

Juvenile Justice Commission of San Diego County

Jails and Lockups 2023 Inspection Report

2022 Yearly Statistics (from Log Books)

0 # Secure detentions **OVER** 6 hours

10 # Secure detentions **UNDER** 6 hours

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

10 # 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: SDCSD – Imperial Beach Substation Date of Inspection: 11/14/2023
Address: 845 Imperial Beach Boulevard Date of Last Inspection: 11/9/2022
Imperial Beach, CA 91932 Phone Number: 619-498-2400

Facility Manager: Lt. Juan Marquez Contact Person: Lisett N. Quijas
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Presiding Juvenile Court Judge: Hon. Ana España
Commission Chair: Maya De La Torre
Phone No.: 858-634-1555
Inspecting Commissioners: Amy Lansing

I. **GENERAL COMMENTS:**

This is a small Sheriff's substation that had a building refresh approximately in early 2023. The substation still has two holding cells near a computer monitoring room that contains a bench with cuff rail. The monitoring room theoretically permits both secure and non-secure detentions to occur. The station's back door is within the computer monitoring room, near both cells, and has a cipher lock on it. As noted in the 2021 Juvenile Justice Commission inspection, the back door remains locked and cannot be opened without a code. Further, the back door leads to an enclosed and locked gated alley, so even if the back door was not locked, the area would still fall under secure detention definitions. It is reasonable to secure the computer area, and the station as a whole, by having the back entrance locked.

While a new door was ordered to replace the door separating the holding areas from the staff kitchen area, the new door will continue to have a key code lock. When that door is open, it permits access to the reception area and front door as well. At the time of the inspection, the door to the kitchen area was open, providing the option for non-secure detentions to occur. However, this door is apparently sometimes closed and therefore automatically locked for anyone without the key code (e.g., privacy into the staff lounge/kitchen, combative detainees in the holding area etc.). However, as long as the door between the holding and staff kitchen areas remains open, non-secure juvenile detentions can occur. If the door between the kitchen and holding areas is closed for any reason, then all detention at that time would be secure. This level of documentation is not currently provided in the logs. If both doors leading to the processing and detention areas are closed, and therefore locked, any detentions at that time should be logged as secured even when a youth is not handcuffed to the railing.

As noted in 2022, Imperial Beach continues to complete both the BSCC Secure/Non-Secure Detention Logs and the SDSO "Temporary Holding Cell Checklist," Form SO-60. This additional

form does not distinguish between detained youth and adult prisoners, as it asks the same questions of both and refers to individuals being in a holding cell. The SDSO form mandates 15-minute checks as opposed to 30-minute checks on the BSCC logs and therefore this substation continues to document 15-minute checks. This presents no conflict for laws related to minors. Consistent with the 2022 inspection and South Bay overall, Imperial Beach refers their diversion cases to South Bay Community Services. Appropriate diversionary programming and services for minors continue to be challenging.

In reviewing the monthly BSCC documentation, along with the secure/non-secure logs and *Temporary Holding Cell Checklist* forms, there were no holds over 6 hours for any minors and 10 non-secure and 10 secure holds for 2022. Several things are notable. First, BSCC reported only seven secure holds for Imperial Beach in 2022 but a review of the logs alongside the *Temporary Holding Cell Checklist* and Imperial Beach's BSCC monthly reports indicated that there were actually 10 secure holds of minors that occurred and were reported. The error appears to be on the part of BSCC. Second, in May 2022, the one youth with a secure hold did not have the reason for either their secure hold or their release to Rady Children's Hospital documented on their form. It was determined by reviewing the case file that the youth was combative and ultimately placed on a 5150 hold. Third, in June 2022, both the official reports to BSCC and the *Temporary Holding Cell Checklist* forms indicated three secure detentions under six hours for the month. However, only two of the three youth with *Temporary Holding Cell Checklist* forms were actually accounted for in the secure logs. Detective Darshaun Douglas confirmed by videotape that the youth was present and held securely, so one log for June 2022 is either missing from their records or was not completed, even though the *Temporary Holding Cell Checklist* is available to account for all youths. Fourth, in October 2022, one of the four secure holds was a minor who was reportedly 13 years old. It is unclear what, other than behavior related to their charge of resisting arrest, led to the secure hold but minors under the age of 14 should not be held in secure detention. The youth was at the substation less than an hour and was released to a parent.

II. **RECOMMENDATIONS:**

1. The Juvenile Justice Commission recommends that the door between the kitchen and holding/processing areas be kept open whenever a minor is being processed during a non-secure detention. That would allow for an accessible exit consistent with conditions of a non-secure hold for minors. If the door between the kitchen and holding/processing areas is closed for any reason, then the youth must be classified as a secure hold even if they are not handcuffed or in a cell. If the youth is classified as secure only because of the door needing to be closed for any reason other than the youth's own behavior (e.g., the behavior of another detainee, privacy needed in the staff lounge), that should be explained in their log – noting that the youth was not handcuffed, not placed in a cell and did not demonstrate problematic behavior warranting a secure detention. Obviously this is not an ideal solution but it may provide a temporary measure. A more optimal solution would be to have a door installed that could be locked only as needed, rather than automatically locked upon closure. The Juvenile Justice Commission recognizes the bind that Imperial Beach is in, given the physical setup of their station.
2. We recommend that all officers are made aware of the restrictions on secure holds of minors, and no youths under the age of 14 are handcuffed to the rail, placed in a cell or detained when key-coded doors are shut and therefore locked. Officers should be careful to complete all documentation (e.g., details supporting the decision for secure holds, why hospital transfers occurred, evidence of intoxication etc.) and make sure every youth is logged in appropriately on a secure or non-secure detention log, not just the *Temporary Holding Cell Checklist* form.
3. We recommend SDSO Imperial Beach station seek additional Alternatives to Detention programming to assist youths in the community. We recognize the challenges associated with identifying appropriate options and services but request that Imperial Beach continues to advocate for the youths in their community.

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?

Secure holds may occur in one of the two side-by-side cells used for youth and adults or by cuffing a youth seated on the bench in the computer room. It seems minors are most commonly held in the computer room but there is limited space in this substation and some proximity is likely if adults and minors are being processed at the same time.

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

- 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

It is possible but not automatic or even necessary unless there are multiple youths being processed at the same time as an option exists in the computer which allows for constant supervision/monitoring.

- E. Do minors have access to toilet and washing facilities? Yes No
- F. Is there access to a drinking fountain? Yes No

No water fountain was observed but water is available and provided.

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 N/A
 2. Were these detentions documented? Yes No N/A
 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 N/A
 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

X. Minors Interviewed (Comments):

No minors present during inspection.