

Overview: Sacramento Public Defender (SCPD) developed a Pretrial Support Project (PTSP) that conducts assessments for individuals incarcerated and links them to services and specialty courts pre-arraignment.

Challenge: Sacramento County struggled with four specific issues (1) our jail is over capacity, (2) there is significant growth in new mental health cases inside the jail, (3) inmates diagnosed with mental illness (MI) and/or Co-occurring Mental Illness and Substance Abuse (CIMSAs) remain in jail longer, and (4) there is a lack of coordination with the criminal court and jail discharge planning. Failure to address these issues led to a revolving door at the jail. Moreover, SCPD faced new challenges with COVID court closures and health concerns in the jail; as well as the new ruling in the *Humphrey* case. In August 2020, the California Supreme Court affirmed a lower court ruling from 2018 in the *Humphrey* case which holds that courts must look to the least restrictive way to monitor an individual between arraignment and trial.

Solution: SCPD solution was to develop a program that addressed the four challenges listed above while reducing recidivism, addressing new COVID concern, and implementing the *Humphrey* decision. The answer to these challenges lied in SCPD developing a client centered program driven towards a holistic defense approach. The program is designed to contact individuals in custody within 24 hours of booking and complete a need assessment. This 8-page comprehensive need assessment gathers information regarding an individual's community ties, employment, military history, finances, education, transportation, physical health, mental health, substance abuse, and housing. Once the assessment is completed, a recommendation is made to the attorney for (1) social worker follow up, (2) case navigation towards collaborative/diversion courts, and/or (3) advocacy for release from custody based on needs, COVID concerns, and *Humphrey*. If social worker follow up is needed, the social workers will coordinate jail discharge, provide linkage to services, conduct further clinical assessments, coordinate services and provide case management. The PTSP program was also designed to answer "how to" questions that individuals or family members may have; such as, how to get my property back, how to appear by zoom for court, how to find out my new court date due to court COVID closures.

Innovation: This PTSP is innovative in both approach and structure. The approach is innovative because through this client centered holistic defense approach, SCPD can help identify underlying needs of an individual that may have led to their engagement of criminal conduct. Once identified, the PTSP can address those needs through supported services and case management while navigating the case through the criminal justice system. This approach allows for SCPD to address its own county challenges while addressing COVID related issues and implementing the Supreme Court decision in *Humphry*. The structure of PTSP is innovative because law students and social worker students earn credits for externships to conduct the need assessments of individuals in custody. The structure is also innovative in design by having Licensed Clinical Social Workers placed in the SCPD office to support follow up assessments, linkage to services, and case management.

Results: Although this program is still in its infancy, judicial partners report success. Approximately 125 need assessments are conducted a week. Of them, nearly 50% require social worker follow up. Through this program, (1) courts now have the information they need to make a decision regarding release or bail under *Humphrey*, (2) individuals are now identified with MI/CIMSA prior to arraignment and linked to outpatient services earlier which reduces the growth of mental health cases in jail, (3) individuals are identified and tracked for collaborative/diversion courts sooner to reduce length of stay in custody, (4) social workers are able to communicate with the court, client, and jail to ensure a coordinated discharge plan so individuals can be linked to services and have case management in place prior to being released, (5) COVID health concerns are addressed through need assessment/and advocacy, and (6) COVID court closure concerns are addressed through supported PTSP team.

Replicability: PTSP can be replicated across jurisdictions. Access to the inmate booking list can be coordinated with law enforcement. The SCPD need assessment can be shared with any office interested in replicating. Law students and social worker students can be used to conduct assessments and perform follow up linkage and case management. Using interns also keeps it fiscally feasible.

Project or program contact: Tiffanie Synnott, Supervising Public Defender, 700 H Street, Suite 0270, Sacramento, CA 95814, SynnottT@saccounty.net, (916) 874-6411