

MARIN COUNTY SHERIFF'S OFFICE
COURT SERVICES DIVISION POLICY AND PROCEDURE MANUAL

CHAPTER 04 – INMATE HANDLING
CRT 04-06
Page 1 of 5

DATE
06/01/2001

PLACEMENT AND SUPERVISION OF MINORS IN COURT HOLDING FACILITIES

POLICY

It is the policy of the Marin County Sheriff's Office to establish guidelines for the placement and supervision of minors in Court Holding Facilities. The procedures contained herein provide for the movement, handling and placement of minors in the Court Holding Facilities under the control of the Marin County Sheriff at the Civic Center Hall of Justice. The procedures set forth below comply with the regulations and guidelines, therefore, as contained in Title 15, Division 1, Chapter 1, Subchapter 5, Article 15 of the California Code of Regulations and applicable sections of the California Welfare and Institutions Code. Incorporated herein are all applicable provisions of the Marin County Sheriff's Office General Orders Manual. This section shall govern over any conflict(s) with the General Orders as to the specific procedures set forth herein for the movement, handling and placement of minors in Court Holding Facilities. All Court Security Division staff responsible for the movement, handling and placement of minors as directed by this section shall be responsible for operating within the procedures of this section.

PROCEDURE

State law provides for minimum standards for movement, handling and placement of minors held in Court holding facilities pending appearance in juvenile or criminal Court.

These standards have been summarized into procedures that are separately titled as follows:

- Conditions of Detention
- Classification
- Supervision of Minors
- Suicide Prevention
- Access to Legal Services
- Incident Reports
- Training
- Death of Detained Minor – D.O.J., Reporting Requirements

Conditions of Detention:

- Minors shall not be allowed to come into contact with adult detainees during movement, placement or detention in the Holding Facilities. Contact is defined as “communications, whether visual or verbal or immediate physical presence.” Contact does not include a minor overhearing adults speak or minors hearing “ambient noise” in the Facility environment.
- Movement of minors into and out of Court Holding Facilities shall be managed to prevent the direct contact of minor and adult detainees. When isolated incident of contact between minor and adult detainees cannot be avoided, both the minor and the adult detainee shall be directly supervised and accompanied by staff.

Classification:

- Minors shall be classified according to Department Policy guidelines and information obtained from the Juvenile Probation Department. Factors to consider in the placement and supervision of a minor include information regarding co-offenders from rival gangs, existence of physical or mental limitations, demonstrated potential for violence, need for protective custody status or other circumstances that present some special need or concern that dictate treatment designed to minimize the risk of harm to the minor, staff or the public.

Supervision of Minors:

- A minimum of one staff member must be on duty when a detained minor is present in the Court Holding Facilities. A staff member of the same sex as the minor detainee shall be on duty at all times.
- Supervision of detained minors shall be by direct supervision of staff supplemented by remote audio and or visual supervision. An exception to this requirement is when the minor detainee is under the direct supervision and custody of the accompanying juvenile probation officer.
- Minors detained in Court Holding Facilities shall have safety checks performed no less than twice every thirty minutes. Safety checks shall be documented on a Department standard form* showing the placement time, time of each safety check and the staff member’s initial and I.D. number.

- Suicide Prevention:

Detained minors are statistically more suicide prone than detained adults. Staff shall supervise minor detainees to an extent that a judgment can be made as to the minor’s general condition, welfare, behavior and demeanor. Staff shall memorialize and send to appropriate juvenile probation staff any observations that indicate that the minor may be at risk of suicide ideation or violence.

- Access to Legal Services:

California Penal code Section 825 (b) provides that a minor may visit with an attorney at the minor’s request or the request of the minor’s family. Staff shall make the detained minor available for confidential attorney visits when such access is requested by the minor, the minor’s attorney or a family member and such access can be provided by staff taking into consideration any special security needs, availability of staff or such other circumstances related to providing safe and reasonable access as determined by the Court Security Commander or his designee. Staff shall make efforts to meet

reasonable requests for attorney visits and maintain a mutually cooperative environment with attorneys representing detained minors. Staff shall inform a detained minor's attorney when a visitation request cannot be accommodated and shall inform the attorney when or if the visit can be arranged. Staff need not provide a factual explanation to the detained minor's attorney or family when the refusal is based on security concerns whether related to the minor or other conditions existing at the time of the request.

- Incident Reports:

Any incident involving a detained minor which results in physical harm or threat of physical harm to the minor, staff or other persons in a Court Holding Facility or which give rise to grounds for disciplinary or criminal prosecution shall be documented in an incident report pursuant to Department report writing standards. Incident reports involving detained minors shall be completed and submitted to the immediate supervisor for review no later than the end of shift. Observed behavior of indicia of suicide ideation shall also be documented by an incident report and sent to appropriate staff at juvenile probation.

- Training:

Supervisors and staff responsible for the custody, control and supervision of detained minors shall complete eight (8) hours of specialized training within twelve months of assignment to Court Security Division. The training may be in blocks or incorporated into other training programs as a supplement thereto. The training shall include the following:

- Applicable minimum detention facility standards;
- Detention facilities operations liability;
- Segregation of minors;
- Emergency procedures and planning; and
- Suicide prevention

Staff that have completed the Department proscribed training program for the adult detention facility shall be deemed to have met the exception that such staff must be knowledgeable of the statutory separation, classification and movement of minors as contained in this section and such staff shall be specifically trained in the special needs presented by minors in suicide prevention supra.

- Death of Detained Minor – D.O.J. Reporting Requirements:

The death of a minor while detained in the Court Holding Facility or while in the custody and control of staff shall be reported within ten (10) calendar days to the Attorney General of California, California Department of Justice.

*Attachment: Court Services Division Juvenile Observation Log

RELATED STANDARDS:

Title 15, Division 1, Chapter 1, Subchapter 5
California Code of Regulations, Article 15
California Welfare and Institutions Code
Department of Justice Reporting Requirements
California Penal Code
Marin County Sheriff's Office General Orders Manual

AFFECTED DIVISIONS:

None

DATE OF REVISIONS:

January 21, 2010

By order of:

CAPTAIN DAVID AUGUSTUS
BUREAU OF DETENTION SERVICES

CHECK COPY FORWARDED TO JUVENILE PROBATION

Distribution: Sheriff, Juvenile Probation