



# Monterey County

Item No.

## Board Report

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

Legistar File Number: A 22-035

February 01, 2022

Introduced: 1/20/2022

Current Status: Agenda Ready

Version: 1

Matter Type: BoS Agreement

Approve and Authorize the Contracts Purchasing Officer/Supervisor or Sheriff/Undersheriff to sign the Agreement with the California Department of State Hospitals (DSH), July 1, 2021 (retroactively) to June 30, 2024, for Incompetent to Stand Trial Re-Evaluations.

### RECOMMENDATION:

It is recommended that the Board of Supervisors:

Approve and Authorize the Contracts Purchasing Officer/Supervisor or Sheriff/Undersheriff to sign the Agreement with the California Department of State Hospitals (DSH), July 1, 2021 (retroactively) to June 30, 2024, for Incompetent to Stand Trial Re-Evaluations.

### SUMMARY/DISCUSSION:

The Monterey County Sheriff's Office requests approval of this agreement. The Department of State Hospitals set a hard date of July 1, 2021 to June 30, 2024.

Welfare and Institutions Code 4335.2 allows the Department of State Hospitals to establish a program to perform re-evaluations for felony incompetent to stand trial (IST) individuals in jail who have been waiting for admission to the department 60 days or more from the date of commitment.

Re-Evaluation program performs re-evaluations via telehealth at the county jails and makes written reports to the courts assessing their competency status and determining if the individual has restored to competency while in jail or is unlikely to restore. These evaluations identify individuals who may need a referral for psychotic medications, a psychopharmacology consultation, or an involuntary medication order. These evaluations assess whether the IST defendant should be referred to the county for the further assessment for participation in county diversion program or other outpatient treatment programs. Essentially these evaluations are done during the period the defendant is waiting in the jails for placement, and from our experience, more than 25% of defendants have been identified to be competent and can proceed with their court proceeding without being admitted to a state hospital or JBCT program.

The number of inmates in the Monterey County Jail, with mental health issues, continues to grow. Due to the continued overwhelming need for beds and program space for inmates found by local Superior Courts to be incompetent to stand trial and in accordance with W&IC 4335.2, DSH is contracting with the MCSO to re-evaluate defendants who are pending admission to a State Hospital or JBCT program to identify defendants that may have been restored to competency while waiting placement in county jails. The ability to re-evaluate defendants filters out defendants that are not appropriate for admission and identify defendants most appropriate for competency treatment. This re-evaluation

program assists in addressing the issue of limited bed capacity at the State Hospitals and JBCT Programs.

OTHER AGENCY INVOLVEMENT:

The Sheriff's Office has consulted with the County Counsel's Office and the County Administrative Office has reviewed this report and this request. Susan Chapman of the Public Defender's Office and Kathryn Eckert Bureau Chief of Behavior Health support this agreement.

FINANCING:

There are no negative General Fund Impacts resulting from this Board Action.

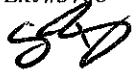
BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

Mark a check to the related Board of Supervisors Strategic Initiatives

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

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Approved by: Steve Bernal, Sheriff/Coroner, Ext #3750



Attachments:

Board Report

Agreement-Exhibits A-E