

**Juvenile Justice Commission
of San Diego County**

Jails and Lockups 2018 Inspection Report

2017 Yearly Statistics (from Log Books)

1	# Secure detentions OVER 6 hours
8	# Secure detentions UNDER 6 hours
0	# Non-secure detentions OVER 6 hours
52	# 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.

Facility Name: El Cajon Police Department Date of Inspection 11/21/2018
Address: 100 Civic Center Way Date of Last Inspection: 12/12/2017
El Cajon, CA 92020 Phone Number: _____

Facility Manager: Chief Jeff Davis Contact Person: Officer John Pearsley

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

I. GENERAL COMMENTS:

The El Cajon Police Department facility was clean, easy to navigate, accessible and had adequate lighting in all areas. "Procedures for Juveniles" signage was posted. Arrest and detention logs were available for review.

II. RECOMMENDATIONS (if any):

1. BSCC forms and reporting requirements have recently changed. The JJDP A and WIC §206 and §207 prohibit the Secure detention of status offenders (WIC §601) and nonoffenders (WIC §300/WIC §5150). Any violations must be reported to the BSCC on the Monthly Report on the Detention of Minors. For more information, please refer to the section on Youth in Adult Detention Facilities on the BSCC webpage: http://www.bscc.ca.gov/s_fsoservices.php
2. The number of Securely Detained Minors held in calendar year 2017, per hard copies of Arrest Logs and Secure Detention Logs was 9 (8 under six hours, 1 over six hours). Although there were discrepancies between these logs and the number of minors reported to the California Board of State and Community Corrections [CA BSCC] as noted directly below, the number of secure detentions reported to CA BSCC differs from the number reported by BSCC to the Juvenile Justice Commission (reported as 4) and appears to reflect an error on the part of the BSCC.

Due to detected documentation errors, the El Cajon Police Department will also need to correct their totals for detained juveniles reported to the CA BSCC, specifically referencing their August and December 2017 totals:

(a) In August 2017, the ECPD reported two non-secure juvenile detentions under six hours and one non-secure detention over six hours. However, per their arrest logs the correct number and classification was two non-secure juvenile detentions under six hours and one secure detention under six hours. No juvenile was listed as being held (secure or non-secure) over six hours in August 2017, with the longest detention reported at two hours for that month.

(b) In December 2017, the ECPD reported three juvenile detentions: two secure juvenile detentions under six hours and one secure detention over the six hour limit. Per their own logs, however, there were only two juvenile detentions: (i) one secure detention under six hours for a youth with a 148.9 PC charge and (ii) one secure detention over six hours (youth with a 187 PC charge held for a documented six hours and 15 minutes before release to Juvenile Hall).

Please clearly document not only all mandated visual safety checks, but also record interview times when a securely detained youth is continuously supervised if mandatory safety visuals are not being conducted. While safety visuals every thirty minutes may seem unnecessary during an interview and may have not historically been recorded on arrest logs, this results in incomplete records of mandated safety monitoring.

While the Commission is not requesting duplicate visual safety monitoring, periods where a youth is continuously supervised while being questioned should be clearly documented in the *NOTE* section of the Secure (or Non-Secure) Detention and Arrest Logs so it does not appear that safety monitoring was omitted.

Example: In March 2017, a youth charged with 211 PC was detained for an apparent 5 ½ hours but visual monitoring ceased at either 10:00 a.m. or 10:30 a.m. (differing between the Secure Detention, and Arrest, Logs) despite a release at either 1:30 p.m. or 1:45 p.m. (again, differing between the Secure Detention, and Arrest, Logs). This inadequate documentation with regards to visual safety checks was reportedly due to the youth being interviewed in the Investigations Interview Room, which is located outside of the Temporary Holding facility. However, it was not possible to verify this. This is additionally concerning because (a) there were time discrepancies between the Secure Detention, and Arrest, Logs and (b) the reported total detained time was close to the six hour limit.

As noted in prior reports, while the El Cajon Police Department policy, and layout of the Juvenile Processing area within the department, supports constant visual monitoring, accurate documentation is essential – including when a minor is removed from this area for an Investigations Interview.

Further, handwriting in logs is not always legible; time discrepancies existed between the Arrest, Non-Secure and Secure Detention, Logs (typically representing 10-30 minute differences); and some portions of the Arrest Log were occasionally left blank (e.g., time released, to whom the youth was released, etc.) even though the details were available on the Secure or Non-Secure Detention Log, or *vice versa*.

During training, officers should be discouraged from crossing out detainee information on one log, photocopying it and using that log for different months. It was not possible to fully track why the March and April 2017 logs each had a youth from the other month listed in the midst of the Detentions for the log of a different month and gave the appearance that these logs may have been completed retrospectively from the Arrest Logs.

Finally, organization of records for inspections in a binder, along with regulations and documentation of any change in signage, would be useful and facilitate inspections. Specifically, please make sure that the Arrest Logs, Secure and Non-Secure Detention Logs and the California Board of State and Community Corrections Monthly Reports are available for each month of the inspection year.

Given all the errors and discrepancies, the Commission strongly recommends a monthly review of the Arrest and Detention Logs and further training of officers in accurately completing these logs.

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? Yes No
- B. Are they informed of the purpose of detention? Yes No
- C. Are they told the length of time detention is expected to last? Yes No
- D. Are they informed of the six-hour maximum time limit? Yes No

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

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

Minors are kept separate. Entrance is separate for minors. No visual or auditory proximity of minors to adults. Adult female inmates may be processed in the minor-designated area but only when NO minors are present in the facility.
- B. What is the ability and frequency of staff to supervise minor? **Constant visual supervision**
- 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):

- 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

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

The Commission understands that most minors are assessed in the field by EMTs and sent to a hospital if it is determined that they are under the influence before arrival to ECPD.

It should be noted that while no detained minor was listed as being monitored for intoxication, it seems unlikely that no minor under the influence entered El Cajon Police Department during all of 2017. Continued training should be provided in documenting the assessment and monitoring of intoxicated youth.

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
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?

VIII. DOCUMENTATION:

- A. Are all mandated visual checks documented? Yes No

Typically (per El Cajon Police Department policy) yes, however as noted above the safety check section of the form was incomplete for one securely detained minor who was allegedly in an interview room and presumably under constant monitoring.

- 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

See above: sometimes the 'in' or 'out' times are missing on one of the two (Arrest vs Secure/Non-Secure Detention) logs, but no minor was missing information on both logs.

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

E.

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.

One 17-year-old male minor was held for over six hours on December 12, 2017, for a total of six hours and 15 minutes (21:00 to 03:15). He was held due to the severity of his charge (187 PC Murder) and was released to Juvenile Hall. No other details were available.

X. Minors Interviewed (Comments):

N/A (no minors present during inspection)