

PLACER COUNTY JUVENILE JUSTICE / DELINQUENCY PREVENTION COMMISSION ANNUAL INSPECTION REPORT FOR 2011

Presiding Judge: Frances A. Kearney

JJDP Chairman Sam Stodolski

Facility Name: Lincoln Police Dept Chief: Paul Shelgren

770 7th St.

Lincoln, Ca 95648-1711

Phone: 916-645-4040

Inspection Date: March 2, 2011 approx. 15:30

Inspection Team: Christina Miller- Bryan Urquidez- Chris Reams

Lincoln Police Department Representatives: Chief Shelgren and Lt. Ibarra

The following is what occurred in our meeting with Lincoln Police Department personnel in essence. Our purpose was the annual required inspection of the physical facilities and methods employed when Juveniles are detained by law enforcement. We identified ourselves as being with the commission. The following is an account of our meeting in essence. I told Lt. Shelgren that we were informed that his department does not detain juveniles at the Police Department. He said the following in essence. We do not detain juveniles at the department. 602 W&I (Crime) violators are either released to their parents or transported directly to the Juvenile Detention Facility (JDF). Juveniles that are 601W&I (not serious) violators and others detained, as in a party where juvenile drinking has occurred, are released to parents or placed the Placer County Receiving Home. That way we do not need a departmental detainment area. We have been ravaged by budget cuts and every means to cut spending has been addressed. In addition this is a temporary facility for us, so we don't have a detainment area at this time.

I asked how an officer would respond to the following circumstances.

Two Juveniles are arrested for burglary. While one is being interviewed what is done with the other? Lt. Shelborn said that those interviews are done in the field.

Juveniles who are at a party are slightly intoxicated, but do not fall within the definition of 647FPC ("Drunk in Public"). Even though the law allows for a great amount of flexibility for Juveniles in these cases, JDF usually will not take them due to housing problems. The responding officers call parents and they are in Lake Tahoe. The parents advise the officers that they are en route to pick up their child and request that the officers not place them in JDF or the receiving home. The owners of the home where the party occurred have arrived, and are demanding that every one leave

including the police. What will the officers do in this circumstance? Lt. Shelgren said that the juvenile may be held in the police vehicle or taken to JDF or the Receiving home.

You have a runaway in custody that has a history of being caught and being placed in a Receiving home. After placement the child simply leaves because she knows Receiving homes are not custody facilities and are not locked down. She calls her adult boyfriend to pick her up and leaves with him. This girl is known to have a sexual relationship with him. The parents emphatically tell the officers that they are to hold her till they pick her up because of past history. They are coming from Stockton. Lt. Shelgren said the following in essence. This might be a problem but is extremely uncommon.

Bryan Urquidez also asked some scenarios similar to above and a similar response was put forth.

Christina Miller asked that Lt. Shelgren send a letter explaining their policy for non detention of juveniles at their facility. Lt. Shelgren indicated that he was not going to comply with that request. He also stated that the Grand Jury is aware of the policy.

Lt. Shelgren admitted that there might be a rare situation where they might have to have an officer sit down with the juvenile in a room they have in the back in special unusual cases like in the case of runaways.

Conclusion: There is no doubt that Lincoln P.D. has suffered an extreme budget shortfall and they are doing everything to cut costs and still meet the most critical demands of the community. In addition they are in a temporary building where they were not able to include all the design requirements necessary. However their departmental plan as stated by Lt. Shelborn ignores the requirements in the law to provide a proper temporary facility and methods to lawfully handle detained Juveniles. It is obvious that an inspection is not necessary as there is no plan in place to follow the requirements of the law. Lincoln Police Department appears to be violation of sections 1544,1546 and (1150 Title 14 and 15) of the California Code of Regulations and sections 207.1(d) 300, 601, 602 627, and 208 of the Welfare and Institutions Code, which are the requirements set forth by law with regard to Juvenile detentions.



Placer County Juvenile Justice Commissioner:

Chris Reams