



a program of Law Foundation of Silicon Valley

4 North Second Street, Suite 1300, San Jose, CA 95113

Intake line (408) 280-2420 • Fax (408) 886-3850

Services in Santa Clara County Jail – Frequently Asked Questions

What is Mental Health Advocacy Project (MHAP)?

The Mental Health Advocacy Project (MHAP) is a legal services organization that gives free legal help to individuals living with mental health disabilities in the areas of housing, patients' rights, and economic benefits. MHAP can also refer clients to different organizations if MHAP is unable to provide assistance on a certain issue.

What services can MHAP provide me while I am in jail?

MHAP can help inmates with getting their psychiatric medication and receiving an appointment with a mental health worker. MHAP also represents people who are placed on involuntary mental health holds on Unit 8A in the Santa Clara County Main Jail. MHAP can answer general questions you may have about what happens to your Social Security benefits or housing while you are in jail. If you need services that MHAP cannot provide, MHAP can refer you to organizations better able to assist you.

How can I contact MHAP from jail?

You can contact MHAP by dialing #38 from the jail phones or by dialing 1-800-248-6427 ext. 420. You can also send a letter to the Patients' Rights Advocate at 152 North Third Street, 3rd Floor, San Jose, CA 95112.

How can I see a psychiatrist and receive my psychiatric medication in jail?

To see a psychiatrist and begin receiving medication in jail, submit a white card requesting a mental health appointment. It can take between 4 – 8 weeks from the time you submit a white card to receive a mental health appointment unless you had a current prescription at the time of your arrest. "Current" means a prescription that was written and/or filled within the last 90 days. If you are having a problem receiving your medication in jail, you can contact MHAP at #38 for help.

How can I submit a grievance about the jail?

Complaints about the jail facilities should first be addressed by submitting a grievance form. You can request a grievance form from the Housing Unit Officer. When you turn in your grievance you will get a copy of the form and you will receive a written response to your grievance. If you are unhappy with the response you receive, you may appeal the decision by writing a confidential letter to the Facility Captain. If you have a very serious complaint, contact Internal Affairs for the Sheriff's Office at #39.

Where do I submit complaints about law enforcement?

Complaints about San Jose police conduct should be filed with the Independent Police Auditor (IPA). You can submit your complaints to the Office of the Independent Police Auditor located at 96 N. 3rd Street, Suite 150, San Jose, CA 95112. You can also contact the IPA via telephone at (408) 794-6226. After you submit your complaint, an investigation is done regarding the allegations you have made. At the end of the investigation, you will be contacted with the findings.

Can MHAP defend me in my criminal case?

MHAP cannot give legal representation to individuals in their criminal matters. MHAP cannot provide advice concerning your criminal charges. Any issues you may have about your ongoing case should be discussed with your private attorney or public defender. If you are working with a Public Defender, he or she can be reached at 408-299-7700.

How do I change my Public Defender?

If you have a complaint about the services you have received from your Public Defender, you can contact his or her supervisor at (408) 299-7700.

DISCLAIMER: This fact sheet is intended to provide accurate, general information regarding legal rights. It does not constitute legal advice. Because laws and legal procedures are subject to frequent change and differing interpretations, Mental Health Advocacy Project cannot ensure the information in this fact sheet is current nor be responsible for any use to which it is put. Do not rely on this information without consulting an attorney or the appropriate agency about your rights for your particular case.