DAVIS POLICE DEPARTMENT
TEMPORARY DETENTION OF MINORS
Policy and Procedure 3.16-A

DEPARTMENT MANUAL

Index as:
Minor Booking
Juvenile Booking
Temporary Holding Facility
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I. POLICY
The purpose of this policy is to provide guidelines for the temporary detention of minors taken into custody by the Davis Police Department.

II. PROCEDURE
A. Definitions

1. **Minor**- For purposes of this Policy, a minor is any person under the age of eighteen (18) years.

2. **Lock-up**- Is a locked or secured room or enclosure under the control of a peace officer which is primarily used for the temporary confinement of adults who have recently been arrested. Lock-up includes the Temporary Holding Facility.

3. **Temporary Custody**- The minor is not at liberty to leave the law enforcement facility.

4. **Secure Detention**- Is being held in temporary custody in a law enforcement facility in a locked room or enclosure (lock-up) and/or is physically secured to a cuffing rail/ring or other stationary object, such as a chair.

5. **Non-Secure Custody**- Is when the minor is in custody and all of the following exist:
   a. The minor’s freedom of movement is controlled by the use of physical barriers and/or staff of the facility.
   b. The minor is under constant personal visual supervision and observation.
   c. The minor is not locked in a room or enclosure.
   d. The minor is not physically secured to a cuffing rail/ring or other stationary object.

B. General Information/Officer Responsibility

1. Detaining officers are responsible for the health, safety, welfare, and security of those minors in their custody or under their control, unless they are relieved by other competent staff in that responsibility, in which case the responsibility shifts to the relieving officer.

2. The officer in control of the minor at the time of entry into the Davis Police Department shall conduct a screening of the minor. If the minor meets any of the excluding criteria listed in Section III, “Confinement”, the minor shall not be placed in either secure detention
or non-secure custody at the Davis Police Department. Instead, the minor shall be released, released to their parents or other legal guardian, taken to Juvenile Hall, or taken to an appropriate medical facility (See PP 3.04-B, Juvenile Procedures).

3. Any officer who transfers a minor to the custody of another, including, but not limited to, another officer, treating medical staff, Mobile Crisis staff, their parents or guardians, or personnel at the Yolo County Juvenile Hall, for any purpose, shall inform the person receiving custody of any of the following:

   a. If any force was used in detaining the minor.
   b. If the minor is suffering from any known or perceived medical problems.
   c. If the minor lost consciousness.
   d. If the minor has used or is under the influence of alcohol and/or drugs.
   e. If the minor has displayed any behavior which may suggest the minor is a suicide risk, including, but not limited to: the minor has shown signs of depression; refused to communicate; has a history of threatened or attempted suicide; has threatened to kill themselves during the process of detention or transport; or has displayed any unusual, bizarre, or unexplainable behavior.

4. It is the responsibility of the detaining officer to see that minors taken into custody are informed of the length and reason of their detention, are properly detained or secured, and all their personal needs, as required, are attended to.

5. All minors taken into temporary custody, whether in secure detention or non-secure custody, must have the following available to them:

   a. Reasonable access to toilets and washing facilities.
   b. Food, if the minor has not eaten within four (4) hours or is in need of nourishment. A snack must be provided if the minor requests.
   c. Reasonable access to drinking water or other beverages.
   d. Privacy during visits with family, guardian, and/or attorney.
   e. A means of activity, such as reading books or games.
   f. Reasonable access to a telephone.
   g. Provided blankets and clothing, as necessary, to assure comfort of the minor.

III. CLASSIFICATION and CONFINEMENT

An officer who brings a minor into the Davis Police Department is responsible for the proper classification and confinement of the minor.

A. Segregation

   1. Females are to be segregated from males (placed in separate rooms or cells).
   2. All minors will be segregated from adults. (See PP-3.15-A, Temporary Holding Facility).

   In situations where brief or incidental contact may occur, such as booking or facility movement, the responsible officer shall maintain a constant, side-by-side presence with the minor or adult to in order to prevent sustained contact.

B. Developmentally Disabled Minors

   1. Minors shall be considered developmentally disabled if they are disabled due to mental retardation, cerebral palsy, epilepsy, autism, or a combination of these or similar disabilities.
2. If a minor is determined to be developmentally disabled, the minor shall not be held in either secure detention or non-secure custody at the Davis Police Department. The minor shall be released pursuant to PP 3.04-B, Juveniles Procedures, or transported to the Yolo County Juvenile Hall for booking. Juvenile Hall staff shall be informed of the disability so that they can ensure the minor is properly screened at intake.

C. Mentally Disordered Minors

1. Minors shall be considered mentally disordered if they appear to be a danger to themselves or others, or if they reasonably appear to be gravely disabled.

2. If a minor is determined to be mentally disordered, the minor shall not be held in either secure detention or non-secure custody at the Davis Police Department. The minor shall be released pursuant to PP 3.04-B, Juvenile Procedures, transported to an appropriate mental health facility, or transported to the Yolo County Juvenile Hall, at the direction of the Watch Commander or Command Officer. Juvenile Hall, hospital, and/or mental health staff shall be informed of the condition of the minor.

D. Communicable Diseases/Vermin Control

1. Minors with known communicable diseases shall not be held at the Davis Police Department.

2. Officers should look for Medic-Alert tags or bracelets.

3. If it is later determined that a minor with a communicable disease was placed in the minor detention room or a holding cell, the room or cell shall not be used until disinfected by appropriate means. A sign will be placed on the door of the room or cell to prohibit the use of the contaminated room or cell.

4. Minors with body lice or other infestation shall not be held at the Davis Police Department. In the event a vermin infested minor first goes unnoticed, but it is later determined the minor does have body lice or other infestation, the minor shall be removed and transferred to the Yolo County Juvenile Hall, if not otherwise released. Juvenile Hall staff shall be notified of the condition.

The facility will not be used until it is disinfected by janitorial staff. A contaminated area sign will be placed on entrance doors to prohibit entry.

Members who come into contact with an infected minor shall disinfect all personal articles and shower before resuming work.

E. Medical Care

1. When a minor being held in detention appears in need of medical care, the detaining officer or other personnel will immediately call for appropriate medical aid and notify the on-duty Watch Commander. Officers should look for Medic-Alert tags or bracelets which may assist in properly identifying those with known medical problems.

2. The on-duty Watch Commander will ensure that medical aid, appropriate for the condition, is provided. The Davis Fire Department and/or AMR Ambulance may be summoned to the Davis Police Department and/or the minor may be transported to Sutter Davis Hospital or Woodland Memorial Hospital at the Watch Commander’s or Command Officer’s direction. The on-duty Watch Commander is responsible for ensuring that the entire incident is
documented in either the original crime report or in a separate report as necessary. Yolo County Juvenile Hall staff shall be notified of the medical condition at the time they are booked into the facility.

3. The First Aid kit and CPR mask are located in the cabinet nearest the north wall above the counter in the Temporary Holding Facility.

4. A minor who is being held pursuant to a pending criminal matter shall not be deprived of the possession or use of any orthopedic or prosthetic appliance, if such appliance has been prescribed or recommended and fitted by a physician. If, however, the detaining officer has probable cause to believe possession of such orthopedic or prosthetic appliance constitutes an immediate risk of bodily harm to any minor in the facility or threatens the security of the facility, such appliance may be removed. If such appliance is removed, the minor shall be deprived of such appliance only during such time as the facts which constitute probable cause for its removal continue to exist; if such facts cease to exist, then the detaining officer shall return such appliance to the minor. (See 2656 PC for further information).

F. Suicide Prevention

1. If the minor has displayed any behavior which may suggest the minor is a suicide risk, including, but not limited to: the minor has shown signs of depression; refused to communicate; has a history of threatened or attempted suicide; has threatened to kill themselves during the process of detention or transport; or has displayed any unusual, bizarre, or unexplainable behavior they shall not be placed in either non-secure custody or secure detention at the Davis Police Department. The minor shall be released pursuant to PP 3.04-B, Juvenile Procedures, transported to an appropriate mental health facility, or transported to the Yolo County Juvenile Hall, at the direction of the Watch Commander or Command Officer. Juvenile Hall, hospital, and/or mental health staff shall be informed of the condition of the minor.

2. Prior to bringing a minor into the Davis Police Department, the detaining or transporting officer shall be alert to any symptoms that may indicate the minor is a suicide risk.

3. Any officer who transfers custody of a minor to any other person shall notify, in writing, to the person receiving custody of any behavior that may indicate the minor is at risk of harming themselves or using others to harm them.

4. Juvenile Hall staff may require the minor by cleared by medical personnel prior to entry into the Hall. Regardless, staff shall be notified of any known or perceived risk of suicide, including any pertinent history, which may aid in the proper screening of the minor prior to entry into the Hall.

IV. SECURE DETENTION

A. Qualifications for Secure Detention

Police departments with lock-ups, or temporary holding facilities, for adults are subject to certain controls with regards to minors. In order to place a minor who is in temporary custody on the basis that he or she is a person described in Section 602 of the Welfare and Institutions Code in secure detention, the following criteria must be met:

1. The minor is fourteen (14) years of age or older.
2. There is a reasonable belief of on the part of the peace officer that the minor presents a serious security risk of harm to themselves or others.

   a. In making the determination whether the minor presents a serious security risk, the officer may take into account the following factors:

      1. Age, maturity, and delinquent history of the minor;
      2. Severity of the offense(s) for which the minor was taken into custody;
      3. Minor’s behavior, including the degree to which the minor appears to be cooperative or non-cooperative;
      4. The availability of staff to provide adequate supervision or protection of the minor;
      5. The age, types, and number of other individuals who are detained in the facility.

B. Conditions for Secure Detention

Minors meeting the above criteria may be placed in a locked cell or room in the station, or secured to an object subject to the following conditions:

1. Minors may not be detained for longer than six (6) hours.

2. Temporary detention is for the purpose of investigating the case, facilitating the release of the minor to the parent(s), or arranging transfer to another facility.

3. Minors must be segregated from adults or placed in another room. Sight and sound contact with adults is permissible only during booking or transfer from one section of the police building to another, provided that an officer remains in side by side presence with the minor to assure no communication takes place between the minor and adult prisoner.

4. Minors must be told how long the detention will last.

5. Minors must be adequately supervised by the arresting officer, including constant auditory access to staff by the minor.

6. There are unscheduled personal visual observations of the minor(s) by a staff member at least every fifteen (15) minutes, which shall be documented in the minor detention log (video surveillance is not sufficient).

7. A written log explaining the need and length of the secure detention shall be maintained. The Minor Detention Log is located on the Booking Counter. The arresting officer is responsible for ensuring the log is filled out completely and accurately for the secure detention. It shall be the responsibility of the Facility Manager, or their designee, to assure the State of California, Department of Youth Authority “Monthly Reports on Secure Confinement of Minors in Jails/Lockups” is transmitted by the tenth (10th) of each month.

8. The log will record the following information:

   a. Minors name
   b. Sex
   c. Age
   d. Type of custody
   e. Location of confinement
   f. The offense which is the basis for detention.
   g. The date and time detention began.
   h. The date and time detention ended.
i. Total detention time.

j. Type of release.

9. Minors placed in locked rooms shall be:

a. Provided blankets and clothing, as necessary, to assure comfort of the minor; and
b. Permitted to retain and wear his or her personal clothing unless the clothing is inadequate; presents a health and safety problem; or is required to be used as evidence of an offense.

10. Supervision of minors in secure detention outside of a locked temporary holding facility:

a. Minors held in secure detention outside of a locked facility shall not be secured to a stationary object for more than 30 minutes unless no locked facility is available.
b. When secured to a stationary object outside of a locked enclosure the minor must be in constant visual observation.
c. Officers requesting a minor be secured to a stationary object shall receive prior approval of the Watch Commander. A Watch Commander authorizing the secure detention to a stationary object shall state in writing on the Minor Detention Log the reason for the detention and securing to the stationary object. Watch Commander approval is needed for each 30 minute duration of continued detention.
d. Minors who are secured to a stationary object shall be moved to a locked enclosure at such time one becomes available provided the minor continues to meet the qualifications for secure detention.

11. All minors confined in a secured cell or locked rooms are subject to the same policies as outlined in Davis Police Department Policy and Procedure 3.15-A, Temporary Holding Facility. This includes, but is not limited to:

a. Issuing of a mattress or blanket.
b. Removal of personal property for safekeeping.
c. Appropriate segregation.
   1. Male arrestees are to be segregated from female arrestees.
   2. Adult arrestees are to be segregated from minor arrestees.
d. Adequate temperature control and ventilation.
e. Medical care as necessary.
f. Discipline
   1. Minors shall not be subjected to any form of discipline. Any action taken such as restraint, handcuffing, or securing in a cell shall be for the sole purpose of preventing injury or harm to the minor, any employee, other minors, or the facility. Restraint may also be used to prevent escape.
   2. Any conduct by a minor which violates any laws or ordinances may be investigated and documented for possible prosecution by the Yolo County District Attorney’s Office.

12. Restraints

a. Combative minors, minors who are mentally disordered, minors who are a danger to themselves or others, and/or minors who reveal intent to harm themselves, others, or the facility may require the use of handcuffs, shackles, the wrap or other similar restraints. **Minors in these categories should not be booked or admitted to the facility.** These
minors shall be transported directly to Juvenile Hall, or to Sutter Davis Hospital or Woodland Memorial Hospital for mental evaluation, if necessary. Those already in custody who begin to display these symptoms shall be immediately removed from the holding facility and transported to the Juvenile Hall, a mental health facility, or another appropriate facility.

b. Should the use of restraint devices be required in the Temporary Holding Facility “The Wrap” from booking should be used along with other necessary handcuffs or similar type restraints, if necessary. If the minor is placed in restraints, they shall immediately be removed from the holding facility and be transported to Juvenile Hall or another appropriate facility.

For those placed in the Wrap, the detaining or transporting officer is responsible for ensuring the minor receives prompt medical attention if subject shows signs of any of the following:

1. Respiratory distress (coughing, gasping, shortness of breath).
2. Chest pain or pain down arm.
3. Change facial color.
4. Elevated body temperature.
5. Vomiting.
6. Sudden quiet or inactivity after violent resistance.

V. NON-SECURE CUSTODY

A. Qualification for Non-Secure Custody

1. Minors held in temporary custody under Section 300 or Section 601 of the Welfare and Institutions Code will remain in a non-secure area of the police department until arrangements can be made with the parent(s), guardian(s), appropriate Child Protective Services personnel, or other personnel or agencies for an adequate disposition.

2. Minors held in temporary custody under Section 602 of the Welfare and Institutions Code, who do not meet the criteria for secure detention, can remain in a non-secure area of the police department if a brief period of time is needed to investigate the case, facilitate the release of the minor to a parent or guardian, or arrange for transfer of the minor to an appropriate juvenile facility.

B. Supervision for Non-Secure Custody

1. The primary locations for non-secured detention in the police building are:
   a. The Minor Detention Room
   b. Report Writing
   c. Break Room

2. Minors held in non-secure custody shall receive adequate supervision, which at a minimum includes constant personal visual observation and attention by a member of the department. Minors will not come into contact with adults who are in custody. Monitoring a minor using audio, video, and other electronic devices shall never replace personal supervision.

3. Entry and release times shall be documented and made available for review. The Non-secure Minor Detention Log shall be maintained adjacent to the Minor Detention Room in
Report Writing. The detaining officer is responsible for ensuring the log is filled out completely and accurately. The Facility Manager shall maintain entry and release records.

C. Discipline

1. Minors shall not be subjected to any form of discipline. Any action taken, such as restraint or handcuffing which, shall not be to an object, ring, and/or railing shall be for the sole purpose of preventing injury or harm to the minor, any employee, other minor, or the facility. Restraint may also be used to prevent escape.

2. Any conduct by a minor which violates any laws or ordinances may be investigated and documented for possible prosecution by the Yolo County District Attorney's Office.

VI. INTOXICATED AND SUBSTANCE ABUSING MINORS

A. Custody

1. A minor who exhibits outward signs of intoxication or who is known or suspected to have ingested any substance that could result in a medical emergency shall not be booked or detained at the Davis Police Department without first obtaining medical clearance.

2. Supervision of intoxicated minors who are cleared to be booked to secure detention shall include monitoring by personal observation no less than once every 15 minutes until resolution of the intoxicated state.

3. Intoxicated minors in non-secure custody shall remain in direct personal observation of a department member at all times.

VII. DEATH, SERIOUS ILLNESS OR INJURY OF A MINOR WHILE DETAINED

A. Serious illness, injury, death.

1. In the event of death or serious illness or injury of a minor while detained, the detaining officer shall immediately notify the Watch Commander. Appropriate medical care shall be immediately provided. The parent(s), guardian, or person standing in loco parentis of the minor and the Juvenile Probation Department shall be notified of the serious illness or injury pursuant to legal requirements and restrictions. The Watch Commander shall immediately notify the Facility Manager of the serious illness or injury.

2. In the event a death should occur “in the process of arrest” as defined in PP 3.15-A, Temporary Holding Facility, an investigation and reporting of the incident shall occur as specified in PP 3.15-A, V, Administrative Review of In-Custody Deaths.

Darren Pytel
Police Chief
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1/02
10/03 Death review amended, see PP 3.15-A
08/09 II, B amended, III added and shifted sections to VII
10/18 II B 5 (g) added

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