

**KERN COUNTY SHERIFF'S OFFICE**  
**SUBSTATION HOLDING FACILITY**  
**POLICIES AND PROCEDURES**

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**TITLE: TEMPORARY CUSTODY OF MINORS**

**NO: D-106**

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EFFECTIVE DATE: 08/27/2001

REVISED: 01/15/2021

APPROVED BY: Commander Timothy Posey

REVIEWED: 01/15/2021

REFERENCE: Title 15, Article 9 & 14, Section 1010 & 1540 & WIC Sections 207.1, 208.1, 602

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**POLICY:**

The Kern County Sheriff's Office Substation Holding Facilities is an Adult Detention Facility. Therefore, minors shall only be held in "Non-Secure Custody" while in the confines of the facility building.

**MINORS WILL NOT BE LOCKED IN ANY CELL OR ROOM WITHIN ANY SUBSTATION FACILITY.**

In no event shall a minor be held in custody for a period of time in excess of six (6) hours. All minors that require secure custody shall be immediately transported to the Kern County Juvenile Probation Department, Juvenile Hall, in Bakersfield.

It will be the responsibility of the arresting or transporting officers, regardless of agency, to ensure that the procedure listed below is followed when delivering minor arrestees into a Substation building.

**DIRECTIVE #1**

All prisoners who are determined to be minors shall only be held in non-secure custody while within the Substation. The six (6) hour limit begins when a minor enters the Substation and ends when the minor leaves the Substation.

**DIRECTIVE #2**

Then Kern County Sheriff's Office prohibits the use of discipline for minors in the Substation Facility.

**DIRECTIVE #3**

A medical clearance must be obtained before receiving any minor who displays outward signs of being under the influence of drugs, alcohol or any intoxicating substance, or is known or suspected to have ingested any substance that could result in a medical emergency.

The arresting officer shall maintain constant direct visual observation of the intoxicated juvenile and perform safety checks no less than once every 15 minutes, until the resolution of the intoxicated state, with the actual time (not rounded times) of each personal observation documented.

**DIRECTIVE #4**

A medical clearance must be obtained before receiving any minor who displays a potential illness or injury.

The arresting officer shall maintain constant direct visual observation of the juvenile and perform safety checks no less than once every 15 minutes, until the resolution of the medical clearance, with the actual time (not rounded times) of each personal observation documented.

**DIRECTIVE #5**

In the event of a medical emergency or serious illness, the arresting officer shall request medical aid through Sheriff's Dispatch and administer first aid until the arrival of medical personnel. As soon as reasonably prudent, the officer shall make every reasonable attempt to notify the parent or guardian of the juvenile. The details of any medical incident relating to a minor in temporary custody shall be documented in a report with a case number and forwarded to juvenile court.

**PROCEDURE A – ARRESTING OFFICER RESPONSIBILITIES**

The arresting officer will:

- Hold only those minors that do not meet the criteria for secure detention, in temporary custody for a brief period of time, not to exceed six (6) hours while:
  - Investigating the case.
  - Facilitating the release of the minor to a parent or guardian.
  - Arranging for the transfer of the minor to an appropriate juvenile facility.
  
- Ensure that a staff member maintains constant direct visual observation of the minor during the entire custody period.
  
- Allow no contact between adult prisoners and minors who are either in secure detention or non-secure custody in the facility, including:
  - No communication between minors and adult prisoners.
  - Maintain constant, side by side presence with the minor when an adult prisoner, including an inmate worker, is present to assure there is no communication between them.
  
- Limit situations that a minor and adult prisoner can be in the same room together to:
  - Booking
  - Medical Screening
  - Inmate worker presence while performing necessary work
  - Movement of persons in custody within the law enforcement facility
  
- Shall not restrain minors held in non-secure custody to any stationary object within the facility. Minors may be handcuffed to themselves at all times during non-secure custody.
  
- Ensure that mentally disordered minors who are exhibiting out of control or suicidal behavior are to be immediately transferred to the Kern County Juvenile Probation Department, Juvenile Hall, or an appropriate hospital.
  
- Shall make the following available to all minors held in temporary custody:
  - Access to toilets and washing facilities.

- One snack upon request during the term of temporary custody if the minor has not eaten within the past four (4) hours or is otherwise in need of nourishment.
  - Access to drinking water.
  - Privacy during visits with family, guardian, and/or lawyer.
  - Blankets and clothing, as necessary, to assure the comfort of the minor; and,
  - His or her personal clothing unless the clothing is inadequate, presents a health or safety problem, or is required to be utilized as evidence of an offense
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- While administering an evaluation, test, or chemical test pursuant to Vehicle Code Section 23157, the arresting officer will continuously supervise the minor to ensure that no contact occurs with adult inmates.
  
  - A log shall be kept pursuant to Section 201.1(d)(6) of the Welfare and Institutions Code. Information shall be entered for each juvenile placed in non-secure detention, regardless of the length of time. Information to be included in the log:
    - Juveniles name, sex, and age
    - Arresting officer
    - Detention approved by [Supervisor]
    - Reason detained [Charge]
    - Date and time entered facility
    - Date and time released
    - Total time in facility [Hours and minutes]
    - Released to and released by
    - Arresting officer's name and serial number
    - Type of release code
      - Juvenile released to parents/own recognizance
      - Transfer to detentions facility
      - Other type of release