

**CITY OF EL PASO, TEXAS  
AGENDA ITEM  
DEPARTMENT HEAD'S SUMMARY FORM**

**DEPARTMENT:** El Paso Police Department

**AGENDA DATE:** 9/10/24

**PUBLIC HEARING DATE:** N/A

**CONTACT PERSON NAME AND PHONE NUMBER:** Executive Asst Chief Z. Silva (915)494-7455

**DISTRICT(S) AFFECTED:** ALL

**STRATEGIC GOAL:** 2 Set the Standard for a Safe and Secure City

**SUBGOAL:** 2.3 Increase public safety operational efficiency

**SUBJECT:**

That the Mayor be authorized to sign an Interlocal Agreement Between the City of El Paso and The El Paso County Juvenile Board, on behalf of the El Paso County Juvenile Probation Department, for the handling, detaining, and apprehending of juveniles in the El Paso County pursuant to statutory provisions set forth in Title III, Juvenile Justice Code of the Texas Family Code.

**BACKGROUND / DISCUSSION:**

This MOU is an update to include the Upper East Side Regional Command Center

**PRIOR COUNCIL ACTION:**

Last council action 11/13/2018

**AMOUNT AND SOURCE OF FUNDING:**

N/A

*Executive Assistant Chief Z. Silva #1799*

8/28/24

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\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**DEPARTMENT HEAD:**

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(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

**RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign an Interlocal Agreement between the City of El Paso and the El Paso County Juvenile Board, on behalf of the El Paso County Juvenile Probation Department, for the handling, detaining, and apprehending of juveniles in the El Paso County pursuant to statutory provisions set forth in Title III, Juvenile Justice Code of the Texas Family Code.

**APPROVED** this the \_\_\_\_\_ day of \_\_\_\_\_ 2024.


**THE CITY OF EL PASO**

\_\_\_\_\_  
Oscar Lesser  
Mayor


**ATTEST:**

\_\_\_\_\_  
Laura D. Prine  
City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Eric Gutierrez  
Senior Assistant City Attorney

**APPROVED AS TO CONTENT:**

  
\_\_\_\_\_  
Peter Pacillas, Chief  
El Paso Police Department

**INTERLOCAL AGREEMENT FOR THE DESIGNATION OF JUVENILE  
PROCESSING OFFICES**

This Interlocal Agreement ("Agreement") is entered into pursuant to the Interlocal Cooperation Act, Texas Government Code, Chapter 791, and is entered into to be effective the 1st day of October, 2024, between the El Paso County Juvenile Board (the "Board"), on behalf of the El Paso County Juvenile Probation Department ("JPD") and the 65<sup>th</sup> Judicial District Court (the "Court"), and the City of El Paso, on behalf of the El Paso Police Department ("EPPD"), as evidenced by the respective signatures below.

**WITNESSETH:**

**WHEREAS**, Texas Government Code, Chapter 791 authorizes local governments of the state to enter into contracts for governmental functions and services to increase the efficiency and effectiveness; and

**WHEREAS**, such a consolidated effort would assist the governmental function of police protection and juvenile detention services; and

**NOW THEREFORE**, in consideration of the promises and agreements hereinafter set forth, the parties agree as follows:

**A. DUTIES OF THE EL PASO POLICE DEPARTMENT (EPPD):**

1. EPPD shall abide by all statutory provisions set forth in Title III, Juvenile Justice Code of the Texas Family Code, as it relates to handling, detaining, and apprehending of juveniles in El Paso County, Texas.
2. EPPD shall provide the following accurate information with its referral to the JPD Intake Unit pursuant to Texas Family Code § 52.04: (1) all information in the possession of EPPD pertaining to the identity of the child and the child's address, the name and address of the child's parent, guardian or custodian, the names and addresses of any witnesses, and the child's present whereabouts; (2) a complete statement of the circumstances of the alleged delinquent conduct or conduct indicating a need for supervision; (3) when applicable, a complete statement of the circumstances of taking the child into custody; and (4) a complete statement of all prior contacts with the child by officers of EPPD (commonly referred to as a "rap sheet").
3. At the time of any electronic referral to JPD, EPPD must provide electronic fingerprints of the child to allow the timely reporting of the arrest by the JPD to the Department of Public Safety ("DPS") for inclusion in the Juvenile Justice Information System. (Tex. Fam. Code § 58.001). Provision of fingerprints under this section is required only if the case is referred to JPD on or before the 10<sup>th</sup> day after the date the child is taken into custody pursuant to Texas Family Code §

52.01. If the child is not referred to JPD within that time, EPPD shall destroy all information, including photographs and fingerprints, relating to the child unless the child is placed in a first offender program under Texas Family Code § 52.031 (First Offender Program) or on informal disposition under Texas Family Code § 52.03 (Disposition Without Referral to Court). EPPD may not forward any information to DPS relating to the child while the child is in a first offender program under Texas Family Code § 52.031 (First Offender Program), or during the 90 days following successful completion of the program or while the child is on informal disposition under Texas Family Code § 52.03 (Disposition Without Referral to Court).

4. All juveniles taken into custody pursuant to Texas Code of Criminal Procedure §45.058 or §45.059 and who are subsequently detained, shall be detained for no more than six (6) hours in either a place of non-secure custody as defined by Texas Code of Criminal Procedure §45.058 (b) as designated by the Chief of EPPD.
5. EPPD will not take any child as defined in Title III, Juvenile Justice Code of the Texas Family Code, to any police facilities which are not designated by the Board, under Texas Family Code §52.025, as a Juvenile Processing Office except for the purposes of reuniting a runaway or missing juvenile or other non-custodial juvenile with parent/ guardian or responsible adult.
6. All juveniles taken into custody by EPPD pursuant to Texas Family Code §52.01, shall be transported to the Juvenile Probation Department located at 6400 Delta Drive (79905) or to a designated juvenile processing office listed below. While a juvenile is detained within any of the designated juvenile processing offices, the juvenile will be kept strictly separated from sight and sound or any contact with any adult offenders, suspects, and arrestees.

Designated Juvenile Processing Offices:

El Paso Police Department  
Westside Regional Command Center  
4801 Osborne Dr.  
El Paso Texas, 79922

Northeast Regional Command Center  
9600 Dyer St.  
El Paso Texas, 79924

Pebble Hills Regional Command Center  
10780 Pebble Hills Ste. A  
El Paso. Texas 79935

Mission Valley Regional Command Center  
9011 Escobar Dr.

El Paso, Texas 79907

Central (JPD Site)  
6400 Delta Drive  
El Paso, Texas 79905

Upper East Side Regional Command Center  
14301 Pebble Hills Blvd.  
El Paso, Texas 79938

7. EPPD Designated Juvenile Processing Office facilities will be staffed 24 hours per day, seven days per week and will be open for regular operation each and every day of each and every year. Any changes regarding this schedule will be submitted in writing to the El Paso County Juvenile Board thirty (30) days prior to any such change.
8. The Chief of Police will provide to all police officers of EPPD written notice of the following:
  - a. A Child in Need of Supervision (CINS) offender will not be taken into custody but will be reunited with a parent/guardian or responsible adult as quickly as practical and that the six hour rule for detaining juveniles will be strictly adhered to.
  - b. Juvenile offenders will remain out of sight and sound of any adult offenders, suspects, or arrestees.
  - c. Juvenile offenders will be brought to a Juvenile Processing Office by the entrance closest to the office and no adult offenders, suspects, or arrestees will use that entrance.
  - d. Juvenile offenders will be logged in and out on the Juvenile Processing Logbook (hard copy or digital/electronic version).
  - e. At no time will a juvenile offender be left alone in the Juvenile Processing Office.
9. EPPD Chief of Police shall provide two (2) hours of training annually on Juvenile Processing protocols to include On-Call Records Webrms and creation of the Juvenile Contact card, the proper handling of juveniles taken into custody or electronically referred; or related juvenile justice training to all police officers of EPPD.
  - a. EPPD shall maintain records of the training and upon written request, make those records available to the 65<sup>th</sup> Judicial District Court and JPD for

inspection. EPPD Chief of Police will provide a written report to JPD no later than the 31<sup>st</sup> of January of each year of the status of the training required under this Agreement that was conducted during the prior calendar year. The report will be forwarded electronically, to Salvador Leos, Director of Intake Services or his designee, to the following e-mail address: s.leos@epcountytx.gov.

10. By entering into this agreement, EPPD warrants that the Juvenile Processing Offices listed in paragraph A.6., and subsequently designated as Juvenile Processing Offices, pursuant to this Agreement is suitable for the processing of children in accordance with the recognized professional standards for the detention of children, to include minimum standards promulgated by the Texas Juvenile Justice Department or Prison Rape Elimination Act (PREA) which are federal guidelines that include but are not limited to:
  - a. Abuse, neglect, and exploitation posters and signage related to the PREA will be clearly visible in the Juvenile Processing Centers to ensure detained youth are aware of their rights. Posters will contain the TJJD contact information in which to report allegations within a custodial setting.
  - b. A lesbian, homosexual, bisexual, transgender or intersex youth's own view with respect to his/her own safety will be given serious consideration. Such youth will be given the opportunity to be held in a separate holding cell from other detained youth, as available.

In the matter of juvenile statements, it will be necessary for law enforcement officers to take the juvenile(s) to the local magistrate for provision of a voluntary statement.

11. In the matter of reporting of Abuse, Neglect and Exploitation, EPPD agrees to timely report any ANE or PREA complaint to the proper authority and cooperate in any investigation of any violation.
12. Upon request by the Juvenile Board or its designee, EPPD will provide juvenile processing logs for inspection. Logs provided in electronic format will require EPPD to certify submissions are true and correct.

**B. DUTIES OF THE EL PASO COUNTY JUVENILE BOARD:**

1. The El Paso County Juvenile Board will certify as a juvenile processing office the named facility of EPPD every two years based upon this Agreement and all applicable State statutes and regulations. The El Paso County Juvenile Processing Office Checklist will be used as the audit guide in which certification will be based on. (Attachment A)

2. The Board shall designate a JPD Intake Juvenile Probation Manager (JPM) to work with the designated representatives of EPPD to provide updates and review training material, as needed for EPPD to provide training to its officers as required in this Agreement.
3. Failure of EPPD to comply with any provision of this agreement in whole or in part may result in the decertification as a Juvenile Processing Office by the Juvenile Board of any or all facilities listed in paragraph A-6 of this Agreement as well as any facilities subsequently certified by the Juvenile Board that are not listed in section A-6 of this Agreement. In the event that the Juvenile Board considers taking any action under this paragraph to decertify any facility, the Board shall first send a written notice of such proposed action to the Chief of Police, along with a brief summary of the alleged non-compliant action. The Chief of Police may, within 20 days after the receipt of such written notice, send any written documentation to the Board that the Chief deems appropriate to address any allegation. Additionally, the Parties may agree to allow the Chief of Police or his designee(s) to personally appear before the Board to address any allegation. The Board shall review any written documentation sent pursuant to this paragraph prior to making any final decision regarding decertification.
4. In the event EPPD desires to obtain a designation for a new or existing juvenile processing office, EPPD shall notify the Juvenile Board. In the case of an existing juvenile processing office, EPPD will work with the Juvenile Board or its representative(s) to establish the applicable requirements and to determine what modifications will need to be made to the facility in order for the Board to accept the facility as a Juvenile Processing Office. In the case of a new proposed facility, EPPD will work with the Juvenile Board or its representative(s) prior to construction to establish applicable requirements to streamline necessary construction guidelines in order for the Juvenile Board to accept the facility as a Juvenile Processing Office. Upon completion of any construction or modifications, EPPD shall contact the Juvenile Board and request a visual inspection of the facility. Every other year, the Juvenile Board or its representative(s) shall inspect the facility for the appropriate separation of juveniles from adult offenders, an affirmation that juveniles will not be detained in the processing office for more than six hours, that all other appropriate measures have been taken and that the facility is suitable for the processing of juveniles in accordance with recognized professional standards for the detention of juveniles, including minimum standards promulgated by the Texas Juvenile Justice Department. Once this inspection is completed, the Board will provide a letter to EPPD certifying an existing or newly constructed facility. The certification letter will be distributed to each EPPD certified facility who will physically attach the certification to each respective facility's copy of this agreement.

**C. MISCELLANEOUS PROVISIONS:**

1. Nothing in this agreement shall serve to preclude any Party to this agreement from exercising any rights and responsibilities statutorily granted.
2. Any notice required in this Interlocal Agreement must be given in writing and shall be sent to the following persons and addresses below:

Notice Shall be mailed to:

El Paso County Juvenile Court  
Attn: Judge Yahara L. Gutierrez  
500 E. an Antonio, Room#1105  
El Paso. Texas 79901

A copy shall be mailed to:

El Paso Police Department  
Attn: Peter Pacillas  
911 N. Raynor  
El Paso, Texas 79903

Juvenile Probation Department  
**Cobblestone Contract#2024-0543**  
Attn: Rosie Medina, Chief  
Juvenile Probation Officer  
6400 Delta Dr.  
El Paso. TX 79905

3. This Agreement may be amended by mutual written agreement which shall be acknowledged and signed by all Parties. This Agreement may be terminated by either party upon giving of sixty (60) days written notice to the other Party.

**IN WITNESS WHEREOF**, the parties execute this Agreement on the date

noted. Signed this \_\_\_\_ day of \_\_\_\_\_, 2024.

**THE CITY OF EL PASO**


\_\_\_\_\_  
Oscar Leeser  
Mayor



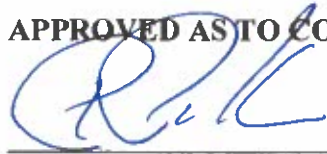
**ATTEST:**

\_\_\_\_\_  
Laura D. Prine  
City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Eric Gutierrez  
Senior Assistant City Attorney

**APPROVED AS TO CONTENT:**

  
\_\_\_\_\_  
Peter Pacillas, Chief  
El Paso Police Department

*(Signatures continue on following page)*

Signature Page for El Paso County Juvenile Board (the "Board"), on behalf of the El Paso County Juvenile Probation Department ("JPD") and the 65<sup>th</sup> Judicial District Court (the "Court")

**El Paso County Juvenile Board**



Judge Yahara Lisa Gutierrez  
Juvenile Board Chair and Judge of  
The 65<sup>th</sup> Judicial District Court

**APPROVED AS TO CONTENT**

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Rosie Medina, Chief Juvenile Probation Officer

**El Paso County**  
**Juvenile Probation Department**  
**Juvenile Processing Office Checklist**

Agency Name:

Facility Name:

Contact Name:

Phone:

Email:

Address:

City:  Zip Code:

**General Administration Information**

	Yes / No	
Does the facility have areas that may be used for secure holding of adults or juveniles?	<input type="checkbox"/>	<input type="checkbox"/>
Does the facility hold juveniles for court?	<input type="checkbox"/>	<input type="checkbox"/>
Does the facility have a secure sally port or other secure entry area?	<input type="checkbox"/>	<input type="checkbox"/>
Does the facility have written policies regarding the handling of juveniles?	<input type="checkbox"/>	<input type="checkbox"/>
<b>Specific Policies Maintained:</b>	<b>Yes / No</b>	
6-Hour Hold Limit	<input type="checkbox"/>	<input type="checkbox"/>
Sight and Sound Separation	<input type="checkbox"/>	<input type="checkbox"/>
The handling of status offenders	<input type="checkbox"/>	<input type="checkbox"/>
Policies regarding the use of a juvenile processing office	<input type="checkbox"/>	<input type="checkbox"/>
PREA	<input type="checkbox"/>	<input type="checkbox"/>

**State Law Issues**

	Yes / No	
Does the facility have a juvenile jail log?	<input type="checkbox"/>	<input type="checkbox"/>
Does the facility have a juvenile log that is maintained regularly and correctly?	<input type="checkbox"/>	<input type="checkbox"/>

**Below, please provide the contact information for the person responsible for the log:**

Name:	<input type="text"/>	Title:	<input type="text"/>
Phone:	<input type="text"/>	Email:	<input type="text"/>

**Below, please provide information regarding what the log captures:**

	Yes / No			Yes / No	
Date of birth	<input type="checkbox"/>	<input type="checkbox"/>	Race/Ethnicity	<input type="checkbox"/>	<input type="checkbox"/>
Date and time of admission/release	<input type="checkbox"/>	<input type="checkbox"/>	Most serious charge/reason for admission	<input type="checkbox"/>	<input type="checkbox"/>

	Yes / No	
Does the facility have a juvenile processing office?	<input type="checkbox"/>	<input type="checkbox"/>
If yes, what is the status and how many rooms do they have?	Non-Secure	and

**Specific Room Number(s) or Location(s) of the Room(s)**

## Deinstitutionalization of Status Offenders (DSO)

	Yes / No	
Are status offenders brought to this facility? (If yes, explain in the notes section below how they are monitored or supervised)	<input type="checkbox"/>	<input type="checkbox"/>
Are status offenders ever taken to a secure area within this facility?	<input type="checkbox"/>	<input type="checkbox"/>

## Sight and Sound Separation

	Yes / No	
Is sight and sound separation between juvenile and adult offenders ensured?	<input type="checkbox"/>	<input type="checkbox"/>
Does the facility allow adult trustees in the same area where juveniles are being processed?	<input type="checkbox"/>	<input type="checkbox"/>
Are jail tours or any type of scared straight program conducted at the facility?	<input type="checkbox"/>	<input type="checkbox"/>

## Jail Removal

	Yes / No	
Are juveniles held in excess of 6 hours before or 6 hours after a court appearance?	<input type="checkbox"/>	<input type="checkbox"/>

Check all that apply:	Yes / No		Yes / No		
Cell	<input type="checkbox"/>	<input type="checkbox"/>	Lockable Room	<input type="checkbox"/>	<input type="checkbox"/>
Cuffing Bench	<input type="checkbox"/>	<input type="checkbox"/>	Restraint Chair	<input type="checkbox"/>	<input type="checkbox"/>
Cuffing Rail	<input type="checkbox"/>	<input type="checkbox"/>	Secure Perimeter	<input type="checkbox"/>	<input type="checkbox"/>

**If any area needs further explaining, please provide that information here or on a separate sheet:**

## Internal Use Only

Date Checklist was Received:

Date Certification was issued:

Internal Use Only - Notes:	Yes / No	
	Recommendation:	
	Approved Processing Room Number(s)	