

DATE:	DECEMBER 27, 2018
NUMBER:	I.89
SUBJECT:	USE OF FORCE
RELATED SECTIONS:	I.83 , I.85 , I.91 , I.93 ; SDSD P&P SECTION 6.48 Addendum F. CSB P&P F.14

PURPOSE:

To establish guidelines and reporting procedures for Use of Force incidents within the Detention Services Bureau.

POLICY:

During the course of their official duties, Detention Services Bureau personnel, may use physical force to the extent that is necessary and objectively reasonable to effect an arrest, prevent escape, overcome resistance, and maintain or restore order. Personnel shall use the Department approved techniques, equipment and tactics in controlling the inmate or incident.

DEFINITION:

Force is a physical action applied to the body of another to overcome resistance and achieve control or compliance. Force includes the pointing of any weapon designed to fire a projectile and any incident involving the actual or attempted detention of a subject at gunpoint (defined as holding the barrel of the weapon on target).

Serious injury means a serious impairment of physical condition, including but not limited to: loss of consciousness, concussion, bone fracture, protracted loss or impairment of function of any bodily member or organ, a wound requiring extensive suturing, and serious disfigurement. The Division of Inspectional Services (DIS) will be notified of all incidents which result in media attention, serious injury, or death.

PROCEDURE:

If the employee determines that the use of force is necessary, he/she shall use only that force which is necessary and objectively reasonable for the situation. Force shall never be used as a form of punishment or discipline. In all circumstances the force used must be consistent with Addendum F.

I. REPORTING PROCEDURES

- A. On every occasion when physical force has been applied to overcome a subject's resistance, deputies (or other employees involved) must verbally inform their supervisor as soon as practical. This includes the pointing of any defensive devices as outlined in Detention Policy and Procedures Section [I.85](#).
- B. Whenever physical force used by a deputy results in a complaint of injury or an injury of a subject, seek immediate medical evaluation and/or treatment, and notify a supervisor.
- C. Supervisors will follow up on all complaints of injury to ensure medical treatment was offered and documented.

- C. All deputies (or other employees) involved in the Use of Force incident must clearly articulate in written form in NetRMS all facts surrounding the incident, including:
1. The reason force was used.
 2. Type of force used.
 3. What were the effects of the use of force?
 4. What negative events would have occurred if force were not used?
 5. Subsequent action taken by the deputy.
 6. Supervisors and/or investigating deputies will interview all identifiable witnesses, including inmates.
 7. In all incidents where force is used photographs will be taken of the inmate where force was applied and of any injuries.

Photographs of any resulting property damage will also be included.
 8. All deputies who witness force resulting in serious bodily injury must document their observations in writing. Professional Staff who witness force resulting in serious bodily injury shall be interviewed. Whenever possible, interviews will be recorded.

Deputies who only witness force not resulting in serious bodily injury will be listed as witnesses in the primary report.
 9. The facility commander shall be notified of all disparate reports.
 10. In addition, a San Diego County Sheriff's Department Supplemental Use of Force Report (SO-120) will be completed for each incident documenting all force used. Multiple forms will be used if multiple inmates are involved.
- D. After the use of any restraint equipment, defensive device, impact weapon or chemical agent upon a subject, a medical evaluation is required and the resulting treatment will be documented in the necessary reports.

II. APPROVAL AND FILING OF RECORDS

- A. Use of force incidents will be documented in NetRMS with supporting documentation, photographs and video footage. If no footage is available, it will be documented in the narrative of the report.
- B. All reports documenting the use of force will be reviewed, via the chain of command, to the level of the facility commander. Supervisor approval entries will be made in NetRMS in the case details. Any supervisor within this chain of command may order that an administrative follow-up be initiated. This order will set forth the degree and nature of follow-up investigation. The approved original of all crime/arrest reports, deputy's reports, appropriate medical reports, etc., should be processed according to standard

operating procedures in a timely manner and not be withheld pending follow-up investigative reports, or for any other reason.

If a follow-up investigation for the use of force is ordered, it may be assigned to detention facility staff, Internal Affairs, or other appropriate investigators. If the investigation is to be assigned to investigators other than detention facility staff, a copy of the assignment request will be routed to the appropriate detention bureau commander.

III. USE OF FORCE BY PRISONER TRANSPORTATION DETAIL PERSONNEL

A. USE OF FORCE OCCURRING WITHIN A DETENTION FACILITY

1. When force is used by a member of the Prisoner Transportation Detail, the deputy using the force will immediately notify the detention facility supervisor on duty. The detention supervisor is responsible for notifying the transportation supervisor of the incident.
2. When Prisoner Transportation Detail personnel are the only ones involved in a use of force or initiated force within a facility, the Prisoner Transportation Detail's chain of command shall be responsible for the review and approval of the use of force report.
3. If the incident occurred in an area covered by the facility video recording system, prior to leaving the facility, the deputy will request the footage of the incident from the supervisor on duty. The footage will be attached to the report in NetRMS as a URL file by the supervisor on duty.
4. Assisting deputies, assigned to the facility shall write a deputy's report which will be reviewed by his or her immediate supervisor and attached to the main case number in NetRMS.

B. USE OF FORCE OCCURRING OUTSIDE A DETENTION FACILITY

If a transportation deputy uses force on an inmate while en route to or from a detention facility, the courts or clinics the deputy shall obtain a medical evaluation and needed treatment for the inmate, and report the incident verbally as soon as possible to the responsible detention facility supervisor and his or her immediate supervisor. The deputy shall complete a use of force report and submit it as soon as possible.

1. When force is used in these situations, the deputy who used the force shall notify the supervisor at the inmate's destination as soon as practical.
2. When force is used on an inmate who is out of a facility temporarily, the resulting reports shall be processed through the Prisoner Transportation Detail.

C. USE OF FORCE OCCURRING EN ROUTE TO OUTSIDE AGENCIES

1. When force is used on an inmate while en route to an institution, facility, or other destination outside of our system, the following procedures will be followed.
 - a. The on-duty supervisor at the receiving facility will be verbally notified.

- b. The transportation deputies involved shall write a Use of Force Report. The report shall include the name of the supervisor who was notified.
- c. The transportation deputy will submit the report to his or her supervisor.
- d. The transportation supervisor shall log the necessary information in the Transportation Detail Log.

IV. REVIEW PROCESS

Division of Inspectional Services (DIS) staff reviews Use of Force incidents. The scope of the review will include all areas of performance, including conduct, tactics, training, and report content, as well as policy and procedure issues with the goal of identifying compliance issues.

The Compliance Manager of DIS will be responsible for evaluation of compliance issues and recommendation to forward the case for final review by the Critical Incident Review Board as referenced in the San Diego Sheriff's Department Policy 4.23; Department Committees and Review Boards (Critical Incident Review Board.)