either the jail or on patrol.

Stephanie

Stephanie Regular
Assistant Public Defender