

Checklist of Intervention Strategies to Help Persons with Mental Illness in County Jails

START HERE

- Make an appointment with the jail administrator as quickly as possible, hand deliver the medical records of your loved one, and discuss her/his mental health history. Often, jail officials seem to assume that you don't have the facts. Be prepared to prove everything with records.
- Notify the incarcerated person's psychiatrist, case manager or other service provider that he/she is now in jail. If possible, contact the lawyer/court-appointed lawyer and make sure they have the person's mental health history and records.
- Look for **Mental Health Courts** in your area by searching the **GAINS Center's Mental Health Treatment Court Locator** here: <https://www.samhsa.gov/gains-center/mental-health-treatment-court-locators>. If one is available, let the attorney know that you would like the case brought before this court. In a very few counties, there is even a mental health public defender who you can call.



*We listen, inform and advocate...
to improve county jails.*

In our work

- we answer individual emails/calls, curate resources on our website, and go directly to officials for solutions.
- we write editorials, strategize with a coalition of mental health professionals, and provide information and witnesses to legislators.
- we communicate frequently with the Texas Commission on Jail Standards and other state and federal agencies.

We need your support to do this work

texasjailproject.org/donate

Contact Us

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Texas Jail Project

Do you have a loved one experiencing mental illness in a Texas county jail?



Call the jail's medical staff or administrator as many times as necessary to follow up about the mental health history. Politely stress the importance of maintaining her/his treatment and medications. Ask what kind of psychiatric care the jail has. Ask if they have the inmate's previous psychiatric records (they may not.) Use the phrase **"Continuity of Care."**

If the jail medical staff tells you that HIPPA regulations prevent them from speaking to you about care or meds, request that they give a **Medical Release Form** to the inmate. In some cases that will solve the problem. If the jail doesn't provide a **Medical Release Form**, see ours on the TJP website, download and print it out, and get it to the inmate. If they still will not talk to you, directly appeal to the sheriff or ask the local **NAMI TX** affiliate to intervene.

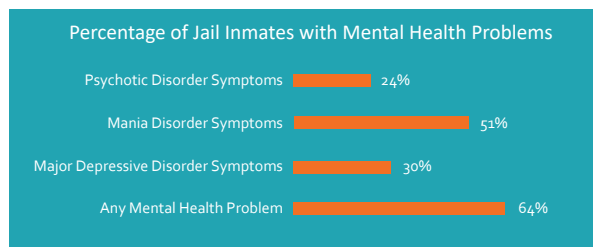
Contact your **Local Mental Health Authority (LMHA)**, sometimes referred to as the local MHMR. Use this form to search for the LMHA (<https://www.dshs.state.tx.us/mhservices-search/>) closest to the jail. A 24-hour referral line is available specific to your location. LMHAs sometimes offer pretrial services. Does the jail have a contract with the LMHA or a contract psychiatrist? Even if they don't, the LMHA is legally bound to provide consultation when invited by the jail.

*When speaking with any officials, it can help to mention the organizations that you're working with, like **NAMI TX** or **Texas Jail Project**. In other words, drop our names!*

If your loved one is not receiving the treatment needed or is experiencing neglect or abuse, fill out an online complaint with the **Texas Commission on Jail Standards (TCJS)**. Information on filing complaints can be found here: <http://texasjailproject.org/complaints/>

Find out if the lawyer has requested a psychiatric evaluation; it should be requested as soon as possible. Counties/jails often delay providing the psych eval. That evaluation is the first step in the person being found incompetent and transferred to a state hospital.

If a person is declared incompetent and is awaiting transfer to a state facility, ask the LMHA about the waiting list for beds. The wait is usually very lengthy, and the family may want to discuss a **Writ of Habeas Corpus** with their attorney. See: <http://texasjailproject.org/2016/10/writ-of-habeas-corpus-re-incompetency/>



Bureau of Justice Statistics, Mental Health Problems of Prison and Jail Inmates (2006).

If the incarcerated person is on probation, ask the family if they've spoken with the probation officer. If they are unable or unwilling, call the officer yourself as they may have helpful information. (The state agency supervising Continuity of Care for those already involved in the justice system is called **TCOOMMI--Texas Correctional Office for Offenders with Medical or Mental Impairments**, but they are not usually helpful to individuals.)

When a person is not receiving mental health care and nobody at the jail or LMHA responds, report the case to **Disability Rights Texas**: <https://www.disabilityrightstx.org>.

Contact the jail chaplain and/or a pastor at the family's church. A call from one of them to the sheriff or jail administrator can help a great deal.

AND MOST IMPORTANTLY

Investigate, innovate and network. Stay positive. Don't take "no" for an answer. Don't believe everything you are told by authorities. Remember, everything is negotiable even if it doesn't seem so on paper. Felonies can disappear, hospital beds can appear, and judges can change their minds.