

# **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 Imperial County 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 offer your help and support.
- If your family member/friend is being held in a city jail, remind him/her of the right to have an attorney present if being questioned by police officers or detectives.
- If he/she is already at the Regional Adult Detention Facility (RADF) 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 that it is OK to discuss his/her physical and mental condition, diagnosis, medications, etc., with the staff conducting the screening. It is important your family member feels safe to speak openly with the mental health screeners.

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

- Call the local city jail (not the County Jail) that is holding your family member and ask for the Watch Commander. Inform him that your family member suffers from a mental illness and describe the diagnosis and any other concerns you might have. Inquire as to your relative's status and estimated length of stay at this facility. If he/she is going to be released directly from the city jail (this sometimes occurs for minor offenses), ask for the time and place so you can be there to pick them up. If your relative is severely ill, ask if the city police could take him/her to a psychiatric hospital for a "5150" involuntary three-day hold for treatment and evaluation.
- If your relative is not going to be released directly from the city jail, ask that he/she be transferred as quickly as possible to the RADF.
- Be sure to get the following information:
  1. The expected date and time of departure to RADF;
  2. The court arraignment date and address.

TIP: Medication will probably not be accessible until your relative arrives at RADF, but you might inquire if the holding facility can obtain needed medication.

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

Upon arrival at the RADF call 442-265-2267. Inquire as to your family member's arrival and, most importantly, his/her booking number.

- This information is also readily available on the internet at [www.icsso.org](http://www.icsso.org) Click on “Who’s In Jail”. Enter his/her complete legal name to bring up the booking number. Note this information for future reference.
- Use the links on the Corrections- Jail web page to access visiting hours, mailing address, and frequently asked questions.

TIP: Inmates are sometimes booked in with/without middle name. If you are unable to locate him/her, try any name your relative has used before.

**TIP: All public visits are by appointment only and visitor registration is required.**

#### **STEP FOUR: SEND A FAX**

- Click on the **Inmate Medication Information Form**, [English Version](#) or [Spanish Version](#) on this web page. Print, complete, and fax as instructed below.

If this form is not available:

- Immediately prepare a fax requesting that your relative be screened for placement in the mental health unit. Begin this fax with your relative’s:
  - Full legal name
  - Date of birth
  - Booking number
- In the body of the fax include:
  - His/her diagnosis
  - His/her psychiatrist’s name, phone number and address
  - The medications that are prescribed for your family member by name, dosage and time of day to be administered
  - Whether a particular medication has proven to be ineffective or has dangerous and/or uncomfortable side effects
  - Any history of suicide attempts/threats or other violent intentions in the recent past. 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. Include his/her medical doctor’s name, address, and phone number for verification purposes. The medical information you provide is tremendously valuable in making an assessment and will help the staff.
- **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.
- 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.

- On the cover page, indicate whether your relative has provided you with a written confidentiality waiver. If your relative has not previously done so, ask that he/she be asked to sign one while in jail. The staff is prohibited by law from giving anyone information about a client's status unless they have the client's written consent, but the staff can receive information from relatives or friends without the client's consent.
- Once your relative has been booked, fax the document described in Step Four to the appropriate number below. Faxes can be sent 24 hours a day, seven days a week.
  - **Mental Health & Medical Services:**  
760-370-9134

## **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 your 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 helping people with mental illness and understands how to access the treatment facilities and mental health services that are available.

## **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 your family member be able to comply with the terms of the bail and appear in court when required? Also, as hard as it may seem, jail may be a safer place for a person with severe mental illness who is in crisis rather than having your loved one wander the streets with no help at all. At least in jail they will be fed, will have shelter and be given access to medication.

**Working with an attorney:** Call the Public Defender's office at the court where the case is being heard and ask for the name and phone number of the attorney who will be handling the case. It is more likely the attorney will be at his or her desk in the morning between 8:00 a.m. - 8:30 a.m. before court begins or later in the afternoon after 3:30 p.m. If you do not reach the attorney, be sure to leave a message requesting a return call with your name, phone number, your family member's name and, if possible, the case number and court date. Due to the attorney-client confidentiality requirement, there will be information the attorney may not be able to share with you. Remember, it is your family member, not you, who is the attorney's client.

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 essential in helping you to become a strong and effective support system for your family member. For information about support groups and educational programs provided free of charge in your area, contact the National Alliance on Mental Illness (NAMI) at 858-634-6580 for the NAMI Los Angeles County Council, or on the internet at [www.namicalifornia.org](http://www.namicalifornia.org) to find the closest affiliate, San Diego.

*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 to be a substitute for professional legal advice. Please assist your family member in obtaining proper legal representation.*

NAMI Los Angeles Criminal Justice Committee

*Revised May 24, 2017*





