

**MARIN COUNTY, CALIFORNIA  
JAIL POPULATION PROJECTIONS  
AND  
ASSESSMENT OF  
THE MENTAL HEALTH CARE SYSTEM**

Prepared by

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## EXECUTIVE SUMMARY

### MAJOR TRENDS

1. From 2000 to 2008, the county's population has increased by only 0.5 percent, compared to the state of California, which increased by 8.1 percent.
2. By 2020 the county's population is projected to increase another 4.6 percent or about 0.3 percent a year. Defined as males ages 15-34, the "at-risk" population in Marin County is forecasted to increase at a much faster rate – 21.2 percent overall between 2010 and 2020 at an average of 2.1 percent per year.
3. Overall, serious violent crime has declined between 1998 and 2008 by 37 percent. Property crime in the county decreased at a slower pace than reported violent crimes, falling by 11 percent between 1998 and 2008. The reported 'larceny and theft \$400 and under' fluctuated with no discernable pattern.
4. Total reported crime in the county decreased by 19 percent between 1998 and 2008. This was slightly slower than California's decrease of 23.6 percent during the same time frame
5. However, Marin's crime rate of 2,368 per 100,000 residents is well below the overall state rate of 3,556. In essence Marin has a very low crime rate.
6. In general there appears to be no reason to expect higher crime rates and subsequent arrests over the next two decades under current demographic and criminal justice policies.
7. Overall felony arrests and the felony arrest rate fell by about 8-9 percent. Male felony arrests between 1998 and 2008 decreased by 13 percent while female felony arrests decreased by six percent. In terms of the types of crimes, violent arrests have been stable while property and drug arrests declined slightly. There was a large decline in what is referred to as "other" crime arrests (29%).
8. The more numerous misdemeanor arrests have fallen by 6.1 percent from 5,191 in 1999 to 4,874 in 2008. Male misdemeanor arrests declined by 9 percent while female arrests increased by 7 percent.
9. Since 1998, county court adult felony dispositions have declined by 14 percent but with most of the drop occurring after 2003. Convictions

increased until 2003 and have since declined. Sentences to probation with jail have shown a similar pattern.

10. In 2009, there approximately 8,100 admissions and releases from the Marin County. The average length of stay (LOS) of 13.5 days, which is quite low compared to other jail systems.
11. Among arresting agencies, persons arrested by the Marin County Sheriff represent the largest number of admissions (31%) followed by San Rafael PD (17%), Novato PD (12%) and California Highway Patrol (11%)
12. Of all 8,102 releases in 2009, most were released prior to having their cases disposed of by the courts. About 21 percent exited via PTA.
13. Over half of the jail admissions are released in one day and most of these are misdemeanor level crimes, which comprise half of the jail admissions
14. Pre-trial releases averaged a LOS of 9.0 days while sentenced releases averaged 39.9 days.
15. The ADP is almost exclusively composed of either persons charged with felon (74%) or those serving a sentence for a felony crime (21%).
16. About 15% of the ADP have been diagnosed as a Mental Health care level 2 (4%) or 3 (11%).
17. A sizeable portion of the jail population are either non-US citizens (22%) or their citizenship is unverified (13.4%).
18. Only 60 percent of the jail admissions are known to be legal Marin residents. About 31 percent have no known address and another 13 percent reside outside of Marin.

## **TEN YEAR POPULATION PROJECTIONS**

19. The overall scenario for the Marin County Jail based on current trends is minimal to no growth in its jail population. The only area of potential growth lies in the demographics of the male at risk population, which is expected to grow by nearly 60% over the next 40 years.
20. But it is unclear whether this projected population, many of whom are not yet born, will actually materialize and whether they will become involved in criminal activities at the rate early cohorts have.
21. The more immediate and direct trends are a declining crime rate and fewer arrests all of which translate into a reduced number of jail admissions. The

LOS is stable at 13-14 days and most of the misdemeanors are released within one day of admission.

22. These numbers suggest that the county of doing an effective job in releasing people with low level charges and moving the cases through the courts in a timely manner as compared to other California counties.
23. In 2010, the average daily population is projected to be 275. In 2015, the ADP is estimated to grow to 290. By 2020, the Marin County jail is projected to house an average of 298 persons per day. This represents an average annual increase of 0.8 percent and is based solely on a very slight increase in admissions, which is tied to an increasing County population and at-risk population.
24. The current rated capacity of the Marin County Jail is 376, which means there is no need for expanding the jail bed capacity over the next ten years.

## **ASSESSMENT OF THE MARIN COUNTY JAIL MENTAL HEALTH CARE SYSTEM**

1. Although the jail continues to meet the minimum requirements promulgated by the California Correctional Standards Authority, there are a number of areas that should be improved upon.
2. A standardized risk assessment instrument in determining which inmates should be referred for mental health assessment by the custody staff is needed.
3. Mental health staff approaches the issue of mental health assessments in an idiosyncratic manner. Consequently, a standardized system for such assessments is needed.
4. There is a lack of formal treatment planning.
5. There is no ongoing therapeutic services to the mentally ill inmates except for medication(s).
6. There is no formal discharge planning is a serious omission that directly contributes to increased recidivism rates for mentally ill inmates. Even in a system with rapid turnover of inmates, some type of formal mental health follow-up in the community for seriously mentally ill inmates is a basic requirement of good mental health care.
7. The overwhelming majority of the patients that are on the mental health caseload are being released from the jail without being "cleared" by staff.

8. There is insufficient staff to perform the basic requirements of a competent in-custody mental health system. Also, there is no provision for “staff backup” when the staff is away from work for any reason. Based on this review of the current system, the staffing pattern could easily be doubled.
9. The jail should have a 1.0 FTE psychiatrist, the crisis specialist staff should be increased to provide 12 hours per day, 7 days per week; a FT mental health nurse; and a clerical person dedicated to support the mental health staff.
10. There also need to be an effort to recruit culturally competent Spanish-speaking staff due to the large number of monolingual, Spanish-speaking inmates.
11. Inmates requiring involuntary psychotropic medication, are now being transferred to the Santa Clara County Jail located in San Jose. This is a very expensive policy (over \$466,000 per year) which needs to re-evaluated and probably terminated.

## **I. INTRODUCTION**

This report was requested by the Marin County Sheriff's Office. There were two major objectives associated with the study. First, Marin County Sheriff's Office has requested that a new jail population projection be developed for the County. This request is due to recent concerns stemming from an escalating jail population that was occurring in 2007 and 2008. The last forecast was completed in July 2001 by conducted by the National Council on Crime and Delinquency (NCCD). NCCD forecasted that our jail facility would not reach capacity until the year 2014. However, as noted above and like many other jails in California and across the country, the current population in 2008 already exceeded the projected 2014 estimate.

It is important that this forecasting error not occur again. This occurred largely due the use of a time series regression model rather than a stochastic simulation model. Thus the primary goal here is to establish a reference or "base" population projection that is accurately mimicking current criminal justice trends and policies. However, it must also be must be capable of conducting policy simulations that can accurately mimic any number of "what-if" scenarios such as those that will be laid out in other parts of the study. And, without a highly sophisticated projection model, proper planning cannot proceed.

The second major objective was to assess the jail's mental health screening and treatment delivery system. It is common for jails to find that 20-25% of the jail admissions and the daily population have some form of a diagnosed mental problem that requires some form of treatment. The Marin Sheriff's Office was concerned that an increasing number of its bookings have such an illness and that the mental health screening procedures, staffing and treatment capabilities need to be re-evaluated.

To meet these two objectives, the JFA Institute was retained by the Sheriff's Office to perform both the population projections and the mental health system assessment. As part of the mental health system assessment, JFA retained the services of Dr. Pablo Stewart, who is a practicing psychiatrist at the University of California at San Francisco and who has considerable experience in the delivery of mental health services in adult and juvenile correctional facilities.

## **II. BACKGROUND**

A major concern about today's criminal justice costs is often tied to the issue of local jail populations. Although the nation's jail population is about one half the size of the prison population (713,000 jail inmates versus 1.4 million prisoners) the jail population and bed-space resources seem to be an ever-expanding issue within our local criminal justice system. Decision-makers need to have sound research, comprehensive analysis and reliable forecasting techniques available in order to make educated legislative and policy decisions. The time has come when just answering the question of, "What will the future jail population be?" is not enough. Decision-makers need to also answer the questions of, "What are the reasons behind the prison and jail

population growth, how will future changes affect the system, and how can I influence the forecasted population?"

The most influential factors in forecasting any correctional population are the impact of law enforcement, the courts, recently enacted sentencing laws, and other criminal justice policy choices. These factors vary from jurisdiction to jurisdiction and are usually very complex in nature. State and local criminal justice systems often vest considerable discretion in its public leaders who construct these policies and procedures. A complete understanding of these complex influences is essential to the accuracy of planning and forecasting a prison or jail population.

Jail and prison populations are the result of numbers of admissions and lengths of stay (LOS). Minor changes in either or both of these two factors can have an enormous impact on the daily or "stock" population. For example, there were approximately 8,100 admissions into the Marin County jail system in 2009. With an average length of stay of approximately 13.5 days, the daily population is estimated to be 299. If the number of admissions remained constant, but the LOS was reduced by an average of 3 days, the average daily population (ADP) would drop by 66 beds.

Conversely, if the LOS was increased by three days, the jail population would increase by the same amount. These two examples illustrate just how sensitive the jail systems are to court processing and sentencing practices. Of course, if the number of admissions increased or decreased with no change in LOS, the population would also increase or decrease, respectively. As such, a careful and comprehensive examination of the complex interplay between the various factors that affect population is crucial to understand correctional population dynamics and to be able to reasonably project future populations.

The Wizard 2000 projection software mimics the flow of persons through the county's system over a ten-year forecast horizon and produces yearly projections of the average daily population. Wizard 2000 represents a new version of the previously used Prophet Simulation model and introduces many enhancements over the Prophet Simulation model.

Because Wizard 2000 attempts to mimic the county's pretrial/court and sentencing structure and the flow of inmates to and from the jail, it must look at a wide array of data that have both a direct and indirect impact on inmate population growth. These factors can be separated into two major categories – external and internal.

*External* factors reflect the interplay of demographic, socio-economic and crime trends that produce arrests, and offenders' initial entry into the criminal justice system. Criminologists have long noted that certain segments of the population have higher rates or chances of becoming involved in crime, being arrested and being incarcerated. This is known as the "at-risk" population, which generally consists of younger males. The high crime rate ages are 15-25, while the high adult incarceration rate is between the ages of 15 and 34. When the at-risk population is expected to increase in a jurisdiction, one can also expect some additional pressure on criminal justice resources, all things being equal.

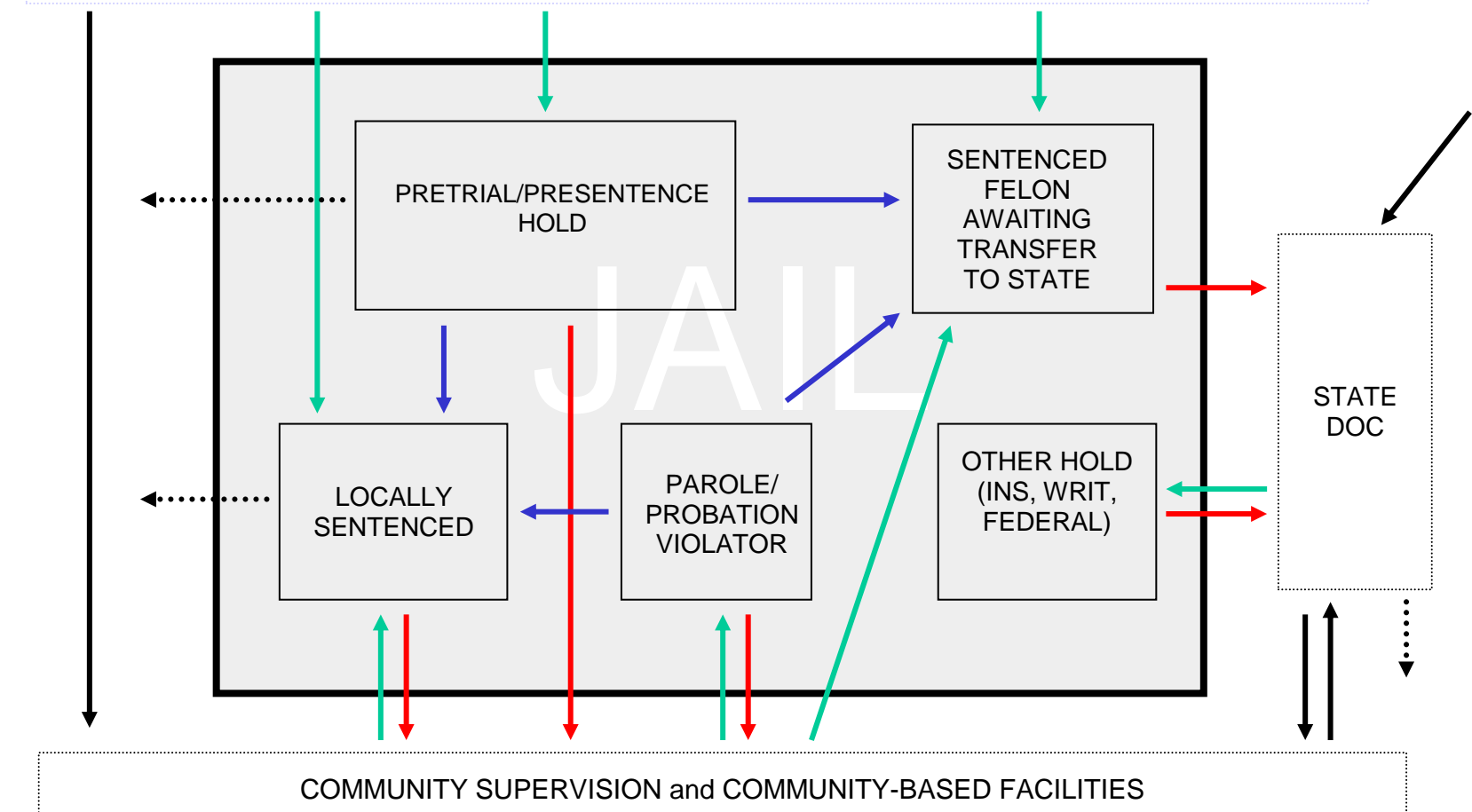
*Internal* factors reflect the various decision points within the criminal justice system that cumulatively determine jail admissions and length of stay (LOS). These decisions begin with police and end with correctional officials who, within the context of the court disposition process (for pretrial offenders) and court-imposed sentences, have the authority to release, recommit, give and restore a wide array of release paths, and offer programs that may reduce recidivism.

For example, one of the most difficult numbers to estimate is the number of jail admissions for the next five years. As suggested by Figure 1, people enter jail for four basic reasons: 1) they have been arrested and are awaiting court disposition 2) they have been directly sentenced by the courts (new court commitments); 3) they have failed to complete their term of probation and are now being sentenced to prison for a violation or new crime and are awaiting transfer to prison; or, 4) they have failed their term of parole (or post-release supervision) and are awaiting return to prison for a new crime or a technical violation. A large percentage of people moving through the criminal justice system are those who have failed to complete probation or parole. A complete projection model thus should have a “feedback loop” that captures the relative rate of community supervision failures. Since each justice system has a unique set of policies, the model developed for each system must take into account the appropriate sentencing laws and court practices.

The model designed and utilized for Marin County Jail system took into account a number of factors and offender classifications including: gender, committing crime, legal status, bail status and special needs of the offender. Data in this report is presented along two main divisions: (1) aggregate inmate counts as reported by the Sheriff’s office used for historical trends, and (2) statistical analysis of a detailed individual level 2009 release extract data file.

Although the data for both analysis divisions are essentially generated from the same source, the reader will see a much more in-depth presentation of the one year extract file because it represents the baseline for all future populations. It is also important to note the analysis provided on the 2009 extract files is not a sample and represents all offenders processed and released in the Marin County Jail in 2009.

**Figure 1: Demographics, Crime Rates, Arrests, Convictions**



- LEGEND**
- Into Jail
  - Within Jail
  - Out of Jail (in CJS)
  - ⋯ Out of CJS
  - Other

### III. EXTERNAL TRENDS IN MARIN COUNTY

**Significant Finding:** *The Marin County resident population has grown at a rate slightly below that of California as a whole. From 2000 to 2008, the county's population has increased by only 0.5 percent, compared to the state of California, which increased by 8.1 percent.*

**Significant Finding:** By 2020 the county's population is projected to increase another 4.6 percent or about 0.3 percent a year. Defined as males ages 15-34, the "at-risk" population in Marin County is forecasted to increase at a much faster rate – 21.2 percent overall between 2010 and 2020 at an average of 2.1 percent per year.

**Significant Finding:** Marin's crime rate of 2,368 per 100,000 residents is well below the overall state rate of 3,557. In essence Marin has a very low crime rate. Furthermore the crime rate and especially the violent crime rate has steadily dropped over the past 10 years.

**Significant Finding:** Between 1998 and 2007, adult felony arrests decreased by an average of 0.3 percent per annum.

**Significant Finding:** Since 1998, county court adult felony dispositions have increases only slightly by an average of 0.5 percent per year. Convictions have increased between 1998 and 2007 by 1.7 percent per year. Sentences to probation with jail have increased by an annual average of 3.2 percent since 1998 but data for the past several years indicate that this trend is slowing significantly.

#### County Population

Table 1 below provides resident population estimates for Marin County and the state of California as a whole. Table 2 details projections for Marin County's resident populations through 2050 by decade.

Since 2000, California's state resident population growth has been the nineteenth fastest in the country. Between 2004 and 2008, the state's resident population has grown by 3.2 percent overall and by an average of 0.8 percent per year. At mid-year 2008, the Marin County resident population represented only 0.7 percent of California's overall population. Marin County's resident population has grown much slower than the state's overall, increasing from 247,597 persons in 2000 to 248,794 in 2008, an overall growth of just 0.5 percent.

Future projections of the county's population, available from the county, predict the resident population to increase by 21.4 percent overall between 2010 and 2050, by an average of 0.1 percent every year or 5.1 percent per decade. Table 3 details the projected population growth of the at-risk population -- those who are most likely to

become involved in criminal activities, arrested and admitted to the jail system. Defined as males ages 18-44, the at-risk population in Marin County is forecasted to increase at a faster rate – 59.1 percent overall at an average of 12.6 percent every ten years or 0.3 percent per annum . These demographic estimates suggest a slight but steady pressure on the number of persons being arrested and admitted to the jail population over the next several decades. The fact that the at risk population is not growing at the same pace as the total county population would suggest an aging effect meaning that most of the growth is occurring for persons younger than 34 years. If true, this would suggest a slightly elevated crime rate as younger persons are more likely to be involved in criminal activity.

**TABLE 1  
MARIN COUNTY & CALIFORNIA RESIDENT POPULATION TRENDS  
2000-2008**

<b>Year</b>	<b>Marin County Population</b>	<b>Marin Age 18-69</b>	<b>California Population</b>
2000	247,597	172,600	33,998,767
2001	248,032	173,000	34,507,030
2002	246,483	173,700	34,916,495
2003	245,281	174,300	35,307,398
2004	244,036	174,900	35,629,666
2005	244,520	175,600	35,885,415
2006	245,228	176,300	36,121,296
2007	246,932	172,800	36,377,534
2008	248,794	172,800	36,756,666
% Change 2000-2008	0.5%	0.1%	8.1%
Avg. % Change 2000-2008	0.1%	0.0%	1.0%
% Change 2007-2008	0.8%	0.0%	1.0%

*Source: US Census Bureau*

**TABLE 2  
MARIN COUNTY DEMOGRAPHIC PROJECTIONS 2010-2050**

<b>Year</b>	<b>Total</b>	<b>Male</b>	<b>Female</b>	<b>Males Ages 15-34</b>
2010	253,682	125,419	128,263	30,076
2020	260,305	127,855	132,450	36,454
2030	273,151	133,383	139,768	37,114
2040	287,153	140,119	147,034	40,541
2050	307,868	150,932	156,936	47,864
% Change 2010-2050	21.4%	20.3%	22.4%	59.1%
Avg. Annual % Change 2010-2050	0.1%	0.1%	0.1%	0.3%

*Source: California State Demographer*

## Crime and Arrests

Crime rates for California, as discussed in this section, refer to serious crimes reported to law enforcement agencies to the FBI's UCR data systems. All of the data are presented as rates per 100,000, which controls for the demographic increases noted earlier. The UCR Index consists of eight crimes that are separated into crimes of violence (murder, rape, robbery, and assault) and property crimes (burglary, theft, motor vehicle theft and arson). Marin County crime data were provided by the California Department of Justice (CDOJ), the Bureau of Criminal Information and Analysis, and the California Criminal Justice Statistics Center.

Although there has been no strong or consistent association between crime rates and jail admissions, observing these rates can provide some anecdotal evidence that allows insight into county jail admission trends. However, these data are by no means an accurate reflection of increasing or decreasing pressures on the county's criminal justice system. Several handicaps make crime data unreliable. For example, neither the UCR index nor the CDOJ index account for two of the major crime categories for which people are admitted to jail – drug and alcohol related crimes.

The crime data in Table 3 displays reported county violent and property crimes with the addition of a separate larceny category. Overall, serious violent crime has declined between 1998 and 2008 by 37 percent. Property crime in the county decreased at a slower pace than reported violent crimes, falling by 11 percent between 1998 and 2008. The reported 'larceny and theft \$400 and under' fluctuated with no discernable pattern. Total reported crime in the county decreased by 19 percent between 1998 and 2008.

This was slightly slower than California's decrease of 23.6 percent during the same time frame. However, Marin's crime rate of 2,368 per 100,000 residents is well below the overall state rate of 3,556. In essence Marin has a very low crime rate.

There is a much stronger relationship between arrests and the number of persons admitted to a jail system since such a high proportion of such arrests result in a jail booking. Tables 4 and 5 detail adult felony arrests in the county and all misdemeanor arrests in Marin respectively. Overall felony arrests and the felony arrest rate fell by about 8-9 percent. Male felony arrests between 1998 and 2008 decreased by 13 percent while female felony arrests decreased by six percent. In terms of the types of crimes, violent arrests have been stable while property and drug arrests declined slightly. There was a large decline in what is referred to as "other" crime arrests (29%).

The more numerous misdemeanor arrests have fallen by 6.1 percent from 5,191 in 1999 to 4,874 in 2008. Male misdemeanor arrests declined by 9 percent while female arrests increased by 7 percent.

**TABLE 3  
HISTORICAL MARIN COUNTY CRIME RATES: 1998-2007**

Year	Violent	Property	Larceny-Theft \$400 and under	Total*	California**
1998	339.6	1,325.3	1,074.7	2,739.6	4,342.8
1999	310.9	1,146.7	988.7	2,446.3	3,805.0
2000	256.7	1,151.5	940.4	2,348.6	3,739.7
2001	233.0	1,406.2	980.7	2,619.9	3,893.2
2002	193.1	1,282.6	1,018.9	2,494.6	3,956.6
2003	221.3	1,447.1	1,085.9	2,754.3	4,006.0
2004	196.9	1,370.3	1,067.6	2,634.8	3,970.8
2005	202.6	1,454.4	989.7	2,646.7	3,846.2
2006	250.8	1,324.6	1,010.6	2,586.0	3,743.4
2007	257.5	1,204.4	906.4	2,368.3	3,555.6
2008	212.4	1,177.5	1,291.7	2,207.4	3,320.0
% Change 1998-2008	-37.4%	-11.1%	+20.2%	-19.4 %	-23.6 %

Source: <http://ag.ca.gov/cjsc/datatabs.php>

\*Total for categories listed only (excludes arson)

\*\*Source: FBI UCR data

**TABLE 4  
HISTORICAL MARIN COUNTY ADULT FELONY ARRESTS: 1998-2008**

Year	Male	Female	Violent	Property	Drug	Sex	Other	Total	Rate per 100,000 Residents
1998	1,291	375	461	415	452	26	312	1,666	972.0
1999	1,211	412	469	449	363	19	323	1,623	942.5
2000	1,106	396	436	414	306	22	324	1,502	870.2
2001	1,192	373	441	435	302	28	359	1,565	904.6
2002	1,138	396	440	398	301	20	375	1,534	883.1
2003	1,269	384	481	413	368	18	373	1,653	948.4
2004	1,311	400	520	397	370	19	405	1,711	978.3
2005	1,252	398	458	431	382	25	354	1,650	939.6
2006	1,274	375	477	408	478	37	249	1,649	935.3
2007	1,273	328	441	426	470	38	226	1,601	926.5
2008	1,117	351	463	387	427	28	223	1,528	884.3
% Change	-13%	-6%	0%	-7%	-6%	+7%	-29%	-8%	-9%

Source: <http://ag.ca.gov/cjsc/datatabs.php>

**TABLE 5  
HISTORICAL MARIN COUNTY TOTAL MISDEMEANOR ARRESTS: 1999-2008**

<b>Year</b>	<b>Male</b>	<b>Female</b>	<b>Total</b>	<b>Rate per 100,000 Residents</b>
1999	4,205	986	5,191	3,015
2000	3,707	966	4,673	2,707
2001	3,825	1,127	4,952	2,862
2002	3,739	973	4,712	2,713
2003	3,670	1,016	4,686	2,689
2004	3,701	1,087	4,788	2,738
2005	3,568	1,095	4,663	2,656
2006	3,392	1,049	4,441	2,519
2007	3,870	1,047	4,917	2,846
2008	3,817	1,057	4,874	2,821
% Change	-9.2 %	7.2%	-6.1 %	-6.4 %

Source: <http://ag.ca.gov/cjsc/datatabs.php>

\*Note: all categories include juvenile arrests

### **Court Data**

Another influential factor on jail population trends is court policies and practices. Jail populations are highly influenced by the flow of pretrial offenders and transfers to prison. As shown in Table 6, since 1998, county court adult felony dispositions have declined by 14 percent but with most of the drop occurring after 2003. Convictions increased until 2003 and have since declined. Sentences to probation with jail have shown a similar pattern.

Law enforcement arrest dispositions for both felony and misdemeanor arrests have declined between 1999 and 2008 by an annual average of 0.6 percent and 0.5 percent respectively (Table 7).

**TABLE 6**  
**HISTORICAL MARIN ADULT FELONY COUNTY DISPOSITIONS: 1998-2008**

Year	All Dispositions	Court Dispositions	Convicted	Sentenced to Probation w/ Jail	Sentenced to Jail
1998	1,418	1,231	852	630	13
1999	1,195	1,015	724	536	11
2000	1,230	1,044	772	575	9
2001	1,125	961	696	491	5
2002	1,318	1,143	879	519	10
2003	1,832	1,615	1,306	632	12
2004	1,770	1,572	1,278	606	19
2005	1,423	1,260	983	558	4
2006	1,248	1,227	989	563	15
2007	1,308	1,266	954	553	21
2008	1,213	1,074	759	516	17
% Change 1998-2008	-14.4%	-12.8%	-10.9%	-18.1%	30.8%

Source: <http://ag.ca.gov/cjsc/datatabs.php>

**TABLE 7**  
**HISTORICAL MARIN LAW ENFORCEMENT ARREST DISPOSITIONS: 1999-2008**

Year	Felony Arrest Dispositions	Misd. Arrest Dispositions
1999	1,623	5,191
2000	1,502	4,673
2001	1,565	4,952
2002	1,534	4,712
2003	1,653	4,686
2004	1,711	4,788
2005	1,650	4,663
2006	1,649	4,441
2007	1,601	4,917
2008	1,528	4,874
% Change 1999-2008	-5.9%	-6.1%
Avg. % Change 1999-2008	-0.6%	-0.5%

Source: <http://ag.ca.gov/cjsc/datatabs.php>

## Putting Population, Crime, Arrest and Court Data Together

The decline in crime and especially violent crime has occurred as Marin's resident population has seen limited and controlled growth. Marin's crime rate has declined and is well below the overall state rate.

The decline in crime seems to be directly reflected in the decreases in adult arrests and court dispositions. In general there appears to be no reason to expect higher crime rates and subsequent arrests over the next two decades under current criminal justice policies. The only concern would be the projected increase in the county population and its at-risk population. But that the very present this increase is not having a significant impact on the criminal justice system.

### IV. JAIL POPULATION TRENDS

**Significant Finding:** *The Average Daily Population (ADP) for the Marin County Jail has decreased by an average of 3.9 percent per year since 2005.*

**Significant Finding:** *The vast majority of the ADP are either pretrial felons (74%) or people who have been sentenced to the jail for a felon (21%).*

**Significant Finding:** *The overall length of stay for the 8,100 admissions and releases is 13.5 days, which is quite low for most jails, and about half are released within one day.*

**Significant Finding:** *On January 20, 2010 the average time served of the 277 detainees in the county jail was 93 days.*

**Significant Finding:** *Over half of persons detained in the jail on the point in time date were arrested by the Marin County Sheriff's office and had been held an average of 104.9 days.*

Table 8 presents historical December ADP for the County jail from 2005 to 2009. Tables 9 and 10 provide data on the jail population as of January 20, 2010. This snapshot of the jail population provides a baseline of jail population demographics.

## **Attributes of the Average Daily Population**

- Just under 74 percent of the jail population on Jan. 20, 2010 was a pre-trial felony detainee. This group averaged a time in jail of 105.5 days. A majority of this group was charged with an 'other violent' crime and had averaged a time in jail of 147.8 days.
- Pre-trial felony detainees charged with a drug offense made up 9.7 percent of the jail population and averaged jail time of 38.6 days.
- Sentenced detainees made up 24.2 percent of the jail population and had averaged a time served of 61.7 days.
- 138 or 49.8 percent of jail detainees were held in medium custody. Mental health detainees accounted for 14.8 percent of the jail population.
- Males accounted for 89.2 percent of the detained population and averaged jail time of 95.2 days. Females averaged jail time of 76.6 days.
- Over 94 percent of the jail population was charged with a felony.
- 62 (22.4 percent) of the jail population were non-US citizens that had been held an average of 87.0 days.
- Persons under the age of 34 accounted for 53.2 percent of the jail population.
- A sizeable portion of the jail population are either non-US citizens (22%) or their citizenship is unverified (13.4%). This is significant in two ways. First it reflects the high proportion of Hispanics in the jail population (26%) which has a high proportion of the non-US population. Second, as the current economic recession lingers, its has an indirect impact on the size of the illegal immigrant population and those who are arrested and detained in the jail. While not verified, the recession may be having the indirect effect of lowering the jail population.

**TABLE 8  
HISTORICAL MARIN COUNTY JAIL DECEMBER ADP 2005-2009**

Year	Male			Female			Total		
	Sentenced	Pre-trial	Total	Sentenced	Pre-trial	Total	Sentenced	Pre-trial	All
2005	16	260	276	4	40	44	20	300	320
2006	49	224	273	9	32	41	58	256	314
2007	41	224	265	5	27	32	46	251	297
2008	49	183	232	13	15	28	62	198	260
2009	55	188	243	8	20	28	63	208	271
% Change 2005-2009	-	-27.7%	-12.0%	-	-50.0%	-36.4%	-	-30.7%	-15.3%
Avg. % Change 2005-2009	55.4%	-7.4%	-2.9%	50.5%	-11.7%	-10.3%	51.4%	-8.2%	-3.9%

*Source: Marin County Sheriff's Dept.*

**TABLE 9  
JAIL POPULATION DEMOGRAPHICS  
JAN. 20, 2010**

Demographic	N	%	Time in Jail (days)	Demographic	N	%	Time in Jail (days)
<b>Base</b>	<b>277</b>		<b>93.0</b>	<b>Base</b>	<b>277</b>		<b>93.0</b>
Arresting Agency				Race			
Other	30	10.8%	65.4	Black	70	25.3%	123.6
CHIPs	12	4.3%	130.3	Hispanic	71	25.6%	91.0
INS	17	6.1%	55.7	White	120	43.3%	68.8
Novato PD	21	7.6%	95.7	Other	16	5.8%	59.0
Marin Sheriff	138	49.8%	104.9	Legal Status			
San Rafael PD	58	20.9%	80.0	Sentenced	67	24.2%	61.7
Probation	1	0.4%	106.6	Pre-trial	210	75.8%	103.5
Sex				Classification Level			
Female	30	10.8%	76.6	Ad Seg	17	6.1%	108.1
Male	247	89.2%	95.2	Minimum	38	13.7%	51.0
Current Age				Medium	138	49.8%	95.1
19 & younger	11	4.0%	63.6	Maximum	11	4.0%	113.3
20-24	50	18.1%	89.6	Mental health2	10	3.6%	23.5
25-29	49	17.7%	90.6	Mental health3	31	11.2%	151.7
30-34	37	13.4%	125.9	Other	4	1.5 %	1.0
40-44	32	11.6%	91.3	Protective custody	21	7.6%	108.1
45-49	30	10.8%	64.2	Medical	8	2.9%	32.4
50-59	26	9.4%	57.2	Citizenship			
60 and older	4	1.4%	187.0	US	178	64.3%	80.7
Charge Level				Non-US	62	22.4%	87.0
Misdemeanor	16	5.8%	18.8	Unknown	37	13.4%	163.2
Felony	261	94.2%	97.0				

*Source: Marin County Sheriff's Dept.*

**TABLE 10  
JAIL POPULATION BY MOST SERIOUS OFFENSE  
JAN. 20, 2010**

<b>Offense Class</b>	<b>N</b>	<b>%</b>	<b>Time in Jail (days)</b>
Pretrial Felony	204	73.6%	105.5
Other violent	61	22.0%	147.8
Assault/battery	17	6.1%	260.7
Drug	27	9.7%	38.6
Burglary	21	7.6%	73.0
Theft/fraud/forgery	11	4.0%	58.1
Other property	11	4.0%	30.6
DUI	8	2.9%	66.3
Other non-violent	14	5.1%	65.9
INS	17	6.1%	55.7
Probation Violation	12	4.3%	42.6
Unclassified	5	1.8%	276.7
Pretrial Misdemeanor	6	2.2%	5.2
Total Pretrial	210	75.8%	103.5
Sentenced Felony	57	20.6%	67.6
Other violent	18	6.5%	98.6
Assault/battery	4	1.4%	39.8
Drug	12	4.3%	66.3
Burglary	5	1.8%	72.8
Theft/fraud/forgery	7	2.5%	47.9
Other property	1	0.4%	43.5
DUI	2	0.7%	51.0
Other non-violent	6	2.2%	34.8
INS	0	0.0%	-
Probation Violation	0	0.0%	-
Unclassified	2	0.7%	34.3
Sentenced Misdemeanor	10	3.6%	67.6
Total Sentenced	67	24.2%	61.7

*Source: Marin County Sheriff's Dept.*

## V. JAIL ADMISSION AND RELEASE TRENDS 2009

**Significant Finding:** In 2009, there approximately 8,100 admissions and releases from the Marin County. The average length of stay (LOS) of 13.5 days, which is quite low, compared to other jail systems.

**Significant Finding:** Among arresting agencies, persons arrested by the Marin County Sheriff represent the largest number of admissions (31%) followed by San Rafael PD (17%), Novato PD (12%) and California Highway Patrol (11%)

**Significant Finding:** Over half of the jail admissions are released in one day and most of these are misdemeanor level crimes, which comprise half of the jail admissions

**Significant Finding:** Of all 8,102 releases in 2009, 20.5 percent exited via PTA.

**Significant Finding:** Pre-trial releases averaged a LOS of 9.0 days while sentenced releases averaged 39.9 days.

As noted earlier, the other major factors that drive a jail's population are admissions and the average length of stay (or ALOS). The ALOS for all demographics and crime groups for this brief were calculated using an electronic data extract file of all admission and release events in 2009. Table 11 details general demographics of the 2009 release population. Tables 12 and 13 provide the average LOS by the most serious charge filed for each release event in 2009. Table 14 provides a breakdown of releases by length of stay

### Demographics of Admissions and Releases

- Among arresting agencies, persons arrested by the Marin County Sheriff represent the largest number of admissions (31%) followed by San Rafael PD (17%), Novato PD (12%) and California Highway Patrol (11%)
- "Time served" releases accounted for 13.1 percent of 2009 releases and averaged a LOS of 44.1 days.
- Persons released via bail had an ALOS of 2.4 days. Persons released via PTA averaged a jail stay of less than 12 hours.
- Overall, males released in 2009 averaged a LOS of 14.9 days while females averaged 8.7 days.
- 51.0 percent of releases in 2009 were under the age of 34. Persons age 35-39 averaged the longest jail stay in 2009, 17.5 days.

- Persons charged with felony crimes made up 48.2 percent of releases in 2009 while misdemeanor comprised 51.4 percent.
- As shown below, only 60 percent of the jail admissions are known to be legal Marin residents. About 31 percent have no known address and another 13 percent reside outside of Marin.

<b>Residence</b>	<b>Non-US</b>	<b>US</b>	<b>Unknown</b>	<b>Total</b>
Not Marin	9.3%	60.3%	30.4%	100.0%
Marin Total	14.2%	54.7%	31.1%	100.0%
Central Marin	18.1%	49.8%	32.1%	100.0%
North Marin	13.6%	53.8%	32.6%	100.0%
West Marin	4.1%	72.1%	23.8%	100.0%
South Marin	4.5%	68.8%	26.7%	100.0%
Total All	12.5%	56.7%	30.8%	100.0%

### **Charge & Legal Status**

- Felony drug cases made up 11.4 percent of pre-trial releases in 2009. This group averaged a LOS of 16.0 days. Probation violation cases accounted for 5.8 percent of pre-trial felony cases and had an ALOS of 11.3 days. 'Other violent' (all violent crimes excepting assault and battery) cases comprised 8.2 percent of felony pretrial releases and averaged a jail stay of 23.5 days. Felony, pre-trial assault and battery cases had an ALOS of 26.2 days.
- DUI charges comprised the majority of pre-trial misdemeanor cases. This group averaged a LOS of less than 12 hours. This group made up 21.6 percent of all pre-trial releases in 2009.
- 'Other violent' sentenced felony cases comprised 11.6 percent of sentenced releases and had an ALOS of 94.5 days. Felony drug cases comprised 12.6 percent of all sentenced releases and averaged a jail stay of 64.5 days. Felony burglary cases made up 6.8 percent of all 1,184 sentenced releases and had an ALOS of 81.5 days.
- The majority of sentenced releases in 2009 were DUI misdemeanor offenders that averaged a LOS of 6.8 days.
- The majority of persons held in the Marin county jail in 2009 (51.4 percent) averaged a stay in the jail of 1 day or less. Just fewer than 11 percent of all releases in 2009 averaged a LOS of over 30 days.

**TABLE 11  
ADMISSION AND RELEASE DEMOGRAPHICS**

Demographic	N	%	LOS (days)	Demographic	N	%	LOS (days)
<b>Base</b>	<b>8,102</b>		<b>13.5</b>	<b>Base</b>	<b>8,102</b>		<b>13.5</b>
Arresting Agency				Race			
Other	1,587	19.6%	7.7	Black	1,023	12.6%	21.4
CHIPs	874	10.8%	3.4	Hispanic	1,973	24.4%	17.4
INS	461	5.7%	15.8	White	4,743	58.5%	10.6
Novato PD	952	11.8%	10.6	Other	363	4.5%	5.2
Marin Sheriff	2,468	30.5%	22.9	Legal Status			
San Rafael PD	1,392	17.2%	14.2	Sentenced	1,184	14.6%	39.9
Probation	368	4.5%	1.9	Pre-trial	6,918	85.4%	9.0
Sex				Classification Level			
Female	1,779	22.0%	8.7	Ad Seg	228	2.8%	53.6
Male	6,323	78.0%	14.9	Gen pop	2,247	27.7%	51.9
Age at Release				Mental health <sup>2</sup>	108	1.3%	25.6
19 & younger	398	4.9%	7.6	Mental health <sup>3</sup>	175	2.2%	20.2
20-24	1,407	17.4%	12.0	Mental health <sup>4</sup>	1	0.0%	730.0
25-29	1,319	16.3%	14.0	No risk	1,314	16.2%	7.9
30-34	1,006	12.4%	16.4	Risk	703	8.7%	17.6
35-39	957	11.8%	17.5	Not classified	3,290	40.6%	1.0
40-44	890	11.0%	14.3	Release Type			
45-49	866	10.7%	14.3	Other	1,316	16.2%	10.0
50-59	952	11.8%	11.2	Adult work program	610	7.5%	1.1
60 and older	235	2.9%	6.8	Transfer	979	12.1%	30.7
Unknown	72	0.9%	-	Time served	1,062	13.1%	44.1
Charge Level				Bail	1,520	18.8%	2.4
Other	31	0.4%	13.5	Court ordered	712	8.8%	16.5
Misdemeanor	4,168	51.4%	2.2	County parole	240	3.0%	18.8
Felony	3,903	48.2%	25.8	PTA	1,663	20.5%	0.4

*Source: Marin County Sheriff's Dept.*

**TABLE 12  
PRETRIAL RELEASES BY MOST SERIOUS OFFENSE**

<b>Offense Class</b>	<b>N</b>	<b>%</b>	<b>Avg. LOS (days)</b>
Pretrial Felony	3,300	47.7%	17.8
Other violent	567	8.2%	23.5
Assault/battery	116	1.7%	26.2
Drug	791	11.4%	16.0
Burglary	235	3.4%	29.7
Theft/fraud/forgery	255	3.7%	10.8
Other property	135	2.0%	13.2
DUI	55	0.8%	16.7
Other non-violent	203	2.9%	16.3
INS	507	7.3%	16.2
Traffic	3	0.0%	35.9
Probation Violation	403	5.8%	11.3
Unclassified	30	0.4%	62.2
Pretrial Misdemeanor	3,618	52.3%	1.0
Other violent	114	1.6%	1.7
Assault/battery	218	3.2%	2.4
Drug	231	3.3%	1.9
Burglary	6	0.1%	4.2
Theft/fraud/forgery	112	1.6%	1.0
Other property	85	1.2%	4.3
DUI	1,496	21.6%	0.4
Other non-violent	260	3.8%	2.1
Traffic	444	6.4 %	0.5
Public intoxication	608	8.7%	0.4
Unclassified	44	0.6%	1.9
Total Pretrial	6,918	100.0%	9.0

*Source: Marin County Sheriff's Dept.*

**TABLE 13  
SENTENCED RELEASES BY MOST SERIOUS OFFENSE**

<b>Offense Class</b>	<b>N</b>	<b>%</b>	<b>Avg. LOS (days)</b>
Sentenced Felony	604	51.0%	69.1
Other violent	137	11.6%	94.5
Assault/battery	34	2.9%	78.7
Drug	149	12.6%	64.5
Burglary	81	6.8%	81.5
Theft/fraud/forgery	73	6.2%	52.0
Other property	39	3.3%	50.3
DUI	30	2.5%	40.5
Other non-violent	22	1.9%	34.1
Probation Violation	10	0.8%	67.8
Unclassified	29	2.4%	53.9
Sentenced Misdemeanor	580	49.0%	9.9
Other violent	12	1.0%	38.1
Assault/battery	21	1.7%	32.3
Drug	36	3.0%	18.5
Burglary	2	0.2%	31.5
Theft/fraud/forgery	12	1.0%	4.5
Other property	29	2.4%	10.2
DUI	297	25.1%	6.8
Other non-violent	58	4.8%	11.6
Traffic	88	7.5%	7.8
Public intoxication	25	2.1%	6.4
Total Sentenced	1,184	100.0%	39.9

*Source: Marin County Sheriff's Dept.*

**TABLE 14  
MARIN COUNTY JAIL  
RELEASES BY LENGTH OF STAY (DAYS) 2009**

<b>Length of Stay</b>	<b>N=8,102</b>	<b>%</b>
1 day or less	4,165	51.4%
2 days	651	8.0%
3 days	368	4.5%
4 days	359	4.4%
5 days	247	3.0%
6 days	183	2.3%
7 days	168	2.1%
8 days	115	1.4%
9 days	74	0.9%
10 days	106	1.3%
11 days	83	1.0%
12 days	49	0.6%
13 days	96	1.2%
14 days	55	0.7%
15 days	51	0.6%
16-20 days	235	2.9%
21-25 days	118	1.5%
26-30 days	104	1.3%
Over 30 days	875	10.8%

**V. MARIN COUNTY JAIL POPULATION PROJECTIONS**

The overall scenario for the Marin County Jail based on current trends is minimal to no growth in its jail population. The only area of potential growth lies in the demographics of the male at risk population, which is expected to grow by nearly 60% over the next 40 years. But it is unclear whether this projected population, many of whom are not yet born, will actually materialize and whether they will become involved in criminal activities at the rate early cohorts have.

The more immediate and direct trends are a declining crime rate and fewer arrests all of which translate into a reduced number of jail admissions. The LOS is stable at 13-14 days and most of the misdemeanors are released within one day of admission. These numbers suggest that the county is doing an effective job in releasing people with low level charges and moving the cases through the courts in a timely manner as compared to other California counties.

Based on these trends, a “base” ten year projection is summarized in Tables 15 and 16. Using the trend data and detailed admission and release data, the JFA Wizard

model estimated the Marin County Jail population for December 2009 to be 271 persons, which is very close to the actual population of 270. In 2010, the average daily population is projected to be 275. In 2015, the ADP is estimated to grow to 290. By 2020, the Marin County jail is projected to house an average of 298 persons per day. This represents an average annual increase of 0.8 percent and is based solely on a very slight increase in admissions, which is tied to an increasing County population and at-risk population.

Presented in Table 16 is a “high” peaking factor alternative forecast, which takes into account seasonal fluctuations in the daily population, which can cause peaking in the ADP. This number is higher than the base projection but should be used to determine if the jail will have sufficient capacity to manage such fluctuations. As shown in Table 17, the peaking effect ranged from 5 to 14%.

Given that the current bed capacity for the jail is 376, under either scenario there will be sufficient bed capacity to safely manage the projected jail population over the next ten years.

**TABLE 15  
MARIN COUNTY JAIL  
TOTAL PROJECTED ADP 2010-2020**

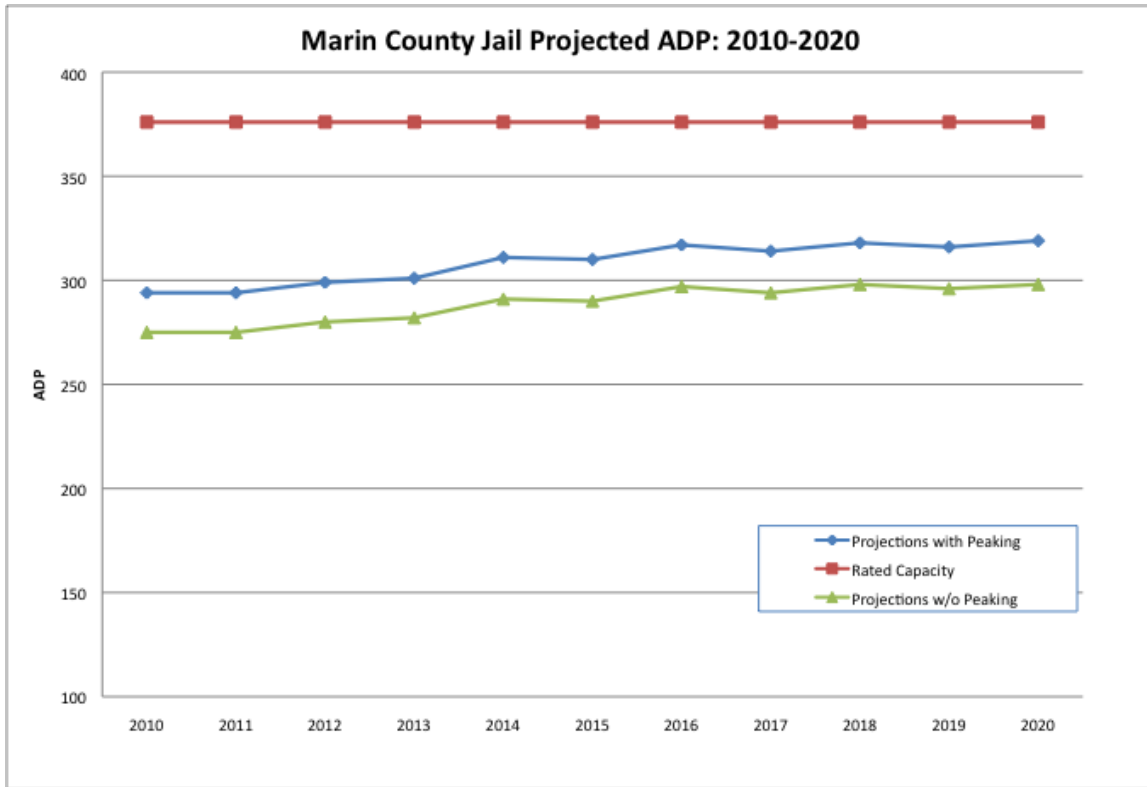
Year	Female			Male			Total		
	Pre-trial	Sentenced	Total	Pre-trial	Sentenced	Total	Pre-trial	Sentenced	Total
2010	21	9	30	191	54	245	212	63	275
2011	23	10	33	185	57	242	208	67	275
2012	22	10	32	189	59	248	211	69	280
2013	24	11	35	187	60	247	211	71	282
2014	25	11	36	191	64	255	216	75	291
2015	26	12	38	190	63	253	216	75	290
2016	25	12	37	198	62	260	223	74	297
2017	25	13	38	198	59	257	223	71	294
2018	26	12	38	196	64	260	222	76	298
2019	24	14	38	194	64	258	218	78	296
2020	25	12	37	197	64	261	222	76	298
Avg. % change 2010-2020	1.9%	3.4%	2.3%	0.3%	1.8%	0.7%	0.5%	2.0%	0.8%

**TABLE 16  
MARIN COUNTY JAIL  
PROJECTED ADP WITH PEAKING FACTOR**

Year	Female			Male			Total		
	Pre-trial	Sentenced	Total	Pre-trial	Sentenced	Total	Pre-trial	Sentenced	Total
2010	22	10	32	204	58	262	226	67	294
2011	25	11	35	197	61	258	222	72	294
2012	23	11	34	202	63	264	225	73	299
2013	25	12	37	200	64	264	225	76	301
2014	27	12	39	204	68	272	231	80	311
2015	27	13	40	203	67	270	230	80	310
2016	27	13	40	211	66	277	238	79	317
2017	27	13	40	211	62	274	238	76	314
2018	28	13	41	209	69	278	237	81	318
2019	26	15	40	207	68	276	233	83	316
2020	27	13	40	210	68	279	237	82	319
Avg. % change 2010-2020	1.9%	3.4%	2.3%	0.3%	1.8%	0.7%	0.5%	2.0%	0.8%

**TABLE 17  
HISTORICAL DECEMBER ADP AND PEAKING FACTOR**

Year	Total	Avg. of Monthly ADP*	Peaking Factor for ADP
2005	320	272	13.9%
2006	314	282	5.0%
2007	297	275	5.6%
2008	260	273	8.9%
2009	271	267	8.4%



**VI. Assessment of the Mental Health Care System in the Marin County Jail**

This assessment was conducted over a two-month period, which included two visits to the Jail. While on site, we toured the facility and interviewed custody and mental health staff. Capt. David Augustus, accompanied JFA on both of the visits. We were able to arrive at a comprehensive assessment of the Jail’s mental health system from these two visits due to relatively small size of the Jail population. A draft report was issued which then resulted in follow-up meetings to discuss its content with Capt. Augustus and Marin County mental health staff (Hank McKenzie, Bruce Gurganus, Marsha Grant, and Larry Jacobs). Finally, the Chief of Detention Nursing, Marsha Grant, RN as well as the community mental health psychiatrist, Peter Vaughey, MD, who is currently assigned to the jail were then re-interviewed.

We also reviewed the latest audit conducted by California’s Corrections Standard Authority (CSA). That report found that the jail was in compliance with its own written policies and procedures. However, the report noted that regular audits be conducted to ensure these standards were being met.

Finally at the suggestion of the mental health staff we received information on the mental health staffing levels at the Napa County jail where houses a slightly smaller but comparable jail population

Based on all of this information, our view is that while minimum standards are being met, the mental health system is deficient in a number of areas and does not meet “best practices”. The basis for this conclusion is outlined below.

## **A. Overview of the Mental Health Services**

Referrals to the mental health system occur in a variety of ways. All inmates are screened for mental health issues at booking. This screening includes the inmate being asked a variety of medically oriented questions by the custody staff. The questions consist of inquiring about mental health treatment including medications, substance abuse history and suicidality. The inmates then are asked a variety of classification questions by the custody staff. These classification questions are recorded in a computer database and become part of the inmates’ custody records. In addition, the booking staff closely observes the inmate’s behavior during the entire booking process.

The custody staff then informally integrates all of this data to determine whether an inmate requires a referral to mental health. If the custody staff determines that the inmate requires a referral to mental health, the inmate is placed at a level 3 (highest level) and housed by themselves until they are seen by mental health. At no time in the booking process does staff utilize a standardized risk assessment instrument to determine if a particular inmate should be referred to mental health.

Booking is not the only source for referrals to mental health. The nursing staff is very active in making referrals to mental health. Please note, however, that although many of the nurses have mental health experience, none of them are designated as “mental health nurses.” Their making referrals to mental health are done in addition to their normal duties. Custody staff can also make referrals after the booking process is completed. That is, the custody staff can and do refer individual inmates to mental health at any time during their incarceration. The District Attorney, Public Defender, the Court and Probation can also request a referral for a particular inmate. The inmate’s family or the inmate himself can also request a referral to mental health.

After an inmate is referred to mental health, a formal assessment may or may not take place. Due to the large volume of referrals and the scarcity of mental health staff, face-to-face assessments do not always occur. That is, staff will often conduct a chart review to determine if follow up mental health care is required. The staff does not utilize a standardized assessment instrument when an inmate does receive a formal mental health assessment. Rather, these assessments are recorded in the medical record in the form of a progress note. No formal treatment planning occurs. The “treatment plan” is just what is recorded in the progress note. It is important to note that due to the large number of referrals and the scarcity of mental health staff, inmates are routinely not seen for several days after being referred. The custody staff does report, however, that mental health staff is “responsive to their referral requests.”

Upon completion of a mental health assessment, an inmate is placed in a level (1 through 3 with 3 being the most restrictive) and can be referred to the psychiatrist for

medication follow up. The psychiatrist is only available for 4, ½ days per week and is mainly involved in medication management. Staff was unable to provide a list of inmates who were currently prescribed psychotropic medications. The psychiatrist does not routinely get involved in the care of the mentally ill inmates who are not prescribed medications. This does occur, however, when there is a lapse in crisis staff coverage. That is, there are times when the psychiatrist is the only mental health staff in the jail. At those times, he is often called to the booking area and/or to one of the housing units to conduct a brief mental health evaluation. When this occurs, the psychiatrist frequently is unable to conduct all of his medication follow-up appointments in a timely manner. We were informed that there is no formal backup system for when the psychiatrist is not available. All the staff confirmed this including the psychiatrist, nursing and crisis staff.

In those cases where a referral to the psychiatrist does not occur, staff admits that an inmate is not routinely seen in follow up. This is due in large part to the tremendous number of mentally ill inmates. Practically, this means that no ongoing therapeutic services are available to the mentally ill inmates except for medications. All the psychotropic medications prescribed in the Marin County Jail are administered in a voluntary manner. That is, mentally ill inmates have the right to refuse psychotropic medications.

If an inmate meets the criteria for involuntary psychotropic medication, then they have to be transferred to the Santa Clara County Jail located in San Jose. This is a very expensive policy which needs to be re-evaluated and probably terminated. The transfer of such inmates requires two officers to drive the inmate to Santa Clara and then pick him or her up once the inmate has been stabilized. The Sheriff's Office has indicated that the cost of these involuntary medications is over \$466,000 per year. It would seem desirable to develop such a capacity within the county rather than relying upon Santa Clara County.

Pre-release planning does not routinely occur for the mentally ill inmates. This includes those inmates who are housed in level 3 housing. That is Level 3 mentally ill inmates are routinely discharged to the street without any arrangements for follow up care. The one exception to this situation is when an inmate is already enrolled in the community mental health system. Staff informs me that in this situation, they will attempt to call the inmate's community mental health case manager and arrange for a medication prescription "to be placed in their property." This only occurs, however, if staff is informed of the inmate's pending release from custody. That is, staff is often not aware that an inmate will be discharged until after they have already left the facility. Practically, pre-release planning does not occur for the overwhelming majority of mentally ill inmates.

Finally, we observed a shortage of culturally competent, Spanish speaking staff. In fact, we were informed that Spanish-speaking inmates are routinely asked to translate for both custody and mental health staff.

## B. Mental Health Staffing

The following is the mental health-staffing pattern at the time of the assessment:

- 1.0 FTE Master's prepared Crisis Specialist;
- 0.2 FTE PhD Psychologist;
- 0.2 FTE Masters Family Therapy;
- 0.4 FTE Psychiatrist;
- 0.25 MFT Jail Mental Health Supervisor.

This translates to the psychiatrist being present 4, ½-days per week in addition to one staff member being on site 8 hours per day, 7-days per week. As will be noted below, this staffing pattern is insufficient to meet the mental health needs of the incoming and residual jail population.

By comparison, Napa County Jail which has a lower jail population (about 225-250 inmates) is staffed as follows:

- 2.0 FTE Crisis Specialists
- Complete Psychiatric Coverage through the medical service provider
- Complete mental health nurses via the service provider

In summary, Napa County has far better coverage in the areas of psychiatric and mental health nurses.

## C. Summary of Problem Areas and Recommendations

**Booking:** As noted above, custody staff does not utilize a standardized risk assessment instrument in determining which inmates should be referred for mental health assessment. A formal mental health risk assessment instrument could easily be introduced into the booking process. In addition to being much safer for the inmates and the Facility than the current process, this mental health risk assessment instrument could then become part of the inmate's mental health record. The information obtained from this instrument could then be utilized for mental health assessments, treatment planning and discharge planning.

**Mental Health Assessments:** At the present time, mental health staff approaches the issue of mental health assessments in an idiosyncratic manner. That is, there is not a standardized way in which all of the mental health assessments are accomplished. Some are done by a chart review, which is an extremely dangerous practice. All inmates referred for a mental health assessment should be seen by a member of the mental health staff in a face-to-face manner in a quiet and confidential setting. Mental health staff should utilize some type of standardized assessment instrument, which again would become

part of the inmate's mental health record and could be used for treatment planning and discharge planning.

**Treatment Planning:** At the present time, no formal treatment planning is occurring. Even in a setting where there is rapid turnover of inmates, treatment planning remains the foundation from which all mental health care is derived.

**In-Custody Treatment:** Presently, no mental health care except for voluntary medication management is occurring. Psychotherapeutic services are an integral part of correctional mental health services. The absence of these services places both the inmates and the facility at risk for untoward events such as suicides and assaults.

**Discharge Planning:** The lack of formal discharge planning is a serious omission that directly contributes to increased recidivism rates for mentally ill inmates. Even in a system with rapid turnover of inmates, some type of formal mental health follow up in the community for seriously mentally ill inmates is a basic requirement of good mental health care. Also, another dangerous practice that is presently occurring is that the overwhelming majority of the patients that are on the mental health caseload are being released from the jail without being "cleared" by staff. That is staff are not routinely assessing these patients as being a danger to self, others or gravely disabled. This practice could result in serious problems for the patients and significant liability for the County.

**Staffing:** All of the above listed recommendations are based on having an appropriate number of qualified mental health staff. Currently, there is not enough staff to perform the basic requirements of a competent in-custody mental health system. Also, there is no provision for "staff backup" when the staff is away from work for any reason. Based on this review of the current system, the staffing pattern could easily be doubled. In particular:

- **Psychiatrist:** Dr, Vaughey informed us that he sees approximately 40 new and 40 ongoing medication patients per month. This is in addition to being called to evaluate acute patients in booking and/or the housing units. He is currently assigned to the jail 16 hours per week (0.4 FTE). Given the workload and acuity of the patients, the jail should have a 1.0 FTE psychiatrist, which would necessarily include weekend coverage. Marin County Community Mental Health also has to provide on site backup coverage when the jail psychiatrist is unavailable.
- **Crisis Specialist:** Presently the crisis staff covers 8 hours per day, 7 days per week. In addition to this staff level being woefully inadequate, it results in significant periods of non-coverage. That is, crisis staff often begins their workday early in the morning, usually around 6 AM. This results in there being no coverage in the afternoon when the psychiatrist is present. Given the tremendous workload, there needs to be 12 hours of

coverage daily. The actual coverage hours should be based on an analysis of the booking data but should be approximately from 7 AM to 7 PM, 7 days a week. As with the psychiatrist, Marin County Community Mental Health has to provide on site backup coverage when the crisis staff is unavailable.

- Nursing: a dedicated mental health nurse should be added to the current nursing staffing level.

Additional staff such as a clerical person dedicated to support the mental health staff and a dedicated discharge planner should be added as well. There also need to be an effort to recruit culturally competent Spanish-speaking staff due to the large number of monolingual, Spanish-speaking inmates.