



**Juvenile Justice Commission:**  
**Santa Clara County**  
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**Inspection Report Inspection of Law Enforcement Agencies**  
**Regarding the Temporary**  
**Detention of Minors in Calendar Years 2023 and 2024**

**SANTA CLARA COUNTY'S JUVENILE JUSTICE COMMISSION REVIEW OF  
LAW ENFORCEMENT AGENCIES FOR THE CALENDAR YEARS 2023 and  
2024**

The Juvenile Justice Commission of Santa Clara County (JJC) has completed its inspections of the Law Enforcement Agencies (LEAs) in Santa Clara County (SCC) for the **calendar** years 2023 and 2024. The 2023 inspection was conducted after receiving from the California Board of State and Community Inspection (BSCC) the list documenting the number of youth held in secure detention by the LEAs on a monthly basis.

In 2024 the state Office of Youth and Community Restoration (OYCR) assumed responsibility as the point of contact for these LEA reports. The JJC has contacted all the LEA listed by OYCR. The Commission also contacted the San Jose Police Department<sup>1</sup>, which was not reflected on OYCR's list.

As with past years, the JJC thanks those LEAs that were visited or contacted for their cooperation and support in completing these inspections. The LEA staff accompanying the JJC Commissioners during the inspections were courteous, helpful, and forthcoming in their responses to our questions. The JJC found the LEAs clean, well-organized, professional, and in possession of written policies relating to the detention of minors that are consistent with the Facilities Standards issued by the BSCC guidelines that are still in use by OYCR.

**Commendations**

The Juvenile Justice Commission commends:

Los Altos Police Department for using a therapy dog to help children in crisis.

Los Gatos-Monte Sereno for no longer detaining minors.

Palo Alto Police Department for filling the previously vacant position of the Emergency Response Team's therapy provider. This mental health responder is dressed in civilian clothes and unarmed.

San Jose State University for no longer keeping minors in secure custody.

**Recommendations:**

The Juvenile Justice Commission recommends that:

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<sup>1</sup> The San Jose Police Department declined to allow the JJC to inspect their facilities based on a finding by BSCC that their holding facilities were completely separate from the holding facilities for adults. They have been inspected by the JJC both before and after that BSCC letter.

OYCR make available the explanatory video of the duties of the LEAs regarding the detention of minors to those whose duty is to inspect the LEAs;

OYCR publish in the list of LEAs in Santa Clara County, the data as to whether each LEA reported for the full year or a portion thereof, and the number of secure detentions held by that LEA;

OYCR make it clear to all LEAs that if they detain juveniles, even if they had no secure detentions, they must follow state and federal laws, log their detentions, and be available for inspection by OYCR and the judges or designated JJC's;

OYCR notify all LEAs that, even if they do not securely detain youth, they must follow the guidelines required by state and federal law for sending documentation to OYCR;

OYCR send the list of LEAs in the County to the Presiding Judge of the Juvenile Court and the Chair of the Juvenile Justice Commission;

Santa Clara County Superior Court amend Local Rule 3.B. of the Juvenile Rules to indicate the JJC has the right and duty to inspect all LEAs in the county, regardless of whether secure detentions occurred during the year. Further, having separate detention areas from adults does not preclude inspection, given the need to confirm the LEA was following all state and federal guidelines;<sup>2</sup>

San Jose Police Department report their non-secure detention logs to OYCR monthly;

San Jose State University Police post minor's rights in the area where youth might be held in non-secure detention and document the non-secure detentions to OYCR monthly; and

Santa Clara Police post minor's rights in the area where youth might be held.

## **I. Introduction**

Pursuant to Rule 3.B. of the Juvenile Rules of the Superior Court in Santa Clara County and Welfare and Institutions Code (WIC) 209(b), the Court has delegated the responsibility to inspect LEAs to the JJC. This rule requires that the results of each

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<sup>2</sup> In 2013 the Santa Clara County Juvenile Court adopted Juvenile Rule 1(0) which delegated to the JJC the court's authority to inspect LEAs and specified that the JJC could inspect facilities "used for *secure or non-secure* detention of a minors: <https://santaclaracourts.ca.gov/system/files/lef.pdf> (emphasis added). After the subsequent revisions, the Rule now authorizes the JJC to inspect facilities "used for the *secure* detention of any youth." See Santa Clara Juvenile Court Rule 3.B(1) (emphasis added)

inspection for the year, to year be presented in writing to the Presiding Judge of the Juvenile Court.

### 2023 Inspections

The Commission contacted the Chiefs of Police for each of those nine agencies that failed to report monthly detention data. Each agency then forwarded the missing detention records to the JJC and the BSCC. Based on the JJC’s review of these records, none of the nine agencies reported securely holding a youth during the 2023 calendar year. The information from the LEAs that ultimately provided data is included in the summary below.

CALENDAR YEAR 2023 - SECURE DETENTION OF MINORS IN LOCKUPS					
FACILITY NAME	STREET ADDRESS	CITY	ZIP CODE	# HELD IN SECURE DETENTION	# OF MONTHS REPORTED
<b>SANTA CLARA COUNTY</b>					
Campbell PD	70 N First St	Campbell	95008	0	11
Gilroy PD	7301 Hanna Street	Gilroy	95020	0	12
Los Altos PD	1 N San Antonio Rd	Los Altos	94022	0	5
Los Gatos/MonteSerenio PD	15900 Los Gatos Blvd	Los Gatos	95031	UNK	0
Milpitas PD-Main	1275 N Milpitas Blvd	Milpitas	95035	1	12
Morgan Hill PD	16200 Vineyard Blvd	Morgan Hill	95037	4	12
Mountain View PD	1000 Villa Street	Mountain View	94041	0	12
Palo Alto PD	275 Forest Ave	Palo Alto	94301	1	12
Santa Clara PD	601 El Camino Real	Santa Clara	95050	0	10
Santa Clara PD-Levi Stadium	4900 Marie P. DeBartolo Way	Santa Clara	95054	0	12
State Univ San Jose PD	377 Washington Square	San Jose	95192	0	11
Sunnyvale PD (Public Safety Hdqtrs)	700 All America Way	Sunnyvale	94088	1	12
BART - Milpitas Station (MPS)	1755 S Milpitas Blvd	Milpitas	95035	0	2
BART- MBS - Millbrae Station	200 N Rollins Rd	Millbrae	94030	0	2
BART- MBS - Millbrae Station	200 N Rollins Rd	Millbrae	94030	UNK	0

### 2024 Inspections

The OYCR distributed a Calendar Year 2024 list of LEAs to a state-wide meeting of Juvenile Justice Commissions. To our knowledge, the list was not sent to the Presiding Judge of Santa Clara County Juvenile Court nor the individual JJC Chairs. Further, this list did not indicate whether any minors were held in secure custody, nor enumerate the number of months OYCR had received custody logs from each LEA. As a result, the JJC sent letters to all the LEAs in this county.

<b>SANTA CLARA COUNTY</b>			
Campbell PD	70 N First St	Campbell	95008
Gilroy PD	7301 Hanna Street	Gilroy	95020
Los Altos PD	1 N San Antonio Rd	Los Altos	94022
Los Gatos/MonteSerenio PD	15900 Los Gatos Blvd	Los Gatos	95031
Milpitas PD-Main	1275 N Milpitas Blvd	Milpitas	95035
Morgan Hill PD	16200 Vineyard Blvd	Morgan Hill	95037
Mountain View PD	1000 Villa Street	Mountain View	94041
Palo Alto PD	275 Forest Ave	Palo Alto	94301
Santa Clara PD	601 El Camino Real	Santa Clara	95050
Santa Clara PD-Levi Stadium	4900 Marie P. DeBartolo Way	Santa Clara	95054
State Univ San Jose PD	377 Washington Square	San Jose	95192
Sunnyvale PD (Public Safety Hdqtrs)	700 All America Way	Sunnyvale	94088
BART - Milpitas Station (MPS)	1755 S Milpitas Blvd	Milpitas	95035

After being contacted, a majority of the LEAs reported no secure detentions were held. San Jose Police Department denied the JJC the opportunity to inspect.

## **II. Juvenile Detention-Policy**

WIC Section 207.1 authorizes law enforcement to hold a youth in temporary custody if the youth is described by WIC Section 602. Depending on the crime and the demeanor of the youth, the young person may be held in a secure or non-secure area at the LEA.

A peace officer who has taken temporary custody of a youth may hold that youth in secure detention if the youth is at least 14 years old, the peace officer reasonably believes the youth presents a serious security risk of harm to self or others, and six corresponding conditions are satisfied. The California Code of Regulations sets forth factors a peace officer may consider when determining whether the youth presents a security risk. These factors, found at 15 CCR § 1145, include:

- age, maturity, and delinquent history of the minor;
- severity of the offense(s) for which the minor was taken into custody;
- minor's behavior, including the degree to which the minor appears to be cooperative or non-cooperative;
- the availability of staff to provide adequate supervision or protection of the minor; and,
- the age, type, and number of other individuals who are detained in the facility.

If a peace officer finds a minor aged 14 or older presents a security risk a secure detention is allowed only if six additional conditions are satisfied. Those conditions, outlined in WIC Section 207.1, are as follows:

- The minor is held in temporary custody for the purpose of investigating the case, facilitating release of the minor to a parent or guardian, or arranging transfer of the minor to an appropriate juvenile facility;
- The minor is detained in the law enforcement facility for a period that does not exceed six hours except as provided in subdivision (d);
- The minor is informed at the time the minor 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 the event an extension is granted pursuant to subdivision (d), the minor shall be informed of the length of time the extension is expected to last;
- Contact between the minor and adults confined in the facility is restricted in accordance with Section 208;
- The minor is adequately supervised; and

- A log or other written record is maintained by the law enforcement agency showing the offense that is the basis for the secure detention of the minor in the facility, the reasons and circumstances forming the basis for the decision to place the minor in secure detention, and the length of time the minor was securely detained

A youth is considered to be in “secure detention” if locked in a room or other secure enclosure, secured to a cuffing rail or other stationary object, or otherwise restrained to prevent escape and protect the minor and others from harm.<sup>3</sup> When youth are in secure detention within a locked enclosure, LEAs must provide them with “adequate supervision,” including, at a minimum, constant auditory access to the youth as well as documented safety checks at least once every 30 minutes.<sup>4</sup> When youth are in secure detention outside of a locked enclosures, LEAs must lock them to a stationary object and provide constant visual observation of the youth. LEAs may not secure youth to a stationary object for more than an hour unless a supervisor at the LEA makes a documented determination that doing so is in the best interest of the youth.<sup>5</sup> Youth must be informed of the services, snacks and items to which they are entitled<sup>6</sup> Though the language for triggering an inspection is *secure detention*, the state and federal guidelines cover other conditions for LEA’s legal handling of minors in their custody. Inspections by the JJC also include monitoring of these further conditions.

These rules also apply to youth who are in a non-secure detention. When a youth is in non-secure detention the doors (and fences) are not locked between the youth and freedom, and if unattended, the youth would be able to walk out of the holding agency. Juveniles in non-secure detention must be under constant supervision. Though potentially able, to the knowledge of this JJC, no youth ever walked out of an LEA.

Youth who are in non-secure detention must also be

- Always separated from adults confined in the facility;
- Adequately supervised;
- Informed of the charges against them and the reason for detention;
- Advised that they cannot be held for more than 6 hours;
- Provided with a snack, water, blankets, toilet facilities, language and disabilities services, feminine hygiene products, and privacy for consultation with family, guardians, and lawyers;
- Separated from juveniles of different genders, unless under constant direct visual observation;
- Provided Privacy when talking to family, guardian, or attorney; and
- If intoxicated, be medically cleared pursuant to written procedures developed for the detention facility.

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<sup>3</sup> 15 CCR § 1146.

<sup>4</sup> 15 CCR § 1147.

<sup>5</sup> 15 CCR § 1148.

<sup>6</sup> 15 CCR § 1143(b)

<sup>7</sup> W&I § 207.1(b)(1)(F)

### **III. Inspection Process**

The JJC developed an inspection questionnaire form used by all Commissioners in the inspection process. This form was originally based on the “Inspection Handbook for Minors Detained in Adult Facilities,” published by the BSCC May 2013. The handbook outlined the BSCC’s minimum jail standards described above for minors who are detained in adult facilities. The JJC continues to revise and update its questionnaire while following the publication of the BSCC handbook titled “Minors in Detention: Federal and State Requirements,”<sup>8</sup> which describes the Title 15 standards for law enforcement agencies.<sup>11</sup> As previously stated, the purpose of Commission’s annual inspections is to determine whether LEAs protected the safety and well-being of the juveniles while in custody. One specific concern the Commission continues to monitor across LEAs is whether youth experiencing a mental health crisis receive an appropriate response and interventions.

Commissioners have previously relied on the accompanying video to the handbook as have LEAs in their training refreshers. Whereas access to this video is restricted, the JJC encourages OYCR to make an accompanying video available for use by JJC’s in their inspection preparation.

In teams of two or three, the Commissioners conducted the inspection of these LEAs holding areas during March, April, and May of 2026. Prior to the issuance of this report, the LEAs were given an opportunity to review the report and provide any factual corrections or clarifications. The findings incorporate the LEAs’ responses.

### **IV. Findings**

The JJC found that all inspected LEAs followed state and federal regulations in 2024. Overall, the Commissioners found that most LEAs efficiently processed minors in a timely manner and informed them of the purpose of their detention with visible signage of their rights. Depending on the seriousness of the offense, most agencies preferred to either release the minor as soon as possible to a parent or responsible adult or transfer the minor to Juvenile Hall for processing. At all the LEAs the JJC inspected, law enforcement staff assured the Commissioners that precautions are taken to ensure minors are not exposed to adults. Depending on the seriousness of the symptoms of intoxication or being under the influence of a drug or alcohol, law enforcement agencies transferred the youth to a hospital or appropriate community-based organization (i.e., Pacific Clinics or local medical facilities) for immediate medical attention. As juvenile crime has decreased across the country and in Santa Clara County the JJC has noted that the number of youth detained has been decreasing and the LEAs are holding fewer youth in both secure and non-secure custody.<sup>9</sup>

All agencies inspected had at least one section specifically designed for minors in their Policies and Procedures manual. Overall, the LEAs were informative, professional, and

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<sup>8</sup> BSCC, “Minors in Detention: Federal and State Requirements” (January 2013), <https://www.bscc.ca.gov/wp> The Handbook is a supplement to “Minors in DetentionV2,” which has been used by the JJC as a training video for the commissioners, but has restricted access issued by OYCR.

<sup>9</sup> See JJC’s LEA Inspection reports reviewed for this report dating back to 2007.

generally knowledgeable on their policies and procedures. Below are specific findings for the individual LEAs inspected.

**BART Milpitas Station:**

BART Police at the Milpitas Station did not hold any youth in either secure or non-secure detention in 2024. Detention logs were provided to the JJC, after the physical inspection took place.

**Campbell Police Department:**

Campbell PD is one of the institutions that sends their custody log sheets to the JJC and OYCR. They had no secure detentions for 2024.

**Gilroy Police Department:**

Commissioners inspected the Gilroy Police Department and met with their professionally trained Detention Officer. No irregularities were noted during the inspection. As in prior years, officers noted a desire for more consistent availability of the Pacific Clinics Mobile Crisis Unit. There were instances when the service was unavailable during an event where a youth experienced a mental health crisis.

This year the JJC asked about the issue of a potential increase in juvenile crime. Gilroy's answer was "no," but they indicated that they are seeing youth brought into custody at younger ages. While using Lexipol Policy 324, they have also added a department prepared more detailed policy on the detention of juveniles. All their documents are scanned and made available electronically.

**Los Altos Police Department:**

The Los Altos Police Department did not have any youth in detention in 2024.

As reported to the JJC for the prior calendar year, when dealing with a youth in a mental health crisis, all officers have undergone crisis intervention training. They also have a "facility dog" that can offer comfort to a youth in crisis. This dog has a different level of training than a K-9 police dog, which is trained to assist officers with law enforcement duties. These youth go voluntarily to El Camino Hospital with their parents when they are in crisis. Being taken to other facilities is considered to be too traumatizing for youth already in crisis.

**Los Gatos-Monte Sereno Police Department:**

The Los Gatos-Monte Sereno Police Department did not report youth detentions to OYCR, as they no longer detain anyone at their facilities. Their detention cells and area are used as storerooms.

**Milpitas Police Department:**

The inspection of the Milpitas department includes two facilities: the main Milpitas department headquarters, and the satellite office in the Great Mall. They had no youth in secure detention in

the 2024 calendar year and reported that they had been inspected by OYCR and had received a “perfect” evaluation.

### **Morgan Hill Police Department:**

Morgan Hill Police Department confirmed there was one secure detention in 2024. When the facility was inspected it was observed that the youth’s rights are posted in English and Spanish. Their Policy Manual from Lexipol was recently updated to include more favorable language. As there had appeared to be no increase in juvenile crime Morgan Hill, but like Gilroy, noted that the offenders were younger had more weapons and assaultive behaviors.

Intoxicated youth are taken to the local hospital to be medically cleared. Court Dependents are kept in a “family room” or taken to the Bill Wilson Center. If these youth need to be interviewed, they are taken to the Child Advocacy Center (CAC) where they are interviewed by specially trained personnel.<sup>10</sup> Youth in a mental health crisis are not brought to Morgan Hill PD; the Mental Health Crisis Response Team will be asked to respond to a mental health call.

Morgan Hill has a professionally trained “Detention Officer” Though all officers are regularly trained on the requirements of juvenile detention, this officer ensures that the documentation is properly handled.

### **Palo Alto Police Department:**

The Palo Alto Police Department did not hold a youth in secure detention in 2023, but in 2024 there was a single youth who was transferred from non-secure to secure custody based on his beyond control behavior out of a drunk in public arrest. Two 707(b)<sup>11</sup> arrests were transported to Juvenile Hall but had not been held in secure custody. At the previous inspection of this facility the department reported their Psychological Emergency Response Team’s therapy provider position was vacant. The position was filled in 2024. That person is dressed in civilian clothes and unarmed. This is especially important as this jurisdiction has had an issue with teen suicides. Youth in a mental health crisis are taken to Stanford Hospital or Pacific Clinics.

### **Santa Clara County Sheriff Department:<sup>12</sup>**

While not on the OYCR’s list for inspections, the JJC has learned that youth are held in detention by the SCC Sheriff’s Department<sup>13</sup>. They have no secure detention for youth. Instead, minors are kept in an area near the front desk with direct and constant supervision. In order to keep males and females separated, one may be kept in a holding area and the other in a car with an officer. If a minor is intoxicated, the Sheriff’s Dept. will only detain once that minor has been cleared by the EMT at the arrest site.

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<sup>10</sup> Morgan Hill now has a specially trained forensic interviewer, and a new CAC is coming into South County.

<sup>11</sup> WIC § 707(b) offenses are serious and violent felonies.

<sup>12</sup> Inspected for the 2023 report

<sup>13</sup> See [https://santaclara.courts.ca.gov/system/files/jjc\\_lef\\_inspectionreport2013.pdf](https://santaclara.courts.ca.gov/system/files/jjc_lef_inspectionreport2013.pdf). They had been informed the state did not require them to report to “the state”. They were keeping the logs for review by the JJC.

Moving forward, the Commission recommends OYCR include the Sheriff's Department on its list for inspections and data reporting. Doing so will help ensure all LEAs are protecting the rights of minors.

### **Santa Clara Police Department:**

The Santa Clara Police Department had two secure detentions in 2024. Commissioners observed their holding facilities, which were clean, well-organized and were entered through a door that in large letters indicated no adult inmates were allowed. The compact space had two glass-fronted holding cells with space in front for the officers to detain non-secure juveniles. The securely detained youth were under constant supervision. The JJC confirmed that the non-secure juveniles could leave the facility multiple ways through unlocked doors. Fire inspections took place monthly. The only concern identified was the lack of signage on youth rights. The Commission was promised that action will be taken to address this issue.

With Levis Stadium slated to soon host World Cup games, as well as its usual array of other big events, Commissioners were pleased to learn that multiple agencies coordinate assistance at the venue. Law enforcement officers from various local agencies, as well as from Homeland Security and the Coast Guard, bring their expertise and sophisticated equipment to ensure safety.

The Sunnyvale Department of Public Safety had no secure detentions in 2024. They confirmed the previously noted missing fire inspection had taken place, and a copy was sent to the JJC for this year's report. They have appropriate signage for the youth specifically outlining their rights. This had been a problem in earlier reports. SDPS is one of the agencies that also sends their monthly OYCR logs to the JJC.

### **San Jose Police Department:**

The San Jose Police Department ("SJPD") declined our request to inspect their facilities. The SJPD reported receiving guidance from the BSSC eliminating their requirement to open detention facilities for inspection. Specifically, they assert this requirement is inapplicable due to their belief the detention area for minors is completely separated from their adult facilities.

As noted earlier in this report, the JJC has received authorization from the Presiding Judge of the Juvenile Court to inspect all LEAs in the county. This authorization is not contingent upon the separation of facilities for minors and adults. To offer further clarity, the Commission recommends an amendment to the Local Rules of Court allowing for inspection of all facilities. The Commission believes this request is necessary in order to assess whether prior identified concerns related to practices at SJPD have been addressed.

### **San Jose State University Police Department:**

Though the San Jose State Police Department no longer has any secure detentions of youth and had not reported anything to OYCR, they were accessible to the JJC. They use Lexipol's Policy 324. They had no signage as to the rights of juveniles. though the JJC was shown where they might be held in non-secure detention. All youth who might be held in secure detention are

immediately transported to Juvenile Hall. Their reports are now processed and retained electronically.

## **V. Statement of the Need for Inspections and Summary**

In preparation of this report, Commissioners reviewed prior inspection summaries dating back to 2007. This review, while showing a trend of marked improvement in how LEAs treat detained minors, also demonstrates the need for ongoing, robust inspections. Over the years the JJC has reported substantive violations that include a youth detained for over 18 hours, processing a minor with an adult, removing a youth to from non-secure detention to the LEA's detective bureau in a secure portion of the facility containing adult prisoners, or sending an intoxicated youth the AIB where adult prisoners were likely to be. We have also reported procedural violations, including missed notations on log sheets and issues with appropriate signage on youth rights.

Conditions and actions that were noted as satisfactory in the earliest report became questionable in later inspections.<sup>14</sup> This led to a recommendation by a Presiding Judge of the Juvenile Court that the JJC inspect every LEA even if no secure detentions reported, every 5 years or so.<sup>15</sup> The 2008 report noted that the JJC inspected the agencies whether youth were held in secure detention or only non-secure detention. During subsequent years sometimes all requirements under state and federal law were complied with, and other times some state and federal laws were violated.

Thus, while the trends are generally positive, continued oversight is needed. The Commission looks forward, with the support of the local Court, to carrying out its responsibilities to inspect all local Law Enforcement Agencies. The Santa Clara County Juvenile Justice Commission continues to inspect the holding facilities to ensure that our youth are protected. With the exception of a denial to inspect San Jose Police Department, the LEAs were, on the whole, following the necessary rules to protect youth in the LEA's custody.

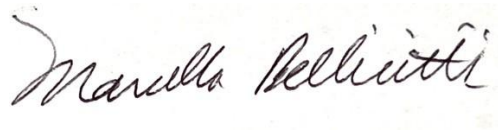
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<sup>14</sup> <https://santaclara.courts.ca.gov/system/files/policefacilitiesrpt.pdf>  
<https://santaclara.courts.ca.gov/system/files/policefacilities-insrpt.pdf>  
<https://santaclara.courts.ca.gov/system/files/lawenforcementfacilitiesinsp.pdf>  
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[https://santaclara.courts.ca.gov/system/files/juvenile/lea\\_inspection\\_report\\_2023calendaryear.pdf](https://santaclara.courts.ca.gov/system/files/juvenile/lea_inspection_report_2023calendaryear.pdf)

<sup>15</sup> [https://santaclara.courts.ca.gov/system/files/lea\\_inspectionreport2020.pdf](https://santaclara.courts.ca.gov/system/files/lea_inspectionreport2020.pdf) page 7.

**Approved by the Santa Clara County Juvenile Justice Commission on June 2, 2026**

**Marcie Bellicitti, Chair of the Juvenile Justice Commission**

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**Victoria BurtonBurke, Chair of the Law Enforcement Agency Inspection**

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