

Juvenile Justice Commission of San Diego County

Jails and Lockups 2022 Inspection Report

2021 Yearly Statistics (from Log Books)

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

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

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

15 # **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: El Cajon Police Dept. Date of Inspection: 11/11/2022
Address: 100 Civic Center Way Date of Last Inspection: 9/29/2021
El Cajon, CA 92020 Phone Number: 619-579-3311

Facility Manager: Chief Mike Moulton Contact Person: Off. John Pearsley
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Presiding Juvenile Court Judge: Hon. Ana España
Commission Chair: Yvette D. Klepin
Phone No.: 858-634-1555
Inspecting Commissioners: Francisco Carbajal, Darwin Fishman,
Amy Lansing and Jean Ramirez

I. **GENERAL COMMENTS:**

- A. The El Cajon Police Department is well-maintained, and officer recruitment and retention are improving. For youth that are pepper sprayed, there are two showers that can be used before entering the holding area. One shower is located in a private room if needed. COVID-19 related PPE remains accessible throughout the facility, and all holding areas are well maintained.
- B. This year's lockup inspection included a review of the 2021 secure and non-secure detention logs, alongside the associated monthly reports to the California Board of State and Community Corrections (BSCC). Although the organization of the logs has improved, the Commission identified several concerns with regards to the log procedures and reporting for one 16-year-old minor, held on a single charge (211 PC) on December 23, 2021. The issues identified included (a) documentation on both non-secure and secure logs, with overlapping periods on the same day (see time periods 17:03-18:22 and 18:39-19:31 on the secure detention log with are also reflected on the non-secure detention log which denotes a continuous detention from 14:58 until 19:31); (b) logging the youth in and out to reflect that different officers had switched their 'continuous observation' of the youth - even though the youth's ostensible detention status remained static (reflected below in the "Other" release code occurring at 14:57 on the secure log, and the involved officers inability to clarify that the

youth ever actually moved to a non-secure detention hold), and (c) the non-secure log's inclusion of transport time to Juvenile Hall.

On 12/23/21, one detention log shows the youth securely detained during the following time periods: 14:25 to 14:57 (recorded as 32 minutes ending with an "Other type of release" code '3'), 17:03 to 18:22 (recorded as 79 minutes, ending with a "Transfer to detention facility" release code '2') and 18:39 to 19:31 (recorded as 52 minutes, ending with an "Transfer to detention facility" release code '2'). The 2nd detention log reflects a single continuous non-secure detention from 14:58 until 19:31 (with total time recorded 4 hours and 33 minutes).

A review of the case did not clarify if the youth was in non-secure detention from 14:57 to 17:03 but did reveal that the youth was being transported to Juvenile Hall at 18:22 when a Detective arrived at El Cajon Police Department and requested to speak with the youth. The officer in route returned with the youth to the Police Department at 18:39, and after meeting with the Detective the youth was transported again to Juvenile Hall at 19:31 without returning to El Cajon. The total time reported on the non-secure log appears to be incorrect, as it includes the 17-minute initial transport to Juvenile Hall and return to the station. It appears that the youth's total time at El Cajon Police Department was closer to 4 hours and 49 minutes, which does not include transport time to Juvenile Hall (14:25 to 18:22 and 18:39 to 19:31).

- C. During the inspection, the Commission spoke to the Juvenile Detective in charge of diverting youth from potential prosecution. Unfortunately, the department continues to have only one option for diversion. This continues to be a significant concern to the Commission, especially since El Cajon has a diverse population of youth, for example, LGBTQ+ youth who require specific services that will address their needs. The department needs to urgently identify more community-led youth programs that can serve as diversion options. This can be accomplished by creating Memorandum of Understanding agreements or contracts with different youth service providers. Collaborating with local and neighboring school districts will also ensure that accountability programs are in place at those locations before law enforcement involvement, which can assist in decreasing youth detentions. Lastly, the department could not identify diversion services that also provide support and healing to the people harmed (victims).

II. **RECOMMENDATIONS** *(if any)*:

The Juvenile Justice Commission recommends that the El Cajon Police Department:

1. Continues improving the maintenance and organization of records by implementing periodic Quality Assurance processes that can support accurate reporting.
2. Provides training on BSCC reporting to all officers, including the following: 1) youth should not be logged in and out simply because a different Police Officer is observing them; 2) no youth detained on the same day, for the same charge/offense, should be simultaneously logged into both secure and non-secure detention forms; 3) if a youth held on the same day and same charge moves between secure and non-secure detention holds, record that movement on both forms, and provide notation (in writing describing why there was movement: e.g., improved or worsening behavior etc.) on the secure and non-secure logs that the youth has moved between detention types as this is not a "release type"; 4) transport time to Juvenile Hall should not be included in 'total time' held, reflected on the logs; and 5) if a youth is logged out but returns to the Police Department without being relinquished to the supervision of Juvenile Hall, a Hospital, Child Welfare or some other designated entity after a

partial/interrupted transport, that information should be noted in writing on the appropriate log(s) when the youth is logged back in to the Police Department, with a memo sent to the BSCC describing the situation, counting the youth only once for reporting purposes, and accompanying the relevant monthly log(s).

3. Reviews the case details of 12/23/21 and this inspection report with the involved officers, stressing the importance of accurate reporting.
4. Amends the December 2021 monthly BSCC report to reflect accurate numbers. Once the corrections are made, provide the State and the Juvenile Justice Commission with the modifications.
5. Partners actively with diversion programs appropriate for minors and support services for persons of all ages who are harmed in the community (formerly known as 'victim services'). Currently, the department only uses one diversion program for a very diverse youth population, and a broad array of programs and services are available to better serve minors and the community, particularly those impacted by crime. The creation of *Memorandum of Understanding* agreements with different youth and community service providers is strongly recommended and will be followed up on during the next inspection.
6. Collaborates with LGBTQ+ organizations to identify periodic training for officers. The collaboration will also ensure juvenile detectives have diversion options available that can address the specific needs of LGBTQ+ youth.
7. Develops written policies and procedures, pursuant to Cal. Code Regs. Tit. 15 § 1352.5 Transgender and Intersex Youth, that ensure respectful and equitable treatment of transgender and intersex youth. The policies should include inquiring which pronouns the person identifies with and using those pronouns when their proper name is not being used.

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?
[20+ feet, each located in a different area](#)
- B. What is the ability and frequency of staff to supervise minor?
[Supervision is constant.](#)
- 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
- 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
- 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.

No youth were held for more than six hours.

X. Minors Interviewed (Comments):

No minors were present during inspection.