

**Juvenile Justice Commission
of San Diego County**

Jails and Lockups 2017 Inspection Report

2016 Yearly Statistics (from Log Books)

0 # **Secure** detentions **OVER** 6 hours

5 # **Secure** detentions **UNDER** 6 hours

0 # **Non-secure** detentions **OVER** 6 hours

206 # **Non-secure** detentions **UNDER** 6 hours

Authority: Pursuant to Welfare & Institutions Code Section 209(b), a judge of the juvenile court shall conduct an annual inspection, either in person or through a delegated member of the appropriate county or regional juvenile justice commission, of any law enforcement facility that contains a lockup for adults which, in the preceding year, was used for the secure detention of any minor.

Please respond to sections that apply to the facility you are inspecting (type or print clearly)

Facility Name: Escondido Police Department Date of Inspection: 1/25/2018
Address: 1163 N. Centre City Parkway Date of Last Inspection: 6/6/2013
Escondido, CA 92026 Phone Number: 760-839-4986

Facility Manager: Sgt. Mike Graesser Contact Person: Sgt. Mike Graesser

Presiding Juvenile Court Judge: Hon. Kimberlee A. Lagotta
Commission Chair: Ed Weiner
Phone No.: 858-634-1555

I. GENERAL COMMENTS:

For CY 2016, the Escondido Police Department (“Department”) was in substantial compliance with the state standards governing law enforcement facilities in which minors are held in temporary custody. The Department’s custody logs were properly formatted and easy to read; safety checks for minors in secure custody were meticulously documented; and the reasons for decisions on secure custody were clearly annotated. Although there were a few omissions in documentation, the Department clearly has a firm grasp of its responsibilities under the regulations and is committed to fulfilling those obligations. We note also that Lt. Cramer and Sgt. Graesser were extremely gracious with their time, which allowed for an in-depth discussion of the Commission’s priorities, the practical challenges faced by the Department, the implications of recent changes in state law, and ideas on how the Commission may be able to assist the Department moving forward.

[Note on Arresting Offenses: The most common offenses for which Department officers arrested minors in 2016 were: (1) probation violations or arrests pursuant to a warrant (31.9%), (2) violations of the curfew provisions of the Escondido Municipal Code (11.1%), (3) assault and/or battery (7.1%), and (4) vandalism (5.8%).]

II. RECOMMENDATIONS (if any):

We understand the Department is currently updating its procedures for handling minors taken into temporary custody. Mindful of those ongoing efforts, the Commission offers the following recommendations:

1. We recommend the Department be more precise when documenting that minors taken into secure custody have been given the required “advisements.” See Cal. Welf. & Inst. Code §

207.1(d)(1)(C) (“The minor [must be] informed at the time he or she is securely detained of the purpose of the secure detention, of the length of time the secure detention is expected to last, and of the maximum six-hour period the secure detention is authorized to last.”). In a few cases, only one or two of the advisement boxes were initialed, leaving the impression that not all of the advisements were communicated. By requiring that each individual box be checked or initialed, the Department can ensure consistent compliance with the advisement requirement. (We note the Department was already exploring ways to implement this recommendation during the inspection.)

2. We recommend the Department use monthly call logs to document compliance with the requirement that minors in temporary custody be advised of their right to make two telephone calls. See Cal. Welf. & Inst. Code § 627(b). Although the Department is no doubt aware of this requirement (it has two signs prominently displayed at opposite ends of the non-secure custody area), the use of monthly call logs will more firmly root this procedure.
3. We recommend that in the “release information” section of the custody log the Department include both the name of the person to whom the minor is released and the nature of the relationship between that person and the minor. In most cases, the release information included a name, or the relationship to the minor, but not both. Including both a name and the nature of the relationship will ensure an appropriate record in the unlikely event a question arises concerning the minor’s release to a particular relative.
4. We recommend the Department apply a consistent method when calculating the monthly total of minors taken into temporary custody. Although the information on the custody logs themselves was largely complete, for some months the total number of minors listed in the logs was greater than the number listed on the monthly cover sheet sent to the BSCC (we discussed at least one such example during the inspection). The importance of these numbers extends far beyond mere record-keeping concerns—the more accurate these numbers, the greater the likelihood that budgetary decisions and legislative reforms will reflect on-the-ground realities.

The following questions are used to assess compliance with the state standards governing law enforcement facilities in which minors are held in temporary custody. See Article 9, *Minors in Temporary Custody in a Law Enforcement Facility*, Title 15 of the California Code of Regulations (15 Cal. Code Regs. §§ 1140–1151).

III. CONDITIONS OF DETENTION:

- | | | | |
|----|---|---|-----------------------------|
| A. | Are minors provided with orientation? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| B. | Are they informed of the purpose of detention? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| C. | Are they told the length of time detention is expected to last? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| D. | Are they informed of the six-hour maximum time limit? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |

IV. CONDITIONS OF SECURE DETENTION (e.g. cell/locked room):

- A. What is the proximity of minors to adult inmates?

Minors in secure custody are held in a hallway that is completely separate from adult inmates.

B. What is the ability and frequency of staff to supervise minor?

The staff uses video monitoring with constant auditory access, and conducts safety checks every 30 minutes.

- C. Is there constant auditory access to staff? Yes No
- D. Are minors provided with a snack if requested? Yes No
- E. Do minors have access to toilets and washing facilities? Yes No
- F. Do minors have access to a drinking fountain or water? Yes No
- G. Are there provisions to provide clothing or blankets to assure comfort? Yes No

V. CONDITIONS OF SECURE DETENTION OUTSIDE A LOCKED ENCLOSURE:

(this includes minors who are handcuffed to a fixed object such as a rail, bench, chair or table):

These questions are not applicable because the Department does not hold minors in secure custody outside of a locked enclosure. All minors taken into secure custody are held inside a locked enclosure.

- A. Are minors assured no "contact" with adult inmates? Yes No
- B. Is there constant supervision? Yes No
- C. Is there a 30-minute limit and Watch Commander approval every 30 minutes thereafter? Yes No
- D. Are minors placed in cell when one becomes available? Yes No
- E. Do minors have access to toilet and washing facilities? Yes No
- F. Is there access to a drinking fountain? Yes No

VI. CONDITIONS OF NON-SECURE DETENTION:

- A. Is there direct and constant supervision by staff during the entire custody period? Yes No
- B. Are males and females put in same room? Yes No

Males and females may be placed in the same non-secure room, but would be under constant supervision by staff during the entire custody period.

VII. INTOXICATED MINORS:

- A. Does the facility have written procedures for the handling of minors under the influence of any intoxicating substances? Yes No
 - B. Did the facility detain any minors, either secure or non-secure, determined to be under the influence of an intoxicating substance? Yes No
- If yes:
- 1. Was medical clearance obtained? Yes No
 - 2. Were these detentions documented? Yes No
 - 3. If the detention was secure, were there documented safety checks no less than once every 15 minutes? Yes No

N/A.

4. If the detention was non-secure, was the minor in the constant presence of staff? Yes No

5. Who provides medical clearance for these minors?

Palomar Medical Center.

VIII. DOCUMENTATION:

A. Are all mandated visual checks documented? Yes No

B. Are secure/non-secure detention logs used? Yes No

C. Do the detention logs list the offense and reason which formed the decision to place the minor in secure detention, as well as the length of time the minor was securely detained? Yes No

D. Does the facility have signage posted explaining the procedures for the handling of secure / non-secure detention of minors? Yes No

IX. ARE THERE INSTANCES IN WHICH A MINOR(S) WAS HELD FOR MORE THAN SIX HOURS? IF YES, LIST THE DATES, STARTING AND ENDING TIME AND CIRCUMSTANCES FOR EACH INSTANCE.

N/A.

X. Minors Interviewed (Comments):

N/A.