

TRANSFORMING BEHAVIORAL HEALTH SERVICES IN CALIFORNIA JAIL SYSTEMS

SEPTEMBER 2024



Equitable access to behavioral health services is critical for all Californians, but especially because of the existing high prevalence of mental health issues among individuals within the justice-involved population.¹ Many incarcerated individuals have untreated mental health issues that worsen during incarceration. The cycle of incarceration and mental illness builds and fuels one another, further exacerbating existing symptoms and illnesses, and thus resulting in worse health outcomes.

As part of the [California Advancing and Innovating Medi-Cal \(CalAIM\) Initiative](#), the [Justice-Involved \(JI\) Initiative](#) focuses on identifying and addressing the health and social needs of Justice-Involved Medi-Cal members. Creating an environment that promotes equitable access to mental health services ensures that those in the justice-involved population receive the necessary support to encourage recovery, rehabilitation, and reintegration back into their communities.

California's Justice-Involved Population: A Diverse Landscape

California's Justice-Involved (JI) population comprises a diverse demographic of individuals, with varying backgrounds, ages, race/ethnicities and socio-economic statuses. Individuals within the JI population have engaged with the criminal justice system either through arrest, detention, or parole. However, the disparities in experiences with law enforcement among individuals within the JI population are staggering. Many individuals face systemic challenges like poverty, limited education, and inadequate mental health resources that contribute to their encounter with law enforcement. In addition, substance use disorder, mental illness, and past trauma often intersect and further exacerbates and complicates individual's health outcomes.

Although the demographic of those within the JI population is diverse, Latinx and Black Californians are heavily overrepresented in jails, reflecting racial inequities.² This disparity is not a result of higher crime rates, but stems from racial bias in policing and sentencing, and unequal access to legal resources. The disproportionate confinement of communities of color calls to attention the deep-rooted issues within the justice system.³

Fast Facts »

Approximately **60,000** individuals held in jails on any given day⁵

Over **76%** of all incarcerated individuals are currently awaiting arraignment, trial, or sentencing (non-sentenced)⁷



Black Californians make up **5%** of the population but **21%** of its jailed²



60% cannot afford bail^{8,9}

114 jails spread across **58** counties⁴



More than **50%** of incarcerated individuals require mental health services⁶



37 days is the average stay in a CA jail¹⁰

Up to **25%** of incarcerated jail individuals have serious mental illness¹



California invests about **\$1.5 BILLION** annually in its county jails¹¹



Confinement Uncovered: The Separate Realities of Prisons and Jails

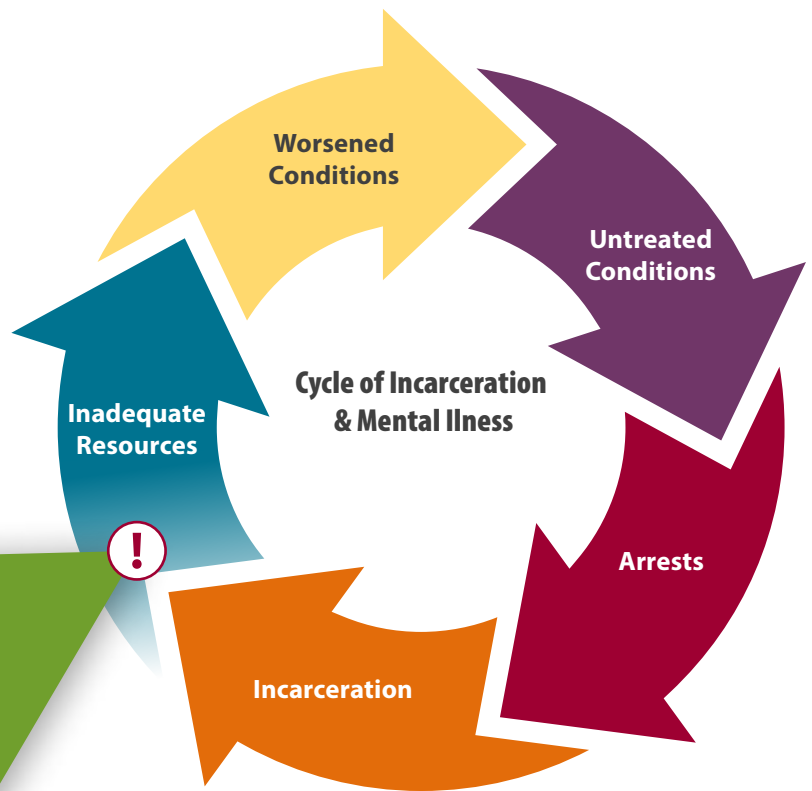
Although both prisons and jails confine individuals, they differ significantly in purpose, the types of incarcerated individuals they house, management structures, and approaches to mental health services.¹²

Prisons	VS.	Jails
<ul style="list-style-type: none"> ▪ Long-term facilities for individuals serving sentences typically longer than one year. ▪ Operated by state or federal governments. ▪ Higher security levels, with tighter control over incarcerated individuals. ▪ Often houses incarcerated individuals convicted of felonies. ▪ Offers extensive rehabilitation programs, including education, vocational training, substance abuse and mental health services. ▪ Individuals receive regular mental health services as part of their rehabilitation programs. ▪ Designed for rehabilitation and reintegration into society. 		<ul style="list-style-type: none"> ▪ Short-term facilities for individuals awaiting trial or serving sentences usually less than one year. ▪ Usually operated by county or local governments. ▪ Lower security levels compared to prisons. ▪ Houses incarcerated individuals awaiting trial, sentencing, or serving short sentences for misdemeanors. ▪ Provides limited programs and services due to shorter stays. ▪ Access to mental health services is limited due to security issues and the temporary nature of the population. ▪ Focuses on temporary confinement and managing the local justice-involved population.

Confronting Mental Health and Substance Use Disorders in Jail

Many individuals entering jails have existing mental health issues or substance use disorders (SUDs) that are compounded by the impacts of poverty, homelessness, and limited health care access. Incarceration increases the risk of mental health decline due to stress and isolation.¹³ Jails often act as makeshift mental health facilities, where inadequate care and a shortage of health care professionals lead to insufficient mental health diagnosis and support. In addition, Latinx and Black students are disproportionately targeted with disciplinary actions and are more likely to be referred to law enforcement for minor offenses, further increasing their chances of being caught in the school-to-prison pipeline.¹⁴

The cycle of incarceration and mental illness perpetuates itself, as untreated conditions lead to arrests and incarceration worsens these issues.¹⁵



To break this cycle, we need:

- **Diversion Programs**
- **Improved Screening**
- **Better Access to Treatment**
- **Support for Reintegration**

Key Initiatives Transforming Health Care Delivery for Justice-Involved Californians

Justice-Involved Initiative

The [Justice-Involved \(JI\) Initiative](#) strives to improve outcomes for individuals in the criminal justice system enabling eligible incarcerated Californians to enroll in Medi-Cal and access targeted services 90-days before their release, ensuring continuity of health care coverage. California is the first state to pioneer and lead this initiative. The JI Initiative aims to create a more equitable environment that fosters public safety through comprehensive support and services by addressing systemic disparities and supporting community-based alternatives to incarceration.

Key Elements of Justice-Involved (JI) Initiative

- Seeks to tackle health disparities among justice-involved individuals, especially in disadvantaged communities.¹⁶
- Improves access to mental health and substance use treatment for incarcerated individuals and individuals on probation.
- Focuses on integrated services for needs like housing, employment, and mental health.
- Uses data to evaluate outcomes and enhance programs for justice-involved individuals.

Community Assistance, Recovery and Empowerment (CARE) Act

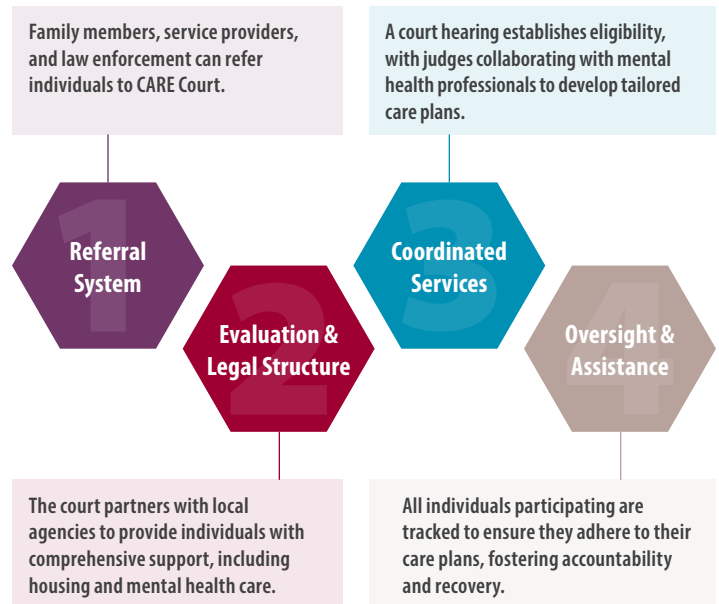
The [Community Assistance, Recovery, and Empowerment \(CARE\) Act](#) (also known as [CARE Court](#)) is a specialized program tailored to support individuals with SUDs within the criminal justice system. This court aims to redirect non-violent offenders towards treatment and support services instead of traditional incarceration. Participants in CARE Court are closely monitored and must adhere to a comprehensive treatment regimen that includes substance abuse counseling, regular drug testing, and court appearances.

CARE Court aims to encourage clean living, reduce repeat offenses, and empower participants with tools to rebuild their lives. By integrating accountability and support, it strives to break the cycle of addiction and unlawful behavior, ensuring community safety and improving public health. California’s CARE Court establishes a legal framework for individuals with severe mental health and substance use disorders to receive coordinated, tailored care, including housing and treatment.¹⁷

Beginning October 1, 2023, eight counties—Glenn, Orange, Riverside, San Diego, Stanislaus, Tuolumne, and San Francisco City and County—commenced CARE Act implementation, followed by Los Angeles on December 1, 2023.¹⁹

A taskforce is overseeing the implementation of CARE Court through 2024, emphasizing guiding principles and strategic priorities as it is expected to support more than 2,000 individuals by the conclusion of 2024.²⁰

KEY STEPS IN IMPLEMENTATION¹⁸



31,702 individuals
received MAT during their
incarceration in county jails
across 36 counties²¹

Medication Assisted Treatment (MAT) in California Jails and Drug Courts

The [Medication Assisted Treatment \(MAT\) in Jails and Drug Courts](#) project, is funded by the California Department of Health Care Services (DHCS) through the California FY 2022/23 budget, which seeks to broaden access to MAT within county jails and drug courts. This program supports counties in improving responses to individuals with justice involvement and opioid, stimulant, and SUDs. The project aims to help Jail MAT County teams improve access to at least two Food and Drug Administration (FDA) approved medications for treating SUD in their facilities.

Counties participating in MAT receive continuous support through monthly coaching, webinars, quarterly meetings, office hours, and additional training sessions as needed.

Policy Considerations



Increase Funding: Increase state funding designated for mental health services in jails to enhance resources and staffing. The funding can also be allocated to provide comprehensive training for jail staff on mental health awareness, de-escalation, and trauma-informed care.



Coordinated Care Programs: Establish coordinated treatment programs for mental health and substance use disorders that tackle both issues together with peer support and rehabilitation programs that empower incarcerated individuals in their recovery.



Thorough Mental Health Screening Protocols: Focus on early identification of mental health issues and timely interventions to improve incarcerated individuals' outcomes during incarceration and re-entry. Implement dedicated crisis response teams in jails specifically trained to handle mental health emergencies.



Collaboration with Community Providers: Strengthen partnerships between jails and community mental health providers to ensure continuity of care upon release. Bolster strong data collection systems to track mental health outcomes and evaluate intervention effectiveness.



Policy Evaluation and Improvement: Regularly evaluate and revise mental health care policies within jails to ensure policies are informed by research, best practices, and stakeholder insights.

Key Terms

Behavioral Health Services: Comprehensive services designed to enhance mental wellness, manage substance use issues, and support individuals in addressing behavioral challenges.²²

Criminal Justice: The system of laws, institutions, and procedures aimed at maintaining societal order, deterring and sanctioning criminal conduct, and ensuring justice for both victims and defendants.²³

Justice-Involved: Refers to individuals who have encountered the criminal justice system at any stage, from arrest to post-release. This inclusive term covers current and former incarcerated individuals, probationers, and parolees, recognizing diverse experiences while reducing stigma.²⁴

Mass Incarceration: The significant rise in the number of people confined in jails and prisons, disproportionately affecting Black and brown communities.²⁵

Prison-Industrial Complex: A set of institutions encompassing law enforcement (police), courts, and corrections (prisons and jails), tasked with enforcing laws, maintaining order, and handling individuals who break the law to ensure public safety.²⁶

Recidivism: Refers to the relapse into criminal behavior among individuals who have served time in prison or involved in the criminal justice system.²⁷

Rehabilitation: In the context of criminal justice, rehabilitation aims to assist individuals in reintegrating into society by addressing the underlying causes of their involvement in the justice system.²⁸

Reintegration: The process by which individuals reintegrate into society following their release from incarceration. It encompasses the transition back into the community and tackling challenges such as securing employment, housing, health care, and reconnecting with family and support networks.²⁹

Sentencing: The legal process through which a judge imposes a sentence or penalty on an individual who has been convicted of a crime.³⁰

Stigma: Negative attitudes, beliefs, bias and discrimination based on certain traits, particularly in mental health, causing social exclusion and hindering access to support and treatment.³¹

Therapeutic Interventions: Different methods and strategies employed by trained professionals to address psychological, emotional, or behavioral issues and enhance overall well-being.³²

Trauma-Informed Care: An approach that focuses on understanding, acknowledging, and addressing the impact of trauma on an individual's mental health and overall well-being.³³

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About ITUP

ITUP is an independent, nonprofit, health policy institute that has been a central voice in the California health policy landscape for more than two decades. ITUP serves as a trusted expert, grounded in statewide and regional connections with a network of policymakers, health care leaders, and stakeholders. The mission of ITUP is to promote innovative and community-informed policy solutions that expand access to equitable health care and improve the health of all Californians.

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