

## Mental Health

### MENTAL HEALTH PROCESS FOR MISDEMEANOR OFFENSES

#### 1367.1 PC – Inquiries into Mental Competence

If there is reasonable belief that a defendant may be mentally incompetent to stand trial as a result of a mental disorder, the court shall order the defendant, per section 4011.6 PC, for evaluation and treatment pursuant to Section 5150 WI.

#### 1370.01 PC – Commitment to Psychiatric Security Unit (PSU)

The following procedure is followed when an inmate is committed to the Psychiatric Security Unit (PSU). Male inmates will be committed to the San Diego Central Jail (SDCJ) and female inmates to the Las Colinas Detention & Reentry Facility (LCDRF).

**CUSTODY STATUS** Defendant **REMANDED** to custody of Sheriff. Court reinstates bail in amount of  \$ \_\_\_\_\_  NO BAIL.

Trailing Cases: Case# \_\_\_\_\_ Bail \$ \_\_\_\_\_ Case# \_\_\_\_\_ Bail \$ \_\_\_\_\_

Court finds defendant **IS NOT** mentally competent to stand trial, and orders the defendant committed / returned to:

Patton State Hospital  County Jail, PSU  Las Colinas, PSU  Other \_\_\_\_\_

For:  Maximum term of 1  mos.  years. Credit time served 71 days  Remainder of previously imposed term.

Maximum sentence for most serious charge is 1 \_\_\_\_\_  months  years.

Document #: CN388949    Event #: 18008478

Billing Effective Dt/Tm: 10-05-2018 1858    Hold Agency: \_\_\_\_\_    TOX Required? \_\_\_\_\_

Notes: PROC SUP PER 1368  
PSU COMMIT SNT 1 YR 10/05/2018

				Bail Info		Court Info			
Code Section	Description	CL	DV	Disposition	Rlse	DispositionDt/Tm	Warrant #	OCN	Bill Agency
69 PC	OBSTRUCT/RESIST EXE	F		DNI	Y	07-24-2018 1758			ESPD
69 PC 17B4	USE OF THREATS RESI	M		MH	N	00-00-0000 0000			SDSO
148(A)(1) PC	OBSTRUCT/ETC PUB OF	M		MH	N	00-00-0000 0000			SDSO

- Date, initial, and place your ARJIS on the order. **Forward a copy** of the order to PSU
- In the Booking Maintenance notes section, enter, “**PROC SUS PER 1370 PC, COMMIT TO PSU**”. Enter **MH** for the Disposition
- **DO NOT COMPLETE THE SENTENCED COMPUTATION**

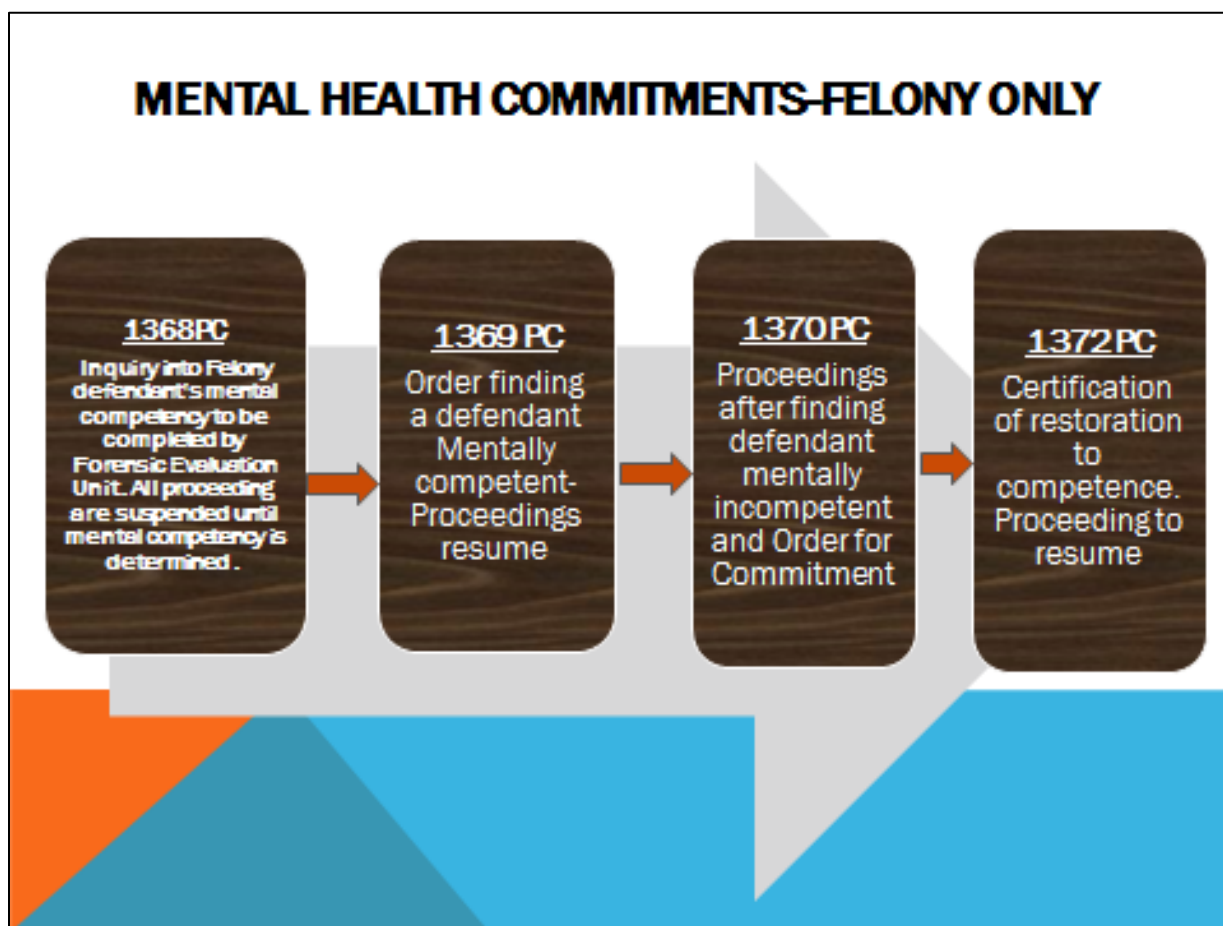
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### Proceedings after Found Mentally Competent

If the defendant is found mentally competent the criminal process resumes, the trial on the offense charged proceeds, and judgment may be pronounced.

**Note:** All orders from court concerning a defendant's mental health are sent to PSU. We only need one copy of the order.

### MENTAL HEALTH PROCESS FOR FELONY OFFENSES



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**1368 PC – Inquiry into Defendant's Mental Competency**

At any time during criminal proceedings, if there is doubt of mental competence of defendant from any party (i.e. judge, defense and/or prosecutor); a PC 1368 order may be issued. This is an evaluation to determine the mental competency of an inmate. Once the order is issued, all proceedings in the criminal prosecution are suspended until the question of the defendant's mental competency is determined.

**MENTAL HEALTH**  Proceedings suspended pursuant to PC1368. Mental competency examination on 4/16/19 at 8 am by Forensic Psychiatry Clinic. Females - Room 1003, Central Division; Males – Central Detention Facility. Hearing on 5/1/19 at 8:30 am in Dept. 1203 of the Central Division.  The Sheriff is ordered to transport the defendant to and from the examination and hearing stated above.

**OTHER**  Verbal notice of license suspension (DL 310) signed.  Fingerprint form filed.

Book & Release – Report on \_\_\_\_\_ at \_\_\_\_\_ to  Central  Vista  Las Colinas Detention Facility.

Code Section	Description	CL	DV	Disposition	Rlse	DispositionDt/Tm	Warrant #	OCN	Bill Agency	Notes
11418(A) PC	POS/ETC:WPN OF MAS	F		1368	N	00-00-0000 0000			SDSO	
32 PC	ACCESSORY	F		1368	N	00-00-0000 0000			SDSO	
215(A) PC	CARJACKING	F		1368	N	00-00-0000 0000			SDSO	

- Under the Disposition tab, enter **1368** on all corresponding charges mentioned in the minute order

Arrest #: 1 Type of Arrest: BOOKED-SUPR CRT WARR

Arrest Agency: San Diego Sheriff Office Officer: PARKER ID: 5766

Document #: SCD459112 Event #: \_\_\_\_\_

Billing Effective Dt/Tm: 11-28-2018 1437 Hold Agency: \_\_\_\_\_ TOX Required? \_\_\_\_\_

Notes: Proceedings Suspended per PC 1368

				Bail Info			
Code Section	Description	CL	DV	Court	Court Dt/Tm	ROC	Document #
11418(A) PC	POS/ETC:WPN OF MAS	F		SD123	05-01-2019 0830	FP	SCD459112
32 PC	ACCESSORY	F		SD123	05-01-2019 0830	FP	SCD459112
215(A) PC	CARJACKING	F		SUPEF	04-16-2019 0800	ZE	SCD459112

- Enter the hearing date on the charges indicated in the minute order with an ROC of FP

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- Enter the examination date on the **last** active charge line with an ROC of ZE and a court destination of SUPEF
  - If only one charge is indicated in the minute order, add an Additional Court Date line and enter the examination date
- Enter "**PROC SUS PER 1368 PC**" in the notes section
- After the examination hearing, replace the court information with the hearing date indicated in the minute order

**1369 PC – Order Finding Defendant Mentally Competent**

This order confirms that after examination and hearing, consideration of testimony and written reports of the examiners, the Court finds the defendant mentally competent.

<b>TYPE OF HEARING:</b> <input checked="" type="checkbox"/> MENTAL COMPETENCY (PC1368/1372) <input type="checkbox"/> DEVELOPMENTAL DISABILITY PETITION (WI6500)	
<input type="checkbox"/> MOTION TO REMOVE FIREARM PROHIBITION (WI8103)	<input type="checkbox"/> OTHER
<input type="checkbox"/> Defendant's presence waived based on Counsel /Medical representations. <input type="checkbox"/> Jury trial requested for PC1368 proceeding. <input checked="" type="checkbox"/> Counsel stipulate: report received into evidence; Dr. Beth Chung is qualified; and doctor's presence waived. <input type="checkbox"/> Dr(s). _____ sworn and examined.	
<b>PURSUANT TO PC1368/1372/1385</b>	
<input checked="" type="checkbox"/> Court finds <u>defendant IS mentally competent</u> to stand trial, reinstates criminal proceedings, and orders defendant returned to the <input type="checkbox"/> Central <input type="checkbox"/> East County <input type="checkbox"/> North County <input checked="" type="checkbox"/> South County Division, see Future Dates below.	
<b>CUSTODY STATUS</b> Defendant <b>REMANDED</b> to custody of Sheriff. Court reinstates bail in amount of <input checked="" type="checkbox"/> \$25000 <input type="checkbox"/> NO BAIL.	

- Remove the Disposition of 1368 from all applicable charges
- Remove the notes indicating "Proceedings Suspended Per PC 1368"
- Enter the bail amount, if any
- Enter the hearing date per the court paper

**1370 PC – Proceedings after Finding Defendant Mentally Incompetent**

A “Judgment of Mental Incompetence and Order for Commitment”, is not a commit to Sheriff's custody. The inmate can only stay for a maximum of 2 years either at a State Mental Hospital or at a Jail Based Competency Treatment (JBCT). We will no longer obtain received Mental Health Commit packages from the court.

<b>CUSTODY STATUS</b> Defendant <b>REMANDED</b> to custody of Sheriff. Court reinstates bail in amount of <input type="checkbox"/> \$ _____ <input type="checkbox"/> NO BAIL.	
<input type="checkbox"/> Trailing Cases: Case# _____ Bail \$ _____ Case# _____ Bail \$ _____	
<input checked="" type="checkbox"/> Court finds <u>defendant IS NOT mentally competent</u> to stand trial, and orders the defendant committed / returned to:	
<input checked="" type="checkbox"/> Patton State Hospital <input type="checkbox"/> County Jail, PSU <input type="checkbox"/> Las Colinas, PSU <input type="checkbox"/> Other _____	

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WHEREFORE, **IT IS ORDERED** that said defendant is committed to Patton State Hospital, or such other institution as may be directed by the Director, State Department of Health, for care and treatment until such time as provided by law or until further order of the Court.

Arrest #: <input type="text" value="1"/>		Type of Arrest: <input type="text" value="FIELD ARREST"/>	
Arrest Agency:	<input type="text" value="El Cajon Police Departn"/>	Officer:	<input type="text" value="STACY"/>
		ID:	<input type="text" value="0351"/>
Document #:	<input type="text" value="CE375602"/>	Event #:	<input type="text" value="17009534"/>
Billing Effective Dt/Tm:	<input type="text" value="02-21-2018 1718"/>	Hold Agency:	<input type="text"/>
		TOX Required?	<input type="text"/>
Notes:	<input type="text" value="PATTON STATE HOSP COMMIT..SENT 3 YEARS"/>		

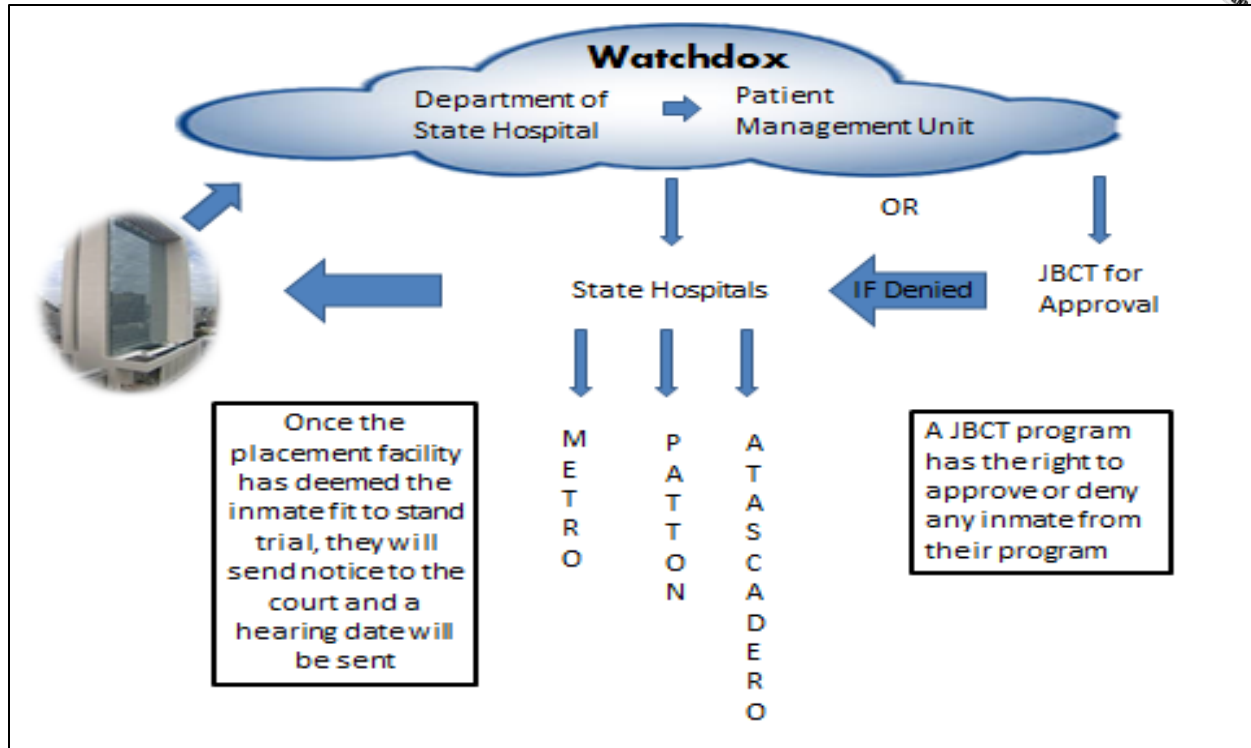
  

				Bail Info		Court Info			
Code Section	Description	CL	DV	Disposition	Rlse	DispositionDt/Tm	Warrant #	OCN	Bill Agency
459 PC	ATMP - BURGLARY-FIRS	F		SPHP	N	00-00-0000 0000			ECPD
314.1 PC	INDECENT EXPOSURE	F		SPHP	N	00-00-0000 0000			ECPD

- Under the Disposition tab, enter SPHP
- In the Maintenance Notes, enter, "State Hospital Commit" and the sentence length
- Add the Mental Health case number.

Once the commitment is ordered, the Superior Court will create a package to be delivered to the Department State Hospital (DSH) for triage. The DSH will determine if the inmate will go to a State mental facility or to a JBCT program. The JBCT program can deny participants for several reasons based on their program.

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- The Superior Court will upload the inmates Mental Health commitment package to a secured cloud system called Watchdox.
- Once in Watchdox, DSH will give the document to their Patient Management Unit (PMU). PMU will triage all the information received.
- Once a decision has been made by PMU, a notice to the desired institute will be sent.
- When a bed is available at the desired institute, the program will notify San Diego Sheriff's Department for transportation arraignments.
- While at a state hospital or JBCT program the institute will notify the court when it has been determined the inmate is ready to stand trial.
- The inmate will then be discharged from the program and returned the custody. At no time will we change the Dispo, only the courts can dictate when we change them.

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### Acceptance into the JBCT Program

#### Males:

- Once PMU has determined that SDCJ- JBCT is the right fit for the inmate, PMU will send notice to SDCJ- JBCT unit of their decision.
- The SDCJ- JBCT unit will notify the on duty supervisor of the transfer.
- The DPS will update the inmate's custody status by changing the Dispo from **SPHP** to **JBCT**.

<b>Arrest Agency:</b>	San Diego Sheriff Office	<b>Officer:</b>	PARKER	<b>ID:</b>	5766
<b>Document #:</b>	SCD459112	<b>Event #:</b>			
<b>Billing Effective Dt/Tm:</b>	03-27-2018 1358	<b>Hold Agency:</b>		<b>TOX Required?</b>	
<b>Notes:</b>	ADMITTED TO JBCT				

				Bail Info			
Code Section	Description	CL	DV	Disposition	Rlse	DispositionDt/Tm	Warrant #
11418(A) PC	POS/ETC:WPN OF MAS	F		JBCT	N	00-00-0000 0000	
32 PC	ACCESSORY	F		JBCT	N	00-00-0000 0000	
215(A) PC	CARJACKING	F		JBCT	N	00-00-0000 0000	

- Once JBCT recommends that the inmate is mentally competent they will send notice to the courts via USPS certified mail.
- If the inmate is rejected from the JBCT program, SDCJ- JBCT will notify the on duty supervisor. They will change the Dispo from **JBCT** to **SPHP**. The SDCJ- JBCT program will notify the courts and PMU of the change. PMU will then send the mental health package via Watchdax to the designated State Hospital.

#### Females:

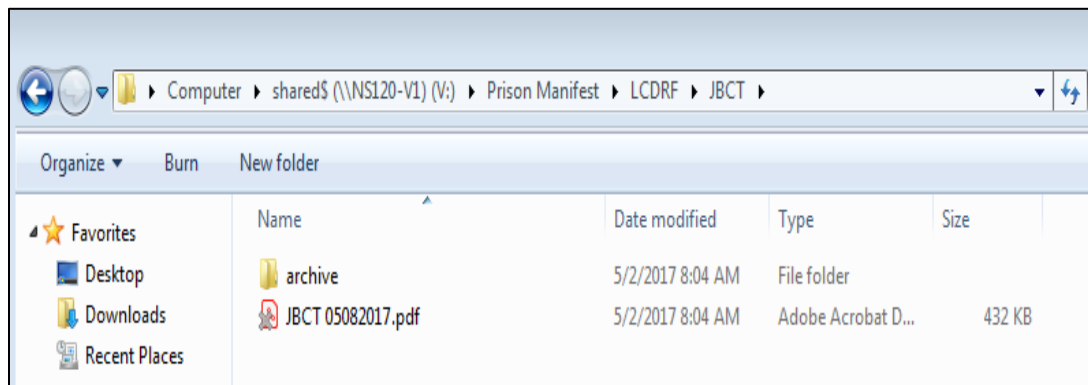
- Once PMU has determined that West Valley Detention Center (WVDC) – JBCT is the appropriate placement for the inmate, PMU will send notice to WVDC- JBCT unit of their decision. WVDC has the right to reject the inmate. When this happens WVDC will notify PMU, the inmate will then be sent to Patton when a bed is available.

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- San Diego Sheriff's Transportation Unit and the Supervisors at LCDRF will receive notice of transfer from WVDC-JBCT.
- A prison manifest will be generated on a Thursday for a Monday transport.
- Sheriff's Transportation will pick up the females from the Las Colinas Detention and Reentry Facility at approximately 0600.
- A schedule event will be created with the event type of JBCT and the destination WVDC (West Valley Detention Center). The event start time will be 0200.

Event Type:	JBCT	Destination:	WVDC
Event Start Dt/Tm:	12-21-2018 0200	Send:	0150
Event End Dt/Tm:	12-21-2018 0300	Back:	0310
One:		Two:	
		Three:	
		Conflict:	
<b>Comments:</b>			
Transfer to West Valley Detention Center			
Entry Dt/Tm:	11-27-2018 1404	By:	MORTIGSH, ORTIGUERRA

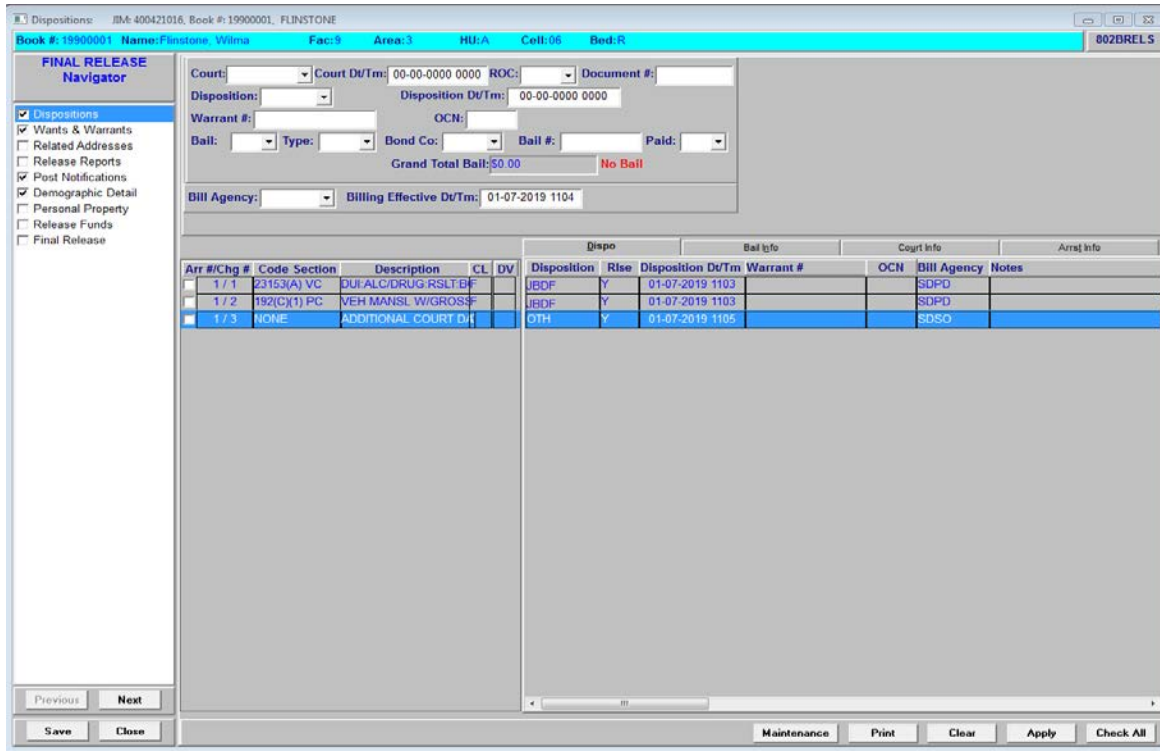
- In notes, "Transfer to West Valley Detention Center" will be entered.
- After the schedule event has been generated, the inmate's name will populate on the JIMS web report, West Valley Detention Center Scheduled Transfers.
- This report will be saved in the V drive>Prison Manifest> LCDRF>JBCT and saved as JBCT and the actual date of the run.



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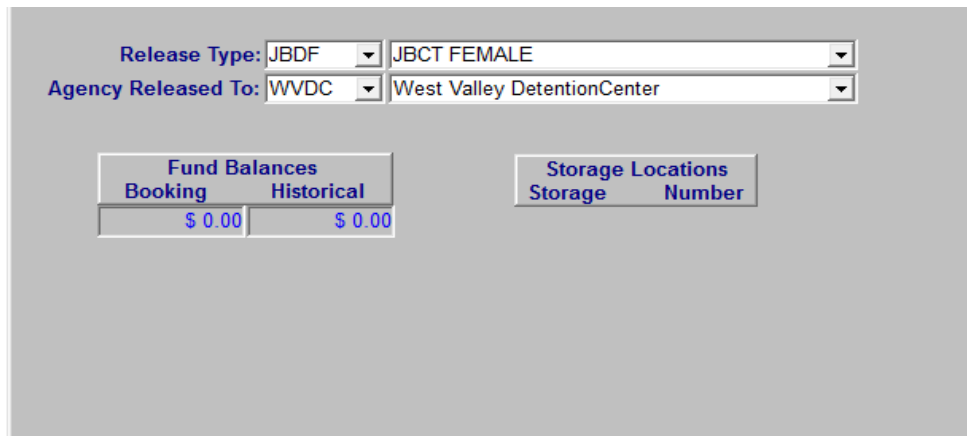


The inmate will be released from San Diego Sheriff Custody and into the custody of San Bernardino Sheriff's Department. The following steps will be needed for completed the release:



Arr #/Chg #	Code Section	Description	CL	DV	Disposition	Rise	Disposition Dt/Tm	Warrant #	OCN	Bill Agency	Notes
1 / 1	23153(A) VC	DUI-ALC/DRUG-RSLT-BF			JBDF	Y	01-07-2019 1103			SDPD	
1 / 2	192(C)(1) PC	VEH MANSL W/GROSSF			JBDF	Y	01-07-2019 1103			SDPD	
1 / 3	NONE	ADDITIONAL COURT D			GTH	Y	01-07-2019 1105			SDSO	

- Disposition – JBDF – JBCT Female
- Wants and Warrants will be an 'A' for Not Applicable
- Funds – All monies will go with the inmate
- Property – All clothing and sealed property bag will go with the inmate.
- Final Release will be :



Fund Balances	
Booking	Historical
\$ 0.00	\$ 0.00

Storage Locations	
Storage	Number

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**1372(a)(2) PC – Certification of Restoration to Competence**

Upon receiving a Certificate of Restoration from the treatment facility, pursuant to Section 1370, Sheriff Staff must redeliver the patient to the court without any further order from the court.

<p><b>ORDER FOR HEARING (PENAL CODE 1372)</b></p>	<p>DA NUMBER AEE13201, PAROLE CASE</p>
<p>The above-named defendant having been committed under the provisions of section 1370 of the Penal Code; and the superintendent having certified the court that the defendant is now mentally competent pursuant to Penal Code section 1372.</p> <p>The Sheriff of San Diego County has notified the court that the defendant will be transported from the institution on ALREADY IN CUSTODY FROM SD CENTRAL JAIL and will keep said defendant until required for hearing.</p> <p>IT IS ORDERED</p> <p>That the Sheriff of San Diego County transport the defendant to Superior Court Department DEPT. 1203 On May 25, 2018 at 8:30 AM. Which is fixed as the time and place for hearing and determination of the issue of the defendant's present mental competency.</p> <div style="text-align: center; margin-top: 20px;"> <p>_____ HONORABLE <b>MARGIE G. WOODS</b> JUDGE OF THE SUPERIOR COURT</p> </div> <p>DATE: May 24, 2018</p>	

<p><b>TYPE OF HEARING:</b>   <input checked="" type="checkbox"/> MENTAL COMPETENCY (PC1368/1372)   <input type="checkbox"/> DEVELOPMENTAL DISABILITY PETITION (WI6500)</p> <p>                          <input type="checkbox"/> MOTION TO REMOVE FIREARM PROHIBITION (WI8103)   <input type="checkbox"/> OTHER</p>	
<p><input type="checkbox"/> Defendant's presence waived based on Counsel /Medical representations.   <input type="checkbox"/> Jury trial requested for PC1368 proceeding.</p> <p><input checked="" type="checkbox"/> Counsel stipulate: report received into evidence; Dr. Beth Chung _____ is qualified; and doctor's presence waived.</p> <p><input type="checkbox"/> Dr(s). _____ sworn and examined.</p>	
<p><b><u>PURSUANT TO PC1368/1372/1385</u></b></p> <p><input checked="" type="checkbox"/> Court finds defendant <b>IS</b> mentally competent to stand trial, reinstates criminal proceedings, and orders defendant returned to the</p> <p style="padding-left: 20px;"><input type="checkbox"/> Central   <input type="checkbox"/> East County   <input type="checkbox"/> North County   <input checked="" type="checkbox"/> South County   Division, see Future Dates below.</p>	
<p><b><u>CUSTODY STATUS</u></b> Defendant <b>REMANDED</b> to custody of Sheriff. Court reinstates bail in amount of <input checked="" type="checkbox"/> \$25000   <input type="checkbox"/> NO BAIL.</p>	

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FUTURE DATES			
<input type="checkbox"/>	Continued to _____	at _____	in Dept. _____ Reason: _____
<input type="checkbox"/>	Forensic examination in Room 1003 on _____	at _____	<b>SHERIFF IS ORDERED TO PRODUCE DEFENDANT.</b>
<input checked="" type="checkbox"/>	Readiness on 11-28-18	at 8:30 am	in Dept. 14
<input checked="" type="checkbox"/>	Preliminary Exam on 12-5-18	at 8:30 am	in Dept. 16
<input type="checkbox"/>	Further Proceedings on _____	at _____	in Dept. _____
<input type="checkbox"/>	_____	on _____	at _____ in Dept. _____

Document #:	CD278669	Event #:	18090032941
Billing Effective Dt/Tm:	10-03-2018 1344	Hold Agency:	_____
Notes:	_____		
		TOX Required?	_____

				Bail Info		Court Info	
Code Section	Description	CL	DV	Court	Court Dt/Tm	ROC	Document #
22210 PC	POSS LEADED CANE	F		SD123	12-03-2018 0830	FP	CD278669
NONE	ADDITIONAL COURT DA	I			00-00-0000 0000		CD278669

- Remove all notes pertaining to his/her stay at a State Hospital and/or JBCT
- Remove any Dispo
- Enter in bail, if any
- Enter in new Further proceeding court date

**STATE HOSPITAL RETURNEES (i.e. Patton, Atascadero, Metro)**

Inmates previously committed to a state hospital and are returned to Sheriff's custody for determination of mental competency status. ([See Pre-book Manual – BMH](#)).

**Note:** When booking mental health inmates (i.e. state hospital returnees or state hospital commitments) the mental health number is utilized when a case number is not indicated on the court order. When a court order is received with the case number, it replaces the mental health number in the document field. The mental health number is then entered in the “notes” section of the JIMS.

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**1026 PC – Defendant Found NOT Guilty By Reason of Insanity**

Order of return to state hospital upon revocation of outpatient status.

**CUSTODY STATUS**  
 The defendant is remanded to the custody of the Sheriff without bail.

**OTHER**  
 Probation is Denied.  
 The Court orders that the defendant be committed to the California Department of Mental Health pursuant to PC1026.5 for placement in a state hospital.

Term Breakdown:

Ct. 1 PC187		25 years to life
Ct. 1 PC12022 (b)(1)-allegation		1 year
Ct. 2 PC245(a)(1)	Upper Term	4 years
Ct. 3 PC245(a)(1)	1/3 Mid Term	1 year
Ct. 4 PC245(a)(1)	1/3 Mid Term	1 year
Ct. 5 PC245(a)(1)	1/3 Mid Term	1 year
Ct. 6 PC69	1/3 Mid Term	8 months
Ct. 7 PC69	1/3 Mid Term	8 months

\* Total term: 9 years 4 months plus 25 years to life. \*

Custody Credits: 549 actual days and 0 days PC2933.2, a total of 549 days credit.

Testing: PC296 verified

The District Attorney's office is ordered to prepare the Formal Commitment Order and submit for signature. Provide the clerk with a copy of the Defendant's rap sheet and arrest report. (Patton Package).

**Notes:** SNT TO PATTON FOR 9 YRS 4 MONTHS PLUS 25 YRS TO LIFE

Code Section	Description	CL	DV	Disposition	Rlse	DispositionDt/Tm	Warr
187(A) PC	MURDER/FIRST DEGRE	F		SPHP	N	00-00-0000 0000	
243(A) PC	BATTERY ON PERSON	M		DNI	Y	04-06-2016 1712	
245(A)(1) PC	FORCE/ADW NOT FIREA	F		DPS	N	00-00-0000 0000	
245(A)(1) PC	FORCE/ADW NOT FIREA	F		SPHP	N	00-00-0000 0000	
245(A)(1) PC	FORCE/ADW NOT FIREA	F		SPHP	N	00-00-0000 0000	
245(A)(1) PC	FORCE/ADW NOT FIREA	F		DNI	Y	07-07-2016 1241	
69 PC	OBSTRUCT/RESIST EXE	M		SPHP	N	00-00-0000 0000	
69 PC	OBSTRUCT/RESIST EXE	M		SPHP	N	00-00-0000 0000	
22810 (A) PC	ILLEGAL USE/ETC TEAF	M		DISM	Y	08-17-2017 1630	
242 PC	BAT:SPOUSE/EX SP/DA	M		SPHP	N	00-00-0000 0000	
245(A)(1) PC	FORCE/ADW NOT FIREA	F		DNI	Y	04-10-2017 1202	
245(A)(1) PC	FORCE/ADW NOT FIREA	F		SPHP	N	00-00-0000 0000	
22810(A) PC	FELON IN POSSESSION	M		SPHP	N	00-00-0000 0000	
NONE	ADDITIONAL COURT DA	I		OTH	Y	09-12-2018 0702	

- Change Dispo to **SPHP**
- In Notes state: ' Committed to Patton for X years'
- The package will be sent to Patton via Watchdox
- Patton will notify San Diego Sheriff's Transportation for delivery of inmate

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