

Juvenile Justice and Delinquency Prevention Commission

San Mateo County, California

Adult Facility Inspection Report

Please respond to sections that apply to the facility you are inspecting.
Type or print clearly.

Facility Name: Colma Police Department

Address: 1199 El Camino Real, Colma, CA 94014

Contact Person: Sgt. Dawn Marchetti, dawn.marchetti@colma.ca.gov

Phone Number: 650-997-8340

Date of Inspection: June 19, 2019

Date of Last JJDPC Inspection: Unknown

Date of Last BSCC Inspection: 2016-2018 Cycle

Commission Inspection Team: Michele Gustafson

Presiding Juvenile Court Judge: Hon. Susan Irene Etezadi

Observations, Concerns, and Recommendations

Observations: Although the BSCC flagged in its annual letter to the JJDPC that Colma Police Station had held youth in secured detention, this station had not, in fact, held youth in secured detention during 2018. Because this police station had not been inspected by the Commission since at least 2015 (it has undergone the normal cycle of BSCC reviews), the Commission Inspection team proceeded with the inspection. Responses below regarding logs are based on reviewing the logs for juveniles held in non-secure detention, police station forms and policies.

Concern: BSCC reported to the JJDPC that the Colma Police Station had held 18 youth in secured detention during the inspection period. In fact, the Colma Police Station held no youth in secured detention during 2018. The inspection team thoroughly reviewed the police station's logs and could not find a reason for the discrepancy. The paperwork submitted to the BSCC by the Colma Police Station monthly did not indicate any youth held in secured detention.

Recommendations: Recommend that the BSCC follow up on where the discrepancy may have originated regarding the number of youth held in secured detention.

The Colma Police Station had very thorough documents and policies (50+ pages long) regarding juveniles in detention. Its forms were sourced from "Lexipol", which keeps the policies updated with changes in pertinent regulations. However, officers do not book and detain youth very frequently, so it would be helpful for BSCC to create an online-available training or at least a shortened checklist/

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instruction sheet for how to properly hold youth in secured detention. This could be referenced when a youth is brought in more quickly than the policy manual and would be consistent resource for California police departments.

Detention Logs & Other Reports

Detention Log of Minors Reviewed? Yes No

Comments: As noted above, the inspection team reviewed all available logs for juveniles in detention. The logs we reviewed were for non-secured detention, as no youth were held in secured detention.

Are detention logs periodically forwarded to the Calif. Division of Juvenile Justice? Yes No

Comments: A summary sheet on a form provided by BSCC is forwarded. BSCC does not require Police Departments to forward the logs themselves.

How frequently? Monthly

Are logs current, complete and legible? Yes No

Comments: All logs were complete and legible. Some entries were whited out, which the inspection team noted to the sergeant in charge. Changes should not be whited out and alterations to log entries should always be always visible. If a change is necessary, the change can be stricken in a way that, at minimum, (1) allows review of the original, unaltered text; (2) notes who made the change; (3) notes the reason for the change.

Do logs reflect entry and exit times? Yes No **Comments:** Reviewed non-secure detention logs

Are reasons for secured detention noted? Yes No

Comments: Our response here is based on the fact that the reason for secured detention is a field on the log form for secured detention. No youth were held in secured detention.

Is the offense noted? Yes No **Comments:** No youth were held in secured detention.

Fire Inspection Report Reviewed? Yes No

Date: November 7, 2018

Any recommendations/concerns from last inspection? Have these been implemented?

No recommendations or concerns were noted by the fire department.

Health Department Report Reviewed? Yes No

Date: October 9, 2018

Any recommendations/concerns from last inspection? Have these been implemented?

No issues noted.

General Information

Describe detention options for juvenile at this facility: Secured detention at the Colma police station is in the cell area behind a sally port. There are two cells in this area, which have windows and an officer would be stationed at a central desk if the cells were in use. There are signs in the area

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reminding officers that juveniles and adults cannot be held within sight of one another and that males and females must be kept separate.

Outside the cell area, there are two interview rooms that could also be used for detention. These would also be considered secured because they are behind a locked door.

There are also two conference rooms outside the offices that are not behind a locked door. These are used for non-secured detention and a youth would be able to make their way out of the station through the hallways.

There is no cuffing rail at the Colma Police Station.

Number of minors held in detention during inspection review period (Jan 2018 - June 2019):

<u>0</u> Secured	<u>13</u> Non-Secured		
Jan 2018: <u>0</u>	July 2018: <u>1</u>	Jan 2019: <u>4</u>	
Feb 2018: <u>0</u>	Aug 2018: <u>2</u>	Feb 2019: <u>0</u>	
Mar 2018: <u>0</u>	Sept 2018: <u>0</u>	Mar 2019: <u>0</u>	
April 2018: <u>3</u>	Oct 2018: <u>0</u>	Apr 2019: <u>0</u>	
May 2018: <u>2</u>	Nov 2018: <u>0</u>	May 2019: <u>0</u>	
June 2018: <u>0</u>	Dec 2018: <u>0</u>	June 2019: <u>1</u>	

Are minors given an orientation prior to being detained? (Section 1540): Yes No

Describe: Minors are told when they are under arrest that they are being taken to the police station and that parents are being called. They are offered water and a snack at the station. There have been times the officer will ask even before arrival and will take the minor for McDonalds or other fast food if the youth indicates hunger. It is explained that they are detained until either a family member arrives or they are taken to the YSC. Youth are only put in secure detention if there is an escape or safety concern or if the offense is a violent felony. Colma station tries not to hold any youth longer than four hours. If a longer detention is necessary, the station will send the youth to YSC.

How are minors in custody supervised? Most often, youth sit next to the officer who is working on the specific case, so they are in constant supervision.

In a Locked Cell (Section 1547)? By video and audio. Anyone with a computer in the PD can check in on youth. In particular, dispatch is always watching.

In Secure Custody outside of a cell (Section 1548)? N/A

In Non-Secure Custody (Section 1550)? Youth sit next to the officer who is working on the specific case, so they are in constant supervision.

How often are minors in custody observed? (Section 1548): Constantly if in non-secured, every 15 minutes if secured.

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In a Locked Cell? Every 15 minutes. If a youth is held in secured detention in the cell, this would be noted on a medical intake sheet.

In Secure Custody outside of a cell? Officer would be present with the minor, so observation would be constant.

In Non-Secure Custody? Officer would be present with the minor, so observation would be constant.

How are minors in custody observed (video, audio device, personal observation, Section 1547)?

All options (video, audio device, personal observation), are used.

Is the observation logged? Yes No Comments: Observation is not logged for youth in non-secure custody. If a youth is in non-secured custody, observation is not logged because the minor is present with an officer at all times. If a youth is in secured custody, either in a locked room that is not in the locked cell area or in the locked holding cell area, observation is logged in 15-minute increments because that is part of the protocol for holding youth in the holding cell.

Is there constant auditory access to staff at all times? Yes No **Comments:** If the youth is in a cell, the control desk is feet away and the officer on duty would be able to hear and see the occupant of the cell.

Is there any contact with adult inmates? Yes No **Comments:** _____

Are males and females kept in the same room/area? Yes No **Comments:** _____

Are drinks (water) and snacks available, if requested? Yes No **Comments:** _____

Is there access to toilets and washing facilities? Yes No **Comments:** Toilets are available. If a youth needed a shower, they would probably be taken to YSC.

Are there provisions available for clothing, blankets, etc.? Yes No **Comments:** Blankets (mylar) are available on site. Clothing would need to be purchased locally.

List the names, dates, intake and release times, and circumstances for all minors held for **longer than six hours**. (Attach any additional documents if necessary. Names will be redacted prior to publication.):
None.

Secured Detention

Was the secured detention area observed? Yes No

Is the secured detention area a locked room? Yes No

Is a cuffing rail used for secured detention? Yes No

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Comments: The holding cell is a small room with a built-in bench. The door has a narrow window; the interview room behind the secured door is a small room with a table and chairs; the non-secured conference rooms are carpeted with a table, chairs, couch and stuffed animals.

Are minors in secured detention informed of the following?

The purpose/reason for being placed in secured detention: Yes No
(this is on the log and in the procedure)

The length of time the secure detention is expected to last: Yes No
(this is on the log and in the procedure)

Informed of the six-hour limit of being held in secured detention: Yes No
(this is on the log and in the procedure)

For what purpose/reasons would a minor would be placed in secured detention? If there is concern of escape or a safety risk (i.e. violence towards an officer) or if the youth was arrested under suspicion of a violent felony. If too many youth come in at once, it might be possible that some youth would need to be held in secured detention area until sufficient supervision was available (but this has not happened during the inspection period).

How often is secured detention reviewed and by whom? Policy states this should be done every 15 minutes by the officer, but this has not been put into practice because no youth have been held in secure custody.

Have any minors been held in secured detention for more than six hours? Yes No

What is the proximity of the secured detention area to adult inmates? It would depend upon which secured detention area is used, but generally adult would not be in the same area of the station. A minor may need to pass adult inmates in the hallways but eye contact is avoided to the extent possible.

Describe the procedure for intoxicated or substance abusing minors: Youth are screened in the field; if they appear to be intoxicated or under the influence of drugs (or if there is evidence that they have used drugs/alcohol within 6 hours) they may be taken to the hospital for medical clearance before being brought to the PD if the impairment seems great.

How frequently are intoxicated/impaired minors observed? An intoxicated youth would be likely to be kept with the officer for constant observation if they were allowed to come to the station at all rather than staying at the hospital.

Is this observation documented in the logs? Yes No Not applicable

Comments

It is our observation that the police department intends to keep youth detained for as minimal amount of time as possible, usually waiting for parents to be called and arrive. If a parent cannot be contacted,

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the youth would usually be taken to YSC. Most youth were held (non-secured) between 15 minutes and two hours and were released to a parent. It would be helpful if the log could indicate the relationship of the person to whom the minor was released, however, this information was readily available by asking the officer, who was able to pull up the report from the arrest to clarify questions about the circumstances of arrest, detention, and release for each minor.

The facility report (self-report for the station), noted that the cameras were out in two of the interview rooms for a period in 2018. Please ensure the cameras remain in operational condition.

Many thanks go to Sgt. Marchetti who was incredibly helpful taking us on a tour and answering questions/providing paperwork while handling her regular duties. Colma is a small, but well-run department.

Signature of Commissioner(s) preparing this report:

Michele Gustafson Michele Gustafson

Date: October 29, 2019