

Juvenile Justice Commission County of Santa Clara

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INSPECTION REPORT

TEMPORARY DETENTION OF MINORS IN LAW ENFORCEMENT FACILITIES MAY 2008

I. INTRODUCTION

The Santa Clara County Juvenile Justice Commission (JJC or Commission) is required pursuant to the State of California Welfare and Institutions Code Section 229 to inspect any jail or lockup within the County which in the preceding calendar year was used for confinement of any minor for more than 24 hours. The Commission may also inspect other law enforcement facilities in the County where minors were confined for less than 24 hours. The Commission conducted inspections of eight law enforcement jurisdictions during May 2008: Campbell, Los Altos, Los Gatos/Monte Sereno, Mountain View, Palo Alto, San Jose, Sunnyvale and the Santa Clara County Sheriff's Department.

The Commission conducts annual inspections of law enforcement facilities in Santa Clara County. The inspection reports for prior years are available on the internet and can be accessed at: <http://www.sccsuperiorcourt.org/juvenile/jjc.htm>.

II. PROCEDURE

Commissioners conducted pre-scheduled inspections of the eight jurisdictions to review what takes place when a minor is brought into the facility. Commissioners reviewed General Orders and completed a "walk-through" at each facility to identify procedures for handling minors and determine how the procedures are followed.

Secure and non-secure detention logs were also reviewed. Secure detention occurs when a minor is locked in a room/enclosure and/or secured to a cuffing fixture or other stationary object while in custody in a law enforcement facility for any length of time. Non-secure detention occurs when a minor's freedom is controlled by the staff of the law enforcement facility, and the minor is: (1) under constant personal visual observation and supervision by the staff; (2) not locked in a room or enclosure; and (3) not physically secured to a cuffing rail or other stationary object. All law enforcement agencies that detain minors in secure or non-secure detention are required to submit reports titled "Monthly Report on the Detention of Minors" to the California Corrections Standards Authority (CSA). These reports contain summary information from the logs.

Reference was made to previous inspections to determine whether previous programs still exist, improvements have occurred and/or corrections have taken place relative to previous concerns. Commissioners also asked about prevention and intervention programs available in the various areas. The following inspection summaries vary in scope because the departments vary in size, staffing patterns, programs and numbers of juveniles handled.

III. INSPECTION SUMMARIES

Campbell

The logs were reviewed and it was determined that 21 juveniles had been brought into the facility during 2007. Most youth were cited and released. Youth who are charged with a serious felony are taken to Juvenile Hall and, if a juvenile is “under the influence” or injured, he/she is first taken to Valley Medical Center. The logs were completed in a satisfactory manner with reports sent to the CSA each month as required. There have been minor changes made due to remodeling and renovation. The facility is small and many areas are multi-use, but sight and sound separation is maintained between adults and juveniles. A temporary building, containing two interview rooms in addition to other space, has been constructed in the parking area next to the main building. Often, youth are brought to the facility, but stay in the patrol car with an officer until being released to a parent. Photos and fingerprints are taken when felonies or gang related activities are involved.

The Commission is satisfied that the Campbell Police Department is properly handling juveniles brought to their facility.

Los Altos

When juveniles are brought to the facility, they are placed in one of two rooms for non-secure detention. Each room has visual and auditory monitoring, and signage has been placed adjacent to the doors stating the rules for secure and non-secure detention. An officer is always either in the room with the juvenile or outside the room with the door open. Sight and sound separation is maintained at all times between adults and juveniles held at the facility. Fingerprinting is based on the nature of the offense. According to the logs, 22 juveniles were brought to the facility during 2007 and, of these, 20 were handled in non-secure detention. Most juveniles are cited and released in the field. The Department’s General Orders were revised in July 2007. Patrol car computers as well as the office computers contain the Orders, giving immediate access to information regarding the handling of juveniles. The Department has a School Resource Officer at the high school.

The Commission is satisfied that the Los Altos Police Department is properly handling juveniles brought to the facility.

Los Gatos/Monte Sereno

Most juveniles handled by officers are cited and/or released in the field. The few juveniles who are brought to the facility are taken to the non-secure interview room. At

no time is a juvenile left unsupervised while in the facility. A number of the logs were reviewed. A separate log is completed for each juvenile and then filed with the case record. Twenty juveniles were processed in 2007 and four so far in 2008. One of the Department's four detectives handles juvenile cases and runs the Department's Diversion Program. The Department continues to have a strong commitment to prevention programs. A Special Order created Youth Party Guidelines for the officers, and a brochure has been issued for parents, youth, and the community on how to hold a party and avoid problems. The Department continues to work with the community in a multi-disciplinary approach to solving and preventing problems. Youth programs continue to be a high priority, but the very limited space makes it difficult to handle youth brought to the facility. A new building is being planned and is scheduled for opening in June 2009. A review of the plans shows that there will be considerably more space for handling youth brought to the facility.

The Commission is satisfied that the Los Gatos/Monte Sereno Police Department follows appropriate policies and procedures when handling youth brought to the facility.

Mountain View

A walk-through was conducted of the process that occurs when a juvenile is brought into the facility. All juveniles are photographed and fingerprinted when brought in. If a juvenile needs medical attention, he/she is taken to Valley Medical Center. Signage regarding procedures is in clear view at the juvenile holding room. The logs were reviewed and reflected that six juveniles were processed in April and five in May 2008. Juvenile Procedures are viewed on the office computers as well as in the patrol cars. The task of revising Department General Orders was contracted out in January 2008 so that changes in law can be reflected more rapidly in all Department Procedures. The Department now has two School Resource Officers (SROs) who handle many cases in the field that would otherwise be brought to the facility. The SROs continue to be an important part of the Department's program to prevent juvenile offenses and gang activity, which has been increasing. The Department has received a grant for additional juvenile staffing.

The Commission is satisfied that the Mountain View Police Department continues to handle juveniles in a highly professional manner.

Palo Alto

General Orders regarding Juvenile Procedures were revised in December 2007. Signage is placed in the entrance area where juveniles are held in non-secure detention. The logs and policies are available at the desk in the room where the juveniles are brought. The two holding rooms where juveniles are brought are video monitored, and the officers' small wireless radio units provide sound monitoring. Youth under the age of 14 are taken to the Family Service Unit office for processing. Commissioners were advised that juveniles were being fingerprinted or photographed at the facility based on the nature of the offense. Approximately 95% of juvenile offenders are cited and released in the field. Currently, one detective is assigned to handle juvenile cases as part of the multi-tasked Family Service Unit. It should be noted that the Family Service Unit

office has a comfortable couch, and can be utilized for family conferences or to provide sight and sound separation since space is limited. Thirty youth were processed in 2007.

The Commission notes the Palo Alto Police Department's continuing commitment to a high level of professionalism in its work with the youth of the community. It should be noted that land has been acquired for a new police building which is greatly needed due to the limited space available.

San Jose

The San Jose Police Department Juvenile Pre-Processing Center (PPC) continues to be a model for large departments in the handling of youthful offenders. In 2007, a total of 840 juveniles were handled in the PPC. All of these juveniles were held in non-secure detention with continuous visual supervision. Closed circuit television provides constant visual observation in addition to the direct presence of the officer. When there is a need for a safety watch in addition to visual supervision, digital clocks located outside of each unlocked holding room are set to sound an alert that a safety check is to be conducted at a predetermined time interval. The facility continues to be excellent with respect to appearance, maintenance, and equipment operation. The logs were inspected and were found to be properly completed, reflecting more information than is actually required by CSA models. Juveniles are always screened prior to being admitted to the PPC. If they are "under the influence," ill, or injured, they are taken to Valley Medical Center for medical clearance. All officers assigned to the PPC are given a 10-hour orientation in Title 15 of the California Code of Regulations. They then complete a 40-hour block of practical application. The General Orders were revised to reflect minor changes in April 2008.

No discrepancies were noted during the inspection, and the San Jose Police Department continues to meet all standards regarding the processing of juvenile offenders.

Santa Clara County Sheriff's Department

A walk-through was conducted at the Headquarters facility, and interview rooms utilized for non-secure detention were found to be in excellent condition. Sight and sound separation is maintained with interview rooms in different areas being used to separate adults and juveniles who may be in the building at the same time. When juveniles are detained, they are under constant observation. Rest room facilities, snacks, and paper jump suits are available. The logs are being maintained by mutual agreement with the Commission since the CSA no longer requires the Sheriff's Department to forward reports to them. The logs are kept at individual locations in the facility where a juvenile might be processed, and are simply retained on a clipboard. Log sheets are identified as secure detention or non-secure detention even though no secure detention is taking place. Copies of General Orders were present with the logs at each location. The General Orders had been updated in April 2008. The Juvenile Detention Statistics for 2007 indicated five juveniles had been processed at West Valley Division, eight at South County Division and five at Headquarters.

Commissioners are satisfied that the Sheriffs Department meets the standards for processing youthful offenders.

Sunnyvale

The facility has had no changes to the physical arrangement for handling juveniles since the last visit. All of the desk officers are stationed in close proximity and in constant observation of the non-secure room where juveniles are placed. The secure detention cell has sight and sound separation from the adult cells. The entire facility is covered by surveillance cameras and audio monitoring. Policies and Procedures for juveniles were updated in May 2008. The Department works with Bill Wilson House and Casa Say for juveniles who can be taken there rather than to Juvenile Hall. The logs were reviewed, and 39 juveniles had been brought to the facility so far in 2008. All juveniles are now photographed and fingerprinted. The Department has four Neighborhood/School Resource Officers who work in the schools as well as the neighborhoods. There continues to be a Deputy Probation Officer (DPO), under contract, assigned to the Department in order to process all diversions. Having the DPO on-site continues to be of great assistance in getting juveniles into programs and providing the follow up that is needed. There is talk of adding a fifth Neighborhood/School Resource Officer.

The Commission is satisfied that the Sunnyvale Department of Public Safety properly handles juveniles and does so in a professional manner.

IV. SUMMARY

Staff and administration of each law enforcement agency were cooperative and serious about the proper handling of juvenile offenders. Commissioners experienced atmospheres of mutual sharing of information and concerns. No outstanding problems were found in any facility.

The Commission has a high regard for the law enforcement jurisdictions of Santa Clara County and appreciates the work that each one accomplishes on behalf of the County's youth.

**Approved by the Santa Clara County Juvenile Justice Commission on
June 17, 2008**

Patricia A. Khan, JJC Chairperson

Date

Arthur E. Knopf, Inspection Chair

Date